

# HNC Photography Y2

Fashion photography

Copyright – The Basics!!!!!!

# Copyright . . . The basics!

## The current act is the Copyright, Designs and Patents Act 1988

- All **images are inherently protected** by copyright when created, the rights usually belong to the creator.
- Unless **express permission** is given by the creator (you) no image can be downloaded, scanned, copied or printed for use.
- Anyone who is using a photographic image that is not their own **MUST assume** full copyright protection applies.
- Due to expansive nature of **digital** a pragmatic and realistic approach is required – see Creative Commons later.

# Copyright . . . What?

## Work to which copyright applies . . .

- **Literary** - Lyrics, manuscripts, commercial documents, leaflets, newsletters, computer programs (1991).
- **Dramatic** - Plays, dance.
- **Musical and Sound recording** - Recordings and score.
- **Artistic** - Photography, painting, sculptures, architecture, technical, drawings/diagrams, maps, logos
- **Typographical arrangement of published editions**  
Magazines, periodicals, etc.
- **Films, Broadcasts and cable programs**

‘Names’ protected under **Trademark** law

Ideas/Concepts are protected under **Patent** law

# Copyright . . . Artistic works!

## How long does it last. . .

- **70 years** – from the end of the calendar year in which the author dies and the copyright is inherited.

## You can only use an image if . . .

- You own the rights
- The rights holder gives you permission
- The Rights have expired
- Under the exceptions to 'Copyright'

## Moral Rights

- The right to be identified as the author
- Right to object to derogatory treatment

# Copyright

## Exceptions to Copyright

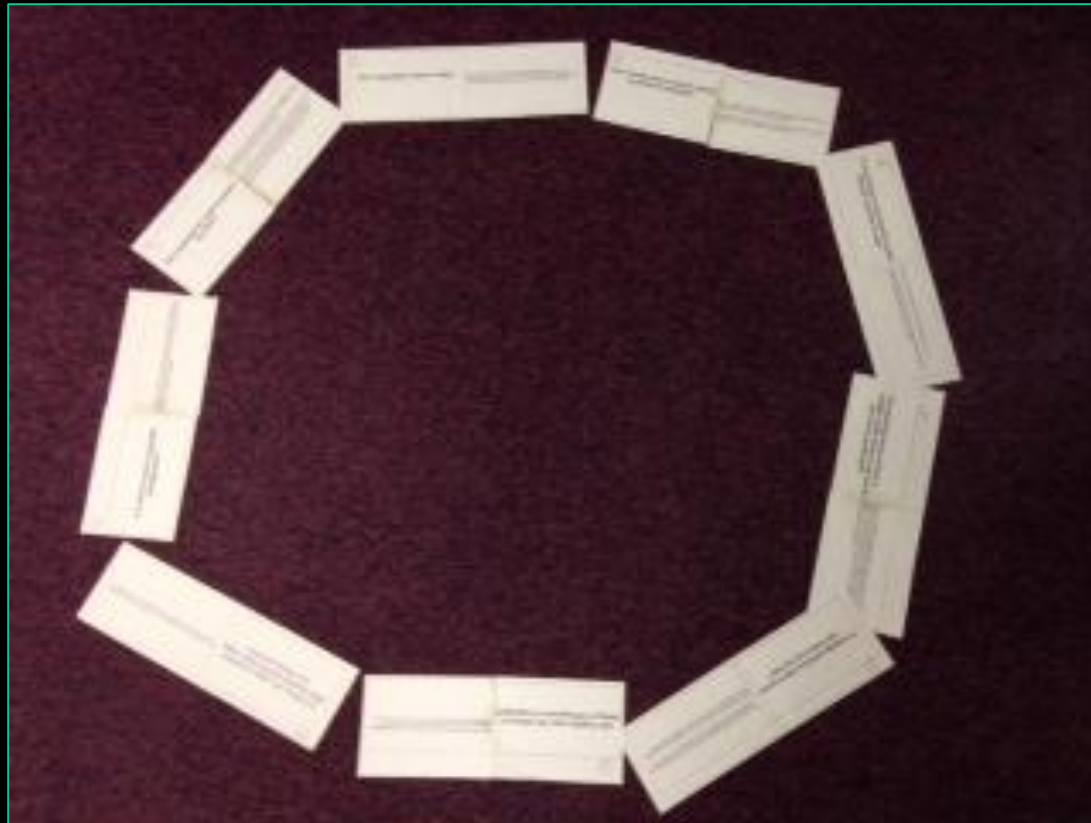
### Permitted Actor 'Fair Dealing'

- Insubstantial part of a work
- Non commercial research or study
- Criticism, review, reporting
- Education, Research and Study (very limited)
  
- Anonymous works likely to have expired
- Works of artistic craftsmanship on permanent public display

These are 'defences' not rights!

# Questions and answer exercise

## Activity - The wheel of copyright!



# Creative Commons (CC)

## A new development in the last 6 years

- Offers a **middle ground** between “free for all” and “fully managed rights”
- Much more **manageable language** and applies common sense and pragmatic approach.
- **6 core licence** statement used singularly or in combination, describe the restrictions and usage rights you apply to your work. Open Media savvy.
- Nothing is intended to, in any way the law of “fair use” or “fair dealing.” **modify, or qualify**
- Creative Commons licenses **add either freedoms or security** beyond those provided by “fair use” and “fair dealing.”

# 6 core licences



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