



# **Creative Expression**

**Benefiting from your copyright  
and using the copyright works  
of others**

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## Creative Expressions

• Visually



• Through multimedia



• Through writing



• Through sound



• In three dimensions



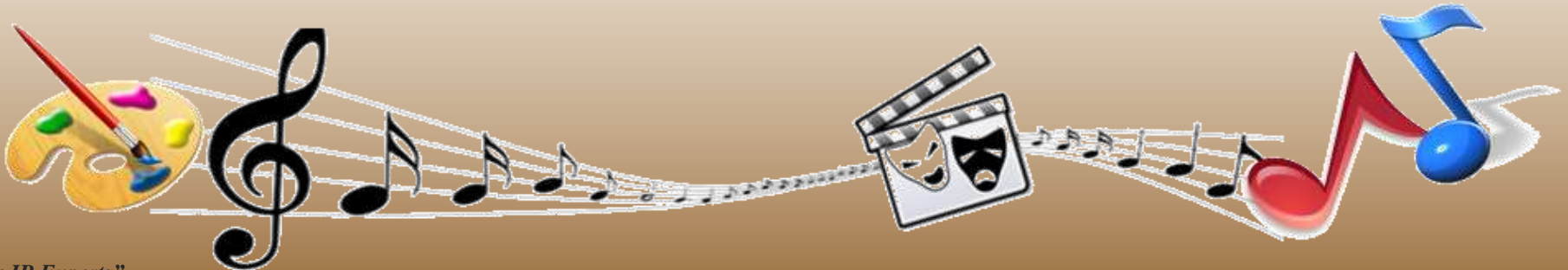
• Through motion





## Examples of creative expressions

- |                                    |   |
|------------------------------------|---|
| <input type="checkbox"/> Paintings | <input type="checkbox"/> Music          |
| <input type="checkbox"/> Photos    | <input type="checkbox"/> Choreography   |
| <input type="checkbox"/> Songs     | <input type="checkbox"/> Sculptures     |
| <input type="checkbox"/> Novels    | <input type="checkbox"/> Buildings      |
| <input type="checkbox"/> Poems     | <input type="checkbox"/> Movies         |
| <input type="checkbox"/> Plays     | <input type="checkbox"/> Computer Games |





## Copyright

- **Protects original works**
- **Copyright protects a wide range of works**

E.g. Written works    books, speeches, magazines and newspaper, articles, novels, stories, poems, essays, plays, textbooks, web pages, advertisements, dance notations, operation manuals, written instructions.





## Copyright – cont'd

### Musical works

musical compositions, lyrics, songs and ring tones, in all types of formats (sheet music, CDs, MP3 files, any media)

### Artistic works

drawings (both technical, engineering, scenic etc.), paintings, photographs, comics, sculptures, architectural works, maps





## Copyright – cont'd

Dramatic & choreographic works

plays, operas, dance

Films & multimedia products

movies, video games, TV programs, cartoons

Computer program

human (source code) and machine (object code) computer programming language





## Copyright – cont'd

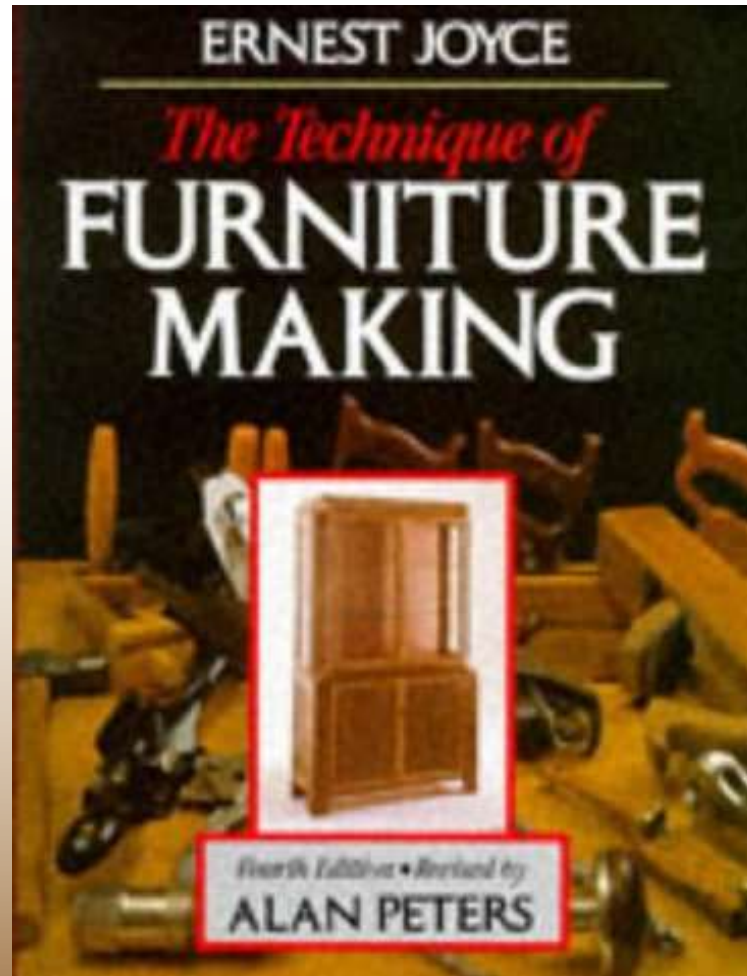
- Copyright does NOT protect ideas, concepts, facts but only the expression which is contained in a medium
- Expression must be original
  - Dog playing with a ball







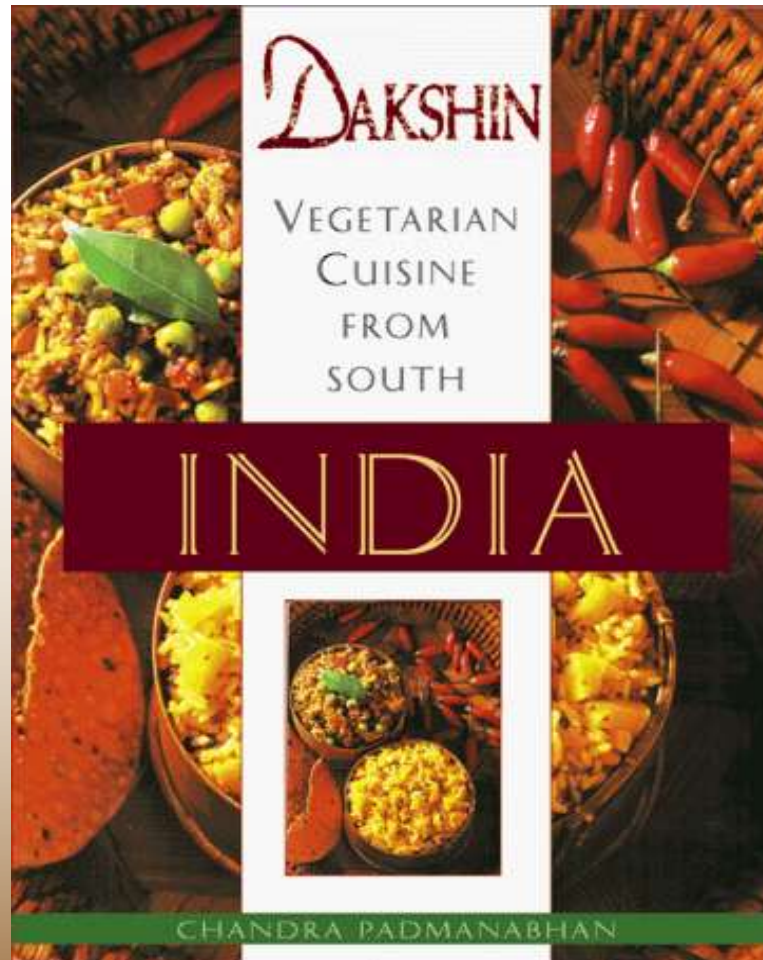
## ■ Example: A book on furniture making







## ■ Example: A recipe book





## ■ Example: Women's magazine





## ■ Example: Reader's Digest





## **Using copyright works of others**

- **Law attempts to balance right of owner of copyright works and right of public to access/use the works**



## **Rights granted to copyright owners**

- **Economic Rights and Moral Rights**
- **Moral Rights – unique rights in copyright not found in other IP Rights**



**Economic Rights – Authors (owners) have the exclusive rights to:**

- a) Reproduce the work – includes any form of copying, such as photocopying, scanning, etc.**
- b) Translate – the work into other language**







## c) Adapt the work – this alteration of transformation usually changes the type of work

E.g. making a novel into a movie, animating a drawing into a cartoon, character merchandising – toys, T-shirts











## d) Exhibit / perform the work in public

E.g. Displaying photos in an art gallery, performing a play in front of audience, playing a CD in a store or restaurant or any “public” place (e.g. Shopping mall)







# KASS







**e) Distribute the work by selling or commercial rental to the public**

**f) Broadcast the work e.g. playing a song over the radio, showing a film on TV, playing a song over the PA system in a factory, “re-broadcasting”**







## g) Communicate the work to the public

E.g. Uploading a work onto the internet



**Doctrine of exhaustion of rights depends on national laws of a country – parallel imports**



**Moral Rights – Rights which maintain a personal link between authors and their work. Include the right to:**

- a) Be recognized as the author of a work (right of paternity). This means that authors can choose to sign their names, to not sign their names (remain anonymous), or to sign fictional name (use pseudonym) on their work**
- b) Object to any changes to the work which could damage the author's honour or reputation (right of integrity)**





## **Doctrine of Fair Use – The right of control does not include**

- **By way of fair dealing for purpose of non-profit research, private study, criticism, review or the reporting of current events**
- **Parody, pastiche or caricature**
- **Inclusion in a film or broadcast of any artistic work situated in a place where it can be viewed by public**



**Is acknowledgement of source good enough?**



**What is copying in law?**

**Quantitative**

**Or**

**Qualitative**





**Exploitation of work globally?**

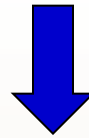


**Is registration required?**

**Is a Copyright Notice required?**



**Copyright + Branding**



**Marketing**



**Distribution**





Any  
Questions?

# *Thank You*



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