

Copyright

Copyright is an internationally recognised system of protecting the rights of creators of written, performed or artistic works such as books, plays, paintings, computer programs or sound recordings. Copyright does not protect ideas or titles, although a title may be registered as a trademark. It does protect the written or published form of your book.

Protecting Your Copyright

There is no procedure to protect the copyright of your book; this is an automatic right. As soon as you write something, whether it is a book, a play, a short story, a poem, a film, etc., that work is automatically copyrighted to you regardless of whether you use the © symbol.

However, the Australian Attorney General's Department advises that it is best practice to display a copyright notice prominently on your work. In addition, the department advises keeping dated copies of your manuscript and other writings as well as any letters submitting your work to others. For further copyright information on the Attorney General's Department website, click [here](#).

Pen Names

Some writers may choose to publish their work under a pen name. Authors use pen names for a variety of reasons: for privacy or if they feel their real name doesn't stand out. For example, a man called John Smith might choose to publish romance novels under the name Juliet Wildblood. However, the [Fellowship of Australian Writers](#) (FAW) advises that the copyright of this work belongs to John Smith and should be indicated as such (ie. © John Smith, not © Juliet Wildblood).

Selling Copyright

Copyright can be bought and sold, although we don't generally recommend that authors sell their copyright. Once copyright of a work is sold, the author will have no further say in what happens to that work.

When a book is published authors usually license rights to a publisher, which is done by signing a contract that specifies which rights are to be licensed and what royalties and share of income will be returned to the author. Contracts should also specify the conditions under which licensed rights return to the author when the book goes out of print.

The FAW advises that in some cases an organisation such as a magazine or television company may insist on purchasing copyright. In such cases the author must be clear about what is being sold and should ask for a higher payment.

First Rights

If you are selling an article to a newspaper or magazine, or a short story or poem to a journal, the publisher may ask for first publication rights. This is a common industry practice and means they are obtaining the right to be the first to publish your work. First rights should not preclude you, the author, from publishing your work again in another publication at a later date. For more information about first rights, contact [Copyright Agency](#) or the [Arts Law Centre of Australia](#).

Copyright Duration

Although the duration of copyright protection can vary, in the case of literary works it usually lasts for the lifetime of the creator plus seventy years.

Quotation Permission

If you have used quotations from other writers – no matter how small the quotation – you may have to get permission to use them and, in some cases, may have to pay a fee. Permission fees are payable to copyright owners whose work, or part of a work, is being reproduced in any form. See the [Copyright Agency](#) for details. For clearance of text, photos and images see the [Copyright Agency](#) or the [Australian Copyright Council](#). For music and song lyrics visit the [Australian Performing Rights Association](#).

Digital Rights

The area of digital rights for work is constantly changing. The NSW Writers' Centre recommends contacting the [Arts Law Centre of Australia](#) for questions regarding digital rights. The Australia Society of Authors recommends contacting the [Australian Copyright Council](#), which has copyright lawyers on staff.

Further Resources

Arts Law Centre of Australia <www.artslaw.com.au>

Australian Government Attorney General's Department
< <http://www.ag.gov.au/www/agd/agd.nsf/Page/Copyright>>

Australian Performing Rights Association <www.apra-amcos.com.au>

Copyright Agency <www.copyright.com.au>

Fellowship of Australian Writers <www.writers.asn.au>

Australian Society of Authors <www.asauthors.org>



For more information go to www.nswwc.org.au