

# What is copyright?

## Think of copyright as your superpower

It gives you the exclusive rights to your original work, whether it's a story, a song, a painting, a film, or any other work that you have created. This means you get to decide how your work is used, whether it's copied, shared, performed in public, or adapted.



These rights are protected under the Copyright Act (1994). Since Aotearoa New Zealand is part of the Berne Convention, an international agreement on copyright, we share many of the same principles as other countries to protect creators' rights.



**Here's the cool part:** you don't have to do anything to get this protection. As soon as you create something, it is protected by copyright. There's no need or requirement to register that artistic work anywhere, unlike with a trademark or patent. And the © symbol only acts as a reminder. Even when the © symbol is not displayed, you are still protected by copyright.



But there's a catch. Copyright only protects the way your ideas are expressed, not the ideas themselves. So, while someone can't copy your story word for word, they can use the same idea to create their own story.



## Your rights as a creator fall into two categories: **Moral Rights and Economic Rights.**

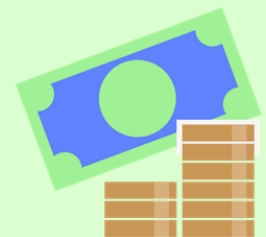


### **Moral Rights**

Moral rights are everything to do with your creative identity. You have the right to be correctly known as the author of the work, and that any changes done to your work do not harm your artistic reputation.

Other people are not allowed to use your name on their work, or to leave your name off work you've done. And it's not okay to rewrite or redraw someone else's work in a way that goes against their artistic identity.

Imagine you've created a character with a distinctive personality. If someone else uses your character in a way that changes them and makes you seem like a different artist, you have the right to object and stop them.



### **Economic Rights**

Economic rights are everything to do with how your work is used. You can copy, communicate to the public (through performing, showing or playing the work,) and adapt your work, and give other people permission to do all of those things.

So, if you want to make prints to sell, or turn your book into a film or an audio book, or sing your song in a concert, that's your right. You can give someone else permission to use your work to make other products, and that's your choice to make.



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## Commissioning Rule

**Usually, the person who creates a work, like an author or artist, has the primary right to decide how their work will be used. However, there are two exceptions in the Copyright Act.**

If you create something as part of your job (for example, if your employer hires you to write an article or create artwork), the rights to that work belong to your employer. Or, if someone commissions you to take a photo, write a computer program, or create a work of art and agrees to pay you, the rights to that work belongs to them.

When a work is created, all of these rights apply automatically and are owned by the creator, the employer or the commissioner.

The owner has the main right to decide how the work is used.

During the time their work is protected by copyright, anyone who wants to copy it or use it should get permission from the copyright owner.

The Copyright Act allows for some use without asking the owner for permission, usually under education, private study and news reporting.

If someone does copy your work without permission, and it's not allowed by the Copyright Act, that's called copyright infringement. Luckily, there are ways to fight back, like getting damages or stopping them from using your work. There are also ways for you to discourage or prevent someone from using your work without your permission.

Remember, **copyright is your superpower** as a creator. It lets you share your work with the world while keeping control of how it's used.