

A copyright grants artists and authors exclusive rights to own, sell and reproduce their creations, making it illegal for anyone else to reproduce the work without the creator's consent. Just like a tangible item you own, taking someone else's art, words or music without asking is a big no-no! It's important to know and follow these laws when creating your yearbook to protect yourself against a possible copyright infringement lawsuit.

THE INTERNET IS NOT A FREE MARKETPLACE

Plenty of copyright protected images may show up in a Google search, but that doesn't mean you should use them in your yearbook! Never take an image from the internet without first trying one of the following:

- Get consent from the creator or copyright holder before using it.
- Purchase it, if you have the budget.
- Try to make it yourself, especially if it's a simple graphic like a speech bubble or graduate cap. (But don't copy- use it as inspiration for a new one!)

Pro Tip: If a federal government employee creates something on the clock, it isn't subject to copyright and can be reproduced. Check federal government sites ending in .gov, such as WhiteHouse.gov, for free content.

IT'S PROBABLY COPYRIGHT PROTECTED

- **CARTOON CHARACTERS** Unless the cartoon is an original created by one of your students, it is most likely protected by copyright law. Bugs Bunny, the Cat in the Hat, and Spongebob are all off-limits.
- **BRAND LOGOS** Trust us, you don't want to get involved in a lawsuit with the big boys at Nike or Apple, so don't even think about including their iconic swoosh or fruit logos anywhere on the pages of your yearbook.
- **SONG LYRICS** While it might be tempting to sum up your year with a musing from Bruno Mars, reproducing song lyrics is a copyright no-no.
- **PHOTOS OF CELEBRITIES** That shot of Taylor Swift at the beach? It's probably copyright protected by the magazine that published it or the photographer who took it. And while the famous FRIENDS poster where the cast is drinking milkshakes is off-limits, you ARE allowed to grab five friends and recreate it in your own photo - just don't use the FRIENDS logo.

Visit picabooyearbooks.com for more yearbook tips and resources

HOW "FAIR USE" APPLIES TO YOU

The doctrine of "fair use" is an exception to the copyright rule. When using content for educational or journalistic purposes, or for commentary and critiques, it's legal to use a small portion of the work. Only use what's necessary to make your point - if the fair use could be substituted for the original, then it isn't fair.

Creating a parody or spoof of an original work is okay as long as it is obviously different from the original and being used as a commentary or critique. For example, if your yearbook staff wanted to photograph themselves dressed as the cast of Harry Potter as a parody for their group page, that would be considered fair use. The main point to remember is this: if someone would rather buy your work as a substitution of the original, the use isn't fair.

IT'S ALWAYS POLITE TO ASK

With sites like Facebook, Instagram and Twitter, it might be tempting to take photos that belong to other people for use in your yearbook, but you should tread lightly. If the photos belong to a fellow student, they probably aren't protected by copyright law, but be mindful that the student owns them and may not want them published for everyone to see. Always ask permission before using images from social media. Avoid using commercial photos, such as those posted by a company or another publication, because they are more likely to be copyright protected and using them would be an infringement of the copyright.

YOU MADE IT, YOU OWN IT Unless someone is paid to create a work, that work is the property of its owner, even if the artist is a student who created the work on school equipment.

PUBLIC DOMAIN

There is good news: a copyright doesn't last forever. An author's copyright on her work lasts for her lifetime plus seventy years after her death. Copyright on works-for-hire lasts for 95 years after the work's original publication.

So what does this mean? Most works created or published before 1923 are fair game because their intellectual property claims have already expired. Sonnets by Shakespeare, tunes from Beethoven or (you guessed it) the artwork of Leonardo Da Vinci are all free to use.

