



Copyrights 101



CHRISTIAN COPYRIGHT SOLUTIONS

We help you do music right.

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Copyrights 101

Building Blocks of Copyright

To establish a foundation for copyright compliance, Christian leaders should have a general understanding of the three basic building blocks of copyrights and how each impacts the church's use of copyrighted material.

- 1. What is a copyright?**
- 2. What works can be copyrighted?**
- 3. What are the rights of copyright owners?**

1. What is a Copyright?

A copyright is a particular kind of intellectual property right. Intellectual property refers to intangible properties that are protected under the U.S. Copyright, Patent, and Trademark Laws. It's often difficult to grasp the fact that a copyrighted work is someone's property because it's intangible rather than physical - like a house.

The songs you purchase and upload onto your mobile device are copyrights or intellectual properties and owned by someone. Although they are intangible assets that can't be touched, the owner of the works has the exclusive right to reproduce or make copies of them or authorize a third party to do so.

The right to reproduce that song, however, can't be touched and felt like your phone or device because it's an intangible right. Nonetheless, the author(s) of the song and the artist of the recording, from the time of the song's creation, have the exclusive right to reproduce (or adapt, display, distribute or perform) the composition. The author's rights are extremely valuable and can be assigned to a third party, such as a publisher, if the assignment is in writing.

INTANGIBLE OWNERSHIP VS. PHYSICAL OWNERSHIP

	INTANGIBLE SONG	PHYSICAL HOUSE
<i>Sell</i>	✓	✓
<i>Partially Own</i>	✓	✓
<i>Lease</i>	✓	✓
<i>Inherit</i>	✓	✓
<i>Donate</i>	✓	✓

2. What can be Copyrighted?

Only particular works are eligible for copyright protection. The Copyright Act defines eight different copyrightable “works of authorship”: music, sound recordings, literary works, visual arts, choreography/pantomime, drama, video/films, and architecture. Those of particular interest to churches include:



MUSIC

Original compositions and arrangements or adding new copyrightable content to other new versions of earlier compositions, including new arrangements or additions to public domain music. Also included are any accompanying words, lyrics, notes, and composition in some published format.



SOUND RECORDINGS

Aural reproduction of some material (which may or may not itself be copyrighted). They are works that result from the fixation of a series of musical, spoken, or other sounds, but not including the sounds accompanying a motion picture or other audiovisual work. They may include recordings of music, literary works, drama, etc.



VISUAL ARTS

Pictorial, graphic, or sculptural works, including photos, visual images, illustrations, cartoons, sculptures, etc.



VIDEO/FILMS

Series of related visual images that impart an impression of motion, which may or may not be accompanied by sound, such as films, videos, slides presentations, and video games.

For detailed information on each of the above, please refer to the Copyright Act Section 102.

Because of the increasing use of a variety of creative works and the growing risk of liabilities, it's essential church leaders have basic knowledge of the various types of copyrighted works. Copyright infringement penalties can be severe, up to \$150,000 for each infringement. Several years ago, churches primarily reproduced and used music (only one of the eight copyrightable works), but today more innovation and creativity have resulted in churches using just about every type of work listed above.

The Difference Between Music and Sound Recordings

Christy Nockels' recording of “Build My Life” by Pat Barrett, Matt Redman, Brett Younker, Kirby Kaple, and Karl Martin contains two different copyrights - the sound recording copyright is owned by the artist's record label, and the composition is a music copyright and owned by the authors' publishing companies.

3. What are the Rights of Copyright Owners?

To understand copyright law and how it impacts your ministry, you need to understand the six rights that are exclusive to the owner of a copyrighted work. These rights apply to all works that can be copyrighted. If you want to engage in any of the activities that are the exclusive right of a work's owner, you need to get permission to engage in that activity.

Only the copyright owner has the following rights:

- **REPRODUCTION**
Photocopying lyrics, making rehearsal copies, creating a copy of a video
- **MAKING DERIVATIVE WORKS**
New works based on a pre-existing work, arrangements of songs, adaptations of plays into movies
- **DISTRIBUTION**
Sale, rental, lease, lending/gifting to the public, giving/selling CDs of worship services, podcasts of music in worship services
- **PERFORMANCE**
Concerts, music played at church social events, on-hold music, playing music on TV, radio and the Internet
- **PUBLIC DISPLAY**
Display of visual works such as photos or videos - hanging art in the church lobby, displaying a photograph on screens during worship services
- **DIGITAL RECORDING PERFORMANCE**
Digitally transmitting works - streaming sound recordings in worship services, internet radio

Learn more about our licenses!

CCS provides blanket licenses that meet most church performance copyright needs. For more details or information about products and services that we offer contact:

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