



Copyright: do it right

If the creators of *Superman* had known a little bit more about copyright, they might have wound up billionaires, instead of on Skid Row. Don't let ignorance about copyright be *your* kryptonite! In this issue of **inkspots**, we'll take you through the basics of copyright law in Canada, what you need to know to protect your rights and how we at **Nyman Ink** treat copyright issues.

Copyright literally means the right to copy. In Canada, all original creative works are protected by copyright. Whether it's a song, computer program, recipe or logo, the creator of a work owns the copyright, and therefore the right to decide how and when his or her work is copied.

Sounds simple enough, right? Well it can get murky when a creator produces work for someone else. Let's say someone — like, oh, **Nyman Ink** — designs a logo or writes a brochure or newsletter for you. You commissioned and paid for it, so you own copyright, right?

Not quite. According to Canada's Copyright Act, regardless of who commissioned the work, the creator owns the copyright, and with it the right to decide just how that work may be used. Generally, what this means is that

you can only use the work you commissioned for the purpose for which it was originally intended. This means that if we write a story for your newsletter, you can't then put it up on your Web site or publish part of it in an industry magazine, without our permission.

This rule holds true for almost all creative work, with the exception of employees who create things for their employers, and photography. With photos, the person or company that commissioned and paid for them *usually* owns the copyright. (There are exceptions, however, which we'll be happy to explain to you if you give us a call.)

Editing is somewhat murkier: the original creator holds copyright. However, if an editor substantially changes a work through the editing process, the editor might begin to attract, or share in, copyright.

Pretty please ...

So where does this talk of copyright leave you? Well, in a pretty good place. You don't have to do everything yourself to maintain control over it.

Nyman Ink is in the business of communicating in a variety of media: from print newsletters to Web sites, billboards and more. The bottom line is this: we want you to get your message across, even if that means skywriting. We just want to be kept informed about how our work is used.

So, if you'd like to use, or re-use, our original creative work (like putting that newsletter story on your Web site), all you have to do is ask. We're always happy to give permission, usually for a nominal charge.

We also always give you the option of purchasing copyright on the work we create for you. And because

we know that logos will be used and re-used, we build copyright costs into our logo design fees. As well, **Nyman Ink** doesn't claim copyright (full or partial) when we edit your copy. As far as we're concerned, if you write it, and we edit it, you can keep the copyright.

Clearly, copyright is valuable stuff. When money and intellectual property are at stake, it's important to understand the details to avoid stepping on anyone's toes.

At **Nyman Ink**, we're proud of our creative communications solutions, and are happy to have you re-use our copy or designs. We'll be upfront with you about what's yours and what's ours, and the costs involved. We can work with you to explain the ins and outs of copyright law and guide you through the facts faster than a speeding bullet. ✨



in a nutshell

- © In Canada, all original creative works are protected by copyright, which means literally "the right to copy."
- © Under Canada's Copyright Act, the person who owns copyright — usually the creator of a work — has the right to decide when and how the work is copied.
- © This law protects artists, writers and publishers who rely on royalties from their work as others rely on salaries.
- © Copyright in Canada lasts for the creator's lifetime plus 50 years. After that, the work falls into what's known as the public domain, and may be reproduced with relative freedom.
- © Unless otherwise specified, and agreed upon in advance, **Nyman Ink** grants our clients a transactional licence for use of our creative work solely for the purpose for which it was created. For example, if you commissioned us to write and design a brochure, you can only use our work for the production of a printed brochure. You can't put that brochure text on your Web site, without our permission.

Coming Next Issue

..... Since a picture is worth a thousand words, in the next issue of **inkspots**, we thought we'd give you a thousand words (give or take) on pictures. We'll explain why and how images liven up your copy, and focus on how you can find, choose and use photographs, illustrations, clip art and other graphics. Say cheese! ✨

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