Factsheet No. P-02
Issued: April 2000
Last Amended: 25th September 2026

Protecting Copyright

This fact sheet has been produced to help authors of original works identify potential problems and understand how to more effectively protect their copyright. The following points are recommendations aimed at minimising future risks.

1. **Copyright notices**
   Mark any copies of your work with a copyright notice, on the body of the work as well as the cover or sleeve.
   The copyright notice should be obvious and legible. If applicable, (e.g. web sites) the notice should appear on every page.
   The copyright notice should take the form of:
   i. The actual term 'copyright'.
   ii. The copyright symbol '©'.
   iii. The year.
   Normally when first published, but for unpublished work, use the year it was written.
   iv. The name of the copyright owner.
   This can be an individual, collective, or organisation;
   e.g. Copyright © 2026 Joe Smith.
   v. For sound recordings you should also include a phonogram copyright notice for the sound recording itself. Use the '℗' symbol to denote the copyright of the sound recording;
   e.g. Copyright © 2026 Joe Smith/℗ 2026 Joe Smith.
2. **Extending the copyright notice**
   You may also include a statement of some kind expressing your wishes as the copyright owner.
   For most uses, a simple "All rights reserved" statement is sufficient. Depending on the work and how you wish it to be used, you may choose a more explicit declaration, such as:
   "*Any unauthorised broadcasting, public performance, copying, or rerecording will constitute an infringement of copyright.*"
   There are many available wordings, depending on the terms acceptable to the copyright owner, for more examples, see our fact sheet P-03 "Using Copyright Notices" or check similar works by other authors.
3. **Supporting evidence**
   Additional evidence to support your claim in case of dispute.
   i. In software you can include footprints (deliberate mistakes, algorithms etc.) which can identify you as the author if copied.
   ii. Include watermarks or comments in electronic graphics files.
   iii. Keep or register background work, for example:
   - Draft versions or prototypes.
   - Lyric sheets, music score, midi files, demo tapes and rough recordings.
   - Working documents, sketches, and drafts.

   iv. If the work evolves after registration, you can also use the registration update facility via our website or form F-08 to register updated versions of your work.

   If you ever make a claim to a tribunal or court this can be very valuable as it demonstrates evolution of your ideas.
4. **Register your work**
   To prove your work was created before a certain date, and to give stronger supporting evidence, we recommend that you register your work with Copyright Witness, who can substantiate your claim in case of a dispute.
   Once registered, you are also permitted to state: "This work is registered with Copyright Witness" as an extra deterrent against infringement.
5. **Agreement between authors**
   In the case of work jointly authored by a collection of individuals, you should document what happens if a member of your group or collective leaves.
   The most straightforward method to take when deciding your agreement is to think of the collective or principal writer/writers as an employer for whom you work. (Normally if you produce work under contract of employment the business will hold the copyright to that work).
   Here are some points to bear in mind when coming to your agreement.
   - If one person writes the bulk of the work, they may wish to take the work with them if they leave.
   - If works are written as a group effort, will they remain the property of the remaining members if one of more of the authors leaves?
   - Copyright may exist in different forms. In music for example, copyright will exist separately in the lyrics as a literary work, in the music as a musical work, as well as a phonographic copyright in any sound recordings. For the purposes of an agreement, it is normally easier to include them as part of the overall work, but think through what this means to each of you.
   - What happens to royalties and commissions if any work is later published or sold?

   The important point is to think ahead, even if you think things will end amicably they may not, and it may cost you your friendship as well. The time to decide is before someone leaves, not after!
6. **Points to note**
   - If a work is produced as part of your employment normally the copyright belongs to the company which hired you, unless there is an agreement to the contrary.
   - For freelance or commissioned work, copyright will usually belong to the author of the work, unless there is a contrary agreement, (for example in a contract for service).
   - Only the owner of copyright, or their exclusive licensee can bring proceedings in the courts against an infringement.
   - Copyright does not exist in names, colours, inventions, or ideas, but may exist in a work expressing or composed from these concepts.

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This fact sheet should be considered only as an introduction to the ideas of copyright. It should not be treated as a definitive guide, nor should it be considered to cover every area of concern, or be regarded as legal advice.