

When US Works Pass into the Public Domain

Copyright terms and public domain are complex. A solid reference point is *The Chicago Manual of Style* 17th Edition, section 4: “Rights, Permissions, and Copyright Administration.”

The US Copyright Office’s Circular 22, “How to Investigate the Copyright Status of Works,” is available online at www.copyright.gov.

Definition:

A public domain work is a creative work that is not protected by copyright and may be freely used by everyone. The reasons that the work is not protected include (1) the term of copyright for the work has expired, (2) the author failed to satisfy statutory formalities to perfect the copyright, or (3) the work is a work of the US government.

How long does a copyright last?

From www.copyright.gov, here is the basic answer:

“The term of copyright for a particular work depends on several factors, including whether it has been published, and, if so, the date of first publication. As a general rule, for works created after January 1, 1978, copyright protection lasts for the life of the author plus an additional 70 years. For an anonymous work, a pseudonymous work, or a work made for hire, the copyright endures for a term of 95 years from the year of its first publication or a term of 120 years from the year of its creation, whichever expires first. For works first published prior to 1978, the term will vary depending on several factors. To determine the length of copyright protection for a particular work, consult chapter 3 of the Copyright Act (title 17 of the United States Code). More information on the term of copyright can be found in Circular 15a, Duration of Copyright, and Circular 1, Copyright Basics.”