

Mickey Mouse Lives On!

A piece of Americana was recently saved from doom with little fanfare and almost no press. The copyright for Mickey Mouse, the most beloved cartoon character of Walt Disney's studio, was due to expire in 2003. Pluto, Goofy, and Donald Duck were headed to the same fate in 2009.

Many of the other early Disney works were also approaching the end of their copyright protection. After the copyright expiration, anyone could copy, make, and sell the articles covered by the copyrights without paying royalties to Disney. Not a pleasant thought for Disney executives. However, being a very generous political contributor, Disney "persuaded" Congress to change the copyright law.

The Sonny Bono Term Extension Act, extends copyright protection another 20 years. All artists and authors with existing copyrights, as well as those registering new works, are the grateful beneficiaries. Under the old law, works created by an individual were protected for 50 years after the individual's death. This protection now extends to 70 years after death. Thank you, Walt.

Works that are created under contract or by employees were considered 'work for hire', and the copyright owned by the employer. Under the old law, the employer's copyright duration was 75 years. Works owned by corporations and businesses, created by their employees or acquired by contract, now get protection for 95 years from the date of creation. Thank you again, Walt.

Copyright protects the 'expression' of a work to the extent that it is original, as is governed by the Copyright Act of 1976 (amended). There are minimal requirements for getting copyright protection. Copyright applies to all works that are 1) copyrightable subject matter; 2) original works of authorship; and 3) fixed in a tangible form. This article, as soon as it is typed, meets the minimum requirements.

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A copyright notice can consist of the term Copyright, with or without the copyright symbol, ©, followed by the year and the name of the copyright holder. For works created after January 1, 1978, there is no requirement for a copyright notice, however it is always recommended to use a proper notice, so that infringers cannot claim ignorance.

There is no requirement for a work to be registered, but a registration in the Copyright Office is inexpensive and is necessary to bring a claim of copyright infringement. In addition, if a copyright application is filed within three months of first publication or distribution, the copyright owner gets significant advantages including statutory damages and attorney fees.

For a \$30 filing fee, plus the attorney's fee if you use one, a work can be registered, and is then enforceable in over 100 countries through various conventions and treaties. It is the most affordable form of intellectual Property protection available and is well worth investigating.

Additional copyright information and forms are available on the Internet at <http://lcweb.loc.gov/copyright>
