

Review of Copyright Term and the Public Domain in the United States 1 January 2013

<http://copyright.cornell.edu/resources/docs/copyrightterm.pdf> Accessed 10 March 2013.

Reviewed by David M. Brown, Ed.D., MLIS(c), MCHES; MLIS Student Wayne State University; Assistant Professor of Public Health Jackson State University

In the ever-changing world of copyright and public domain, the Cornell University Copyright Information Center provides a resource to assist scholars, researchers and archivists with the United States of America's diverse laws and regulations with respect to copyright and the public domain.

The Portable Document Format (PDF) document, provided by Cornell University, provides clear instructions and information about the current copyright term of all information that can be copyrighted under United States Code. The document also defines what is in the public domain as of January 1, 2013. This document provides information for all media formats, from the written word to sound recordings and videos. It allows interested parties to gather a better understanding of what is protected by copyright and when copyright material becomes part of the public domain.

As we become more dependent on digital and multimedia outlets to provide access to our materials, it is important to recognize the copyright rules and regulations that govern these media. Also, given the ease of publishing information on the Internet it is important for information users to differentiate between information protected by copyright and information that is in the public domain. It should be noted that the distinction between copyright and public domain is usually based upon publication/production date. The publication/production date governs when material loses its copyright protection and becomes part of the public domain.

Another tool that can be used to help determine who holds the copyright is Writers Artists and Their Copyright Holders (WATCH)¹, a collaboration between the Harvey Ransom Center affiliated with the University of Texas at Austin and the University of Reading Library in England. This innovative tool provides information on who to contact for permission to use copyrighted materials. Both WATCH and Cornell's document use nodes (data/documents/content) based on document type and creation year with links (relationships/connections) to determine if and when the documents become part of the public domain. For example, the Cornell resource provides the copyright term of an item based on its relationship (link) to its nodes (document type and creation years). Thus enabling the user to determine what type of documents are still protected by

copyright or if they are in the public domain. This information protects both consumers and users of information to insure they are abiding by the United States' laws and regulations as they relate to copyright and the public domain.

One difficulty with Cornell's resource is that it almost contains too much information with respect to copyright. The date and the conditions that surround the information are very important to determine if the copyright still stands or is part of the public domain. A potential enhancement of this document would be to include a web based fillable form, similar to what is provided on the WATCH site. Users could input the type of resource, publication year and other important information to determine the expiration of copyright.

Another potential issue for the Cornell resource is that it is limited to information for the United States, its citizens and foreign nationals. As our society grows and becomes more international, additional guidelines or protections may need to be developed to help protect all people in other countries. While there are other sources people can use such as Copyright Watch² to help with determining international copyright, a centralized clearing house with a searchable database would help as our global society continues to advance technologically.

Overall the resource from Cornell University can be of great benefit to both students and archivist professionals in the determination of copyright protection and expiration. It also provides quality information on what types of data are subject to copyright protection and allows interested parties to know what to look for to determine what rules of copyright govern most every type of information that can be copyrighted.