

How to Provide a Proper Copyright Notice

While a copyright notice is not required for a copyright to exist, if you are going to use it, you might as well do it right. Federal law sets forth the proper elements of a copyright notice.

The general form of the copyright notice is set forth in the Federal copyright statute (17 U.S.C. 401). There are three parts to the copyright notice under this law:

- The first part has three options: the © symbol (the letter “C” in a circle), the abbreviation “Copr.,” or the word “Copyright.” (In the case of a sound recording, the letter “P” in a circle is used instead.)
- The second part of the notice is the year of first publication of the work.
- The third part of the notice is the name of the copyright owner or some abbreviation by which the name can be recognized, or some generally known alternative designation of the owner (e.g., “IBM”).

The year of first publication may be omitted when a pictorial, graphic or sculptural work, with accompanying text matter, if any, is reproduced in or on greeting cards, postcards, stationary, jewelry, dolls, toys, or any useful articles.

The positioning of the copyright notice on the work is important. A notice should be affixed to the copies of the work in such a manner and location as to give reasonable notice to the claim of copyright.

Examples of possible copyright notice positions include:

- For a book: Copyright notice should be placed on the title page or the page immediately following, either side of the front or back cover, or the first or last page of the main body of the work.
- For computer programs: Copyright notice should be placed with or near the title or at the end of the work on paper printouts of the work, at the user’s terminal at sign-on (and removed only after the user takes some action such as pressing a key or clicking on a mouse), on continuous display on the terminal, or reproduced on a label securely fastened to the copies of the work or to containers used as a permanent receptacle for copies of the work.

Proper placement of the copyright notice depends on the specific work. A proper copyright notice, along with the proper registration of the work in a timely manner, can enhance the copyright owner’s remedy in the event the work is infringed.