**Copyright – an introduction**

Copyright protects literary, artistic, dramatic (including dance) and musical works and films. It also protects the media through which these works are made available including sound recordings and broadcasts.

Copyright gives the owner exclusive rights to copy and disseminate these works, and thus to prevent a third party from using the work without permission.

An owner of copyright can grant a licence to a third party to use a work for a range of different uses, such as making a film from a book, or making digital images of dance available in an archive. The copyright owner can also assign (give) copyright in a work to a third party.

It is important to remember at this point that the physical work, and the copyright in the work are two different things. If you think of a painting: the painter of the painting would be the author of the copyright in the painting and also often the first owner of the copyright. The painter could sell the physical painting to a third party, but keep the copyright in the painting. The purchaser of the physical object would then be able to hang the painting on her wall, but she would not be able to make copies of the painting, nor give or sell these copies to third parties. Only the painter, the owner of the copyright in the painting in this example, has those rights.

In this way, copyright has an economic function, encouraging authors to produce information, ideas, and entertainment which can then be exploited for economic return.

Copyright also has a non-economic function, related to the idea of recognising creativity as an aspect of individual personality. This is seen in the UK in moral rights. The main rights are to be attributed as the author of the work, and the right to object to derogatory treatment of a work. If we return to our example of the painting, the scenario could become more complex if the painter sells the painting to a third party, and then assigns (sells) the copyright to a different person. The painter (the author) would still have moral rights in the painting. So you would have the rights of the owner of the physical object; the copyright rights of the owner of the copyright in the painting; and the moral rights of the painter (the author) in the painting.

One other set of rights to bear in mind when thinking about copyright is that of the rights, or interests, of the wider public in the free dissemination of works and parts of works protected by copyright. While the copyright owner has the exclusive right to control copies of a work, the public interest in copyright provides those rights are limited when, for example, a part of a work protected by copyright is to be used for research and private study for non-commercial purposes; or when a quotation is taken from a work protected by copyright; or a work is to be used for the purposes of parody, pastiche or caricature; or in the interests of freedom of speech. These user rights, or limitations on the rights of the copyright owner are often collectively referred to as ‘fair dealing’ (fair use is the US term). Generally only parts of works may be used, and in all cases the dealing must be fair. They are however important limitations on the rights of the copyright owner. Equally, they represent important ways in which creators can use parts of existing works belonging to others without payment or permission.

One final introductory point to bear in mind is that different legal systems give different emphases to these functions. This means that copyright law, while similar, is different in different countries even within the EU which can make cross border copyright arrangements challenging.

**Question**

Think about this introductory text. Now think about a dance. Either one of yours, one in which you have been a dancer, or one which you have programmed. Can you start to imagine some of the copyright questions that might arise?