

Are you protected?

July's edition of the Business Bulletin kicks off with the first in a four part series focusing on Intellectual Property Rights. Each article will focus on a particular Intellectual Property right and will explain what it is and how a business can ensure that it is adequately protected. This month, we focus on copyright.

Copyright is probably the most well known of the Intellectual Property rights but also the hardest to ascertain and found a court action on due to the lack of requirement for registration and the uncertainty that this creates with regard to ownership.

Copyright protects original literary, dramatic, musical or artistic works, sound recordings, films or broadcasts and typographical arrangements of published articles. Databases are specifically excluded from copyright protection.

To gain copyright protection, you merely have to show that the work is original i.e. the author created it. This is however easier said than done!

Copyright vests in the author of the material, and in the case of an employee creating the material in the course of his / her employment, in the absence of any agreement to the contrary, in the employer. It will exist for a specified period of time, depending on the type of material.

Protection of Copyright

Whilst the right to copyright cannot be formally recorded, there are certain things that a business / individual can do to ensure that they are protected, so far as is possible.

1. Post a hard copy of the material in question to yourself. Once received keep the unopened envelope in a safe. The post mark will help to prove a minimum date of ownership, should this ever be called into question.
2. Use a "©" next to any material that you consider may be vulnerable to copying to send out a warning to any wannabe copiers that you are aware of your rights and that you are marking your territory.
3. Act quickly if you consider that any copyright belonging to you, or your business, is being infringed, seek legal advice as a matter of urgency. It is much easier to deal with copyright problems before they have had a chance to escalate. Often all that is needed, is a warning letter from a Solicitor.

If you would like further advice on copyright, or any other Intellectual Property concern, then please do not hesitate to contact a member of our team, who will be more than happy to help.

So You Think You're Up To Date?

This employment update is being held at Chattertons Solicitors' Newark office on Thursday 8 July, 8.30am - 10.30am. £11.75 inc.VAT per delegate.

For more information email laura.forsyth@chattertons.com

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To speak with anyone in the Team please enquire at any office or call 01522 814600

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