

Copyright for Artists – Top Tips

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This resource has been adapted from blog post 'The importance of copyright to artists' by Patrick Ibbotson, November 2019.

1. Copyright is something that is automatically assigned to any piece of newly created art; it is an exclusive economic right granted to the creator of original work to permit or prevent other people from copying it.
2. Works are protected regardless of artistic merit, although they need to be original and display an artist's own intellectual creativity.
3. Copyright does not protect an idea, only the material expression of the idea.
4. Protecting your copyright is hugely important for any artist and this means that an understanding of contracts will help ensure that you retain your rights where appropriate and can set clear parameters for others whom you permit to reproduce your works. Copyright should not be assigned to another party without good reason and artists should have a strategy regarding how they use copyright to monetize their works.
5. A little-known aspect of copyright is **Moral Rights**. They relate to the artist's honour or reputation and give the artist:
 - The *right to be named as the artist of the work* (paternity right)
 - The *right to object to someone wrongly named the artist of his/her work* (false attribution right)
 - The *right to object to derogatory treatment of the work* (derogatory treatment right)

Moral rights can't be assigned to anyone else (unlike copyright), but they can be waived in UK law.

Helpful resources

- **Naomi Korn Associates resources** – A collection of free and openly licensed copyright, licensing and data protection help resources. www.naomikorn.com/resources
- **Intellectual Property Office (IPO)** – Intellectual property rights resources, information and updates on UK legislation. www.gov.uk/government/organisations/intellectual-property-office

- **Heritage Digital guide: Working with volunteers: Copyright considerations** – A guide providing information on best copyright practices when it comes to managing or supervising volunteers. This resource includes an editable template Deed of Copyright Assignment that you can use with your own volunteers. www.charitydigital.org.uk/resources/digital-guide-working-with-volunteers-copyright-consideration
- **Heritage Digital guide: Heritage Organisations and Exceptions to Copyright** – A guide providing an essential overview of the various UK copyright exceptions that can be used by heritage organisations to support their digital strategies. www.charitydigital.org.uk/resources/resources/digital-guide-heritage-organisations-and-exceptions-to-copyright
- **Heritage Digital guide: A Guide to Copyright and Working with Suppliers to Create Digital Content** - Best practice steps and guidance to help heritage organisations manage copyright effectively when working with suppliers (for example freelancers, web developers, photographers or commissioned artists). www.charitydigital.org.uk/resources/resources/digital-guide-working-with-suppliers-to-create-digital-content
- **Heritage Digital guide: Brexit, Intellectual Property Rights and Heritage: What you Need to Know** - Information and guidance for heritage organisations about IP changes following the UK's departure from the EU. www.charitydigital.org.uk/resources/resources/digital-guide-brexit-intellectual-property-rights-and-heritage
- **Copyright User** - A website providing guidance and resources about using copyright resources www.copyrightuser.org
- **Creative Commons** – Details about the different types of CC licences and sources of CC licenced content. www.creativecommons.org
- **Publication: Information Law: Compliance for librarians, information professionals and knowledge managers, by Charles Oppenheim, Adrienne Muir and Naomi Korn** – A book presenting the tried and tested 'Compliance Methodology' for organisations seeking to navigate the complex legal landscape of the information professions. www.facetpublishing.co.uk/page/detail/?k=9781783303663*



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