

Copyright

- Copyright protects the original expression of ideas, not the ideas themselves. It is free and automatically safeguards your original works of art, literature, music, films, broadcasts and computer programs from copying and certain other uses.
- Material is protected from the time it is first written down, painted or drawn, filmed or taped. Material may also enjoy reciprocal protection under the laws of other countries who are signatories to the Universal Copyright Convention.
- Copyright protection is provided under the Copyright Act 1968 (Cth) and gives exclusive rights to license others in regard to copying the work, performing it in public, broadcasting it, publishing it and making an adaptation of the work. Rights vary according to the nature of the work. Those for artistic works, for instance, are different to those for literary and musical works.
- Although making copies of copyright material can infringe exclusive rights, a certain amount of copying is permissible under the fair dealing provisions of the legislation.
- Copyright doesn't protect the owner against independent creation of a similar work. Legal actions against infringement are complicated by the fact that a number of different copyrights may exist in some works-particularly films, broadcasts and multimedia products.
- Although a copyright notice with owner's name and date is not necessary in Australia, it can help prove your ownership of the copyright, and is necessary to establish copyright overseas. It can also act as a deterrent to potential infringers.
- Copyright is lost if the owner applies a three-dimensional artistic work industrially. In such a case, it is necessary to register the design if protection is required.
- There may be time limits on copyright. This varies according to the nature of the work and whether or not it has been published. Depending on the material, copyright for artistic and literary works generally lasts 50 years from the year of the author's death or from the year of first publication. Copyright for films and sound recordings lasts 50 years from their publication and for broadcasts, 50 years from the year in which they were made.
- Lawyers at DLS can:
 - draft and negotiate confidentiality and non-compete agreements;
 - arrange for IP searches through specialist patent attorneys;
 - draft and negotiate agreements for the licensing, sale or acquisition of IP rights; and
 - act in relation to IP disputes.

For further information, contact:

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