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COPYRIGHT INFRINGEMENT and the ADVANTAGES of REGISTRATION

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Article I, Section 8 of the United States Constitution allows the federal government to enact copyright laws that protect the intellectual property of authors and inventors. This constitutional provision was included to encourage people to develop new creative works and to allow them to keep the ownership rights to those works for a definite amount of time.

All original works that are fixed in a stable and permanent form are automatically deemed copyrighted pursuant to federal law. That means that if a work is new, rather than copied, and on a fixed platform such as paper or electronic device, then the work is copyrighted. However, in order to reap all of the benefits of a copyright, it is important for the copyright owner to register with the U.S. Copyright Office.

The Advantages of Registering a Copyright with the U.S. Copyright Office

The most important advantage to registering with the U.S. Copyright Office is that your registration is a prerequisite to bringing a lawsuit alleging copyright infringement. If you believe someone is unlawfully using your copyrighted work you can only sue them if your work has been registered with the federal Copyright Office. While you may register your work at any time, you may significantly delay your lawsuit if you don't begin the registration process until after the infringement has occurred. Further, you may only collect statutory damages, legal costs and attorney's fees if you register your work in a timely manner. The law defines a timely manner as prior to the alleged infringement taking place or within three months of a work's publication.

For example, you would not be able to recover statutory damages, costs and fees if your work was published in January, an infringement occurred in April and you registered for a copyright in June. However, if your work was published in January and the infringement occurred in February then you would be able to register your work and collect statutory damages, court costs and attorney fees. Many copyright owners elect statutory damages because they are typically easier to prove and higher than the actual damages that may be awarded in a copyright infringement case.

Copyright owners who file with the U.S. Copyright Office in a timely manner have evidence that their work is original and that it is owned by them. That makes it easier for a court to require an alleged infringer to cease and desist more quickly than would otherwise be possible.

It is relatively easy and inexpensive to register a copyright and it is a good investment in the protection of your original works. Therefore, it is important to copyright your works as soon as possible and to protect your work and your financial future.

To Learn More About Our Copyright and Other Services Please Visit Our Website:

<http://www.lanternlegal.com/copyrights.php>

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