








## **IP ALERT**

### **WHAT IS COPYRIGHT**

Copyright is a form of intellectual property which provides a way of protecting a person's original expression of their ideas. For example, an artist who paints a picture would own the copyright in the picture they created.

Common examples of material that can be protected through copyright include:

-  Music;
-  Art;
-  Books;
-  Films;
-  Newspapers and magazines;
-  Computer programs;
-  Television broadcasts

In Australia, the Copyrights Act 1968 (Cth) provides the statutory framework for protection.

Under the Act, works to which copyright attaches includes literary, dramatic, musical or artistic works. The Act further says the works must be in a material form (eg. in writing (like a book) or by way of a painting, etc) and the works must be a new creation (ie. be original – not copied).

Copyright provides a legal right to the copyright owner to prevent others from doing certain things such as copying and plagiarising the copyright owner's works without the permissions from the copyright owner.

Copyright in the works is automatic from the time it is first recorded, written down, painted or drawn, filmed or taped. There is no system of registration for copyright protection in Australia.

Some copyright owners use symbols © or the words "Copyright" or "Copyright reserved" to inform people of their rights in that work.

Generally, copyright lasts for 70 years after the death of the creator, or 70 years from the end of the year the material was first made public.

Copyright gives the owner exclusive rights to that particular work. However, a copyright owner can choose to either assign their IP right to another person or license others to, for example, copy, publish or broadcast the owner's work. A Licence Agreement would normally be entered into to formalise the terms and conditions of such use.

Any enquiries about intellectual property can be directed to Raymond Duffy, Associate on 07 3233 9909 or email: [raymondd@mdl.com.au](mailto:raymondd@mdl.com.au)