

The Heathrow Video Library guide to copyright

This guide is just that; a guide only. The below does not substitute legal advice which should be obtained from a qualified person.

General copyright information

What is copyright?

Copyright is an unregistered form of rights management. It can be applied to any original work and is deemed to exist once the work has been commissioned or produced. It is an automatic right, not a formality and does not protect ideas or titles.

If you own the copyright for a piece of collateral, this grants you economic rights to the piece: it is a "right to copy". Aside from the moral right to be recognised as the owner of the work, copyright also grants you the following exclusive rights:

- produce and sell copies of the work
- import or export the work
- create derivative works
- perform or display the work publicly
- sell or assign these rights to others

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I've heard about copyright and Intellectual Property Rights (IPR). What is the difference?

IPR is a broader, legal term for the protection of ideas. Copyright, patent, design and trademark are the four main types of IPR but it extends to include other intangibles such as trade secrets, performance rights etc. Copyright is the least formal of these as it is an unregistered form of IPR.

Does copyright always give you full usage rights?

Usually, yes. However, it does depend on how it is acquired and what was bought. Ensure you understand exactly what has been bought.

Does copyright need to be a written agreement?

No. Copyright is deemed to exist from the time of production. However, it is recommended that as a part of the commissioning process, you state in the contract agreement that all IPR remain the exclusive domain of your company.

How does music copyright work?

Music is typically covered by Mechanical Copyright Protection Society (MCPS) rights. Use of rights-managed audio (just about anything you will have heard of, or something by someone famous) incurs a usage fee which is typically calculated by the rights owners in accordance to the proposed use, corporate or public, fee-paying or non-fee paying audience, audience size, location and frequency of use. There is a huge library of royalty-free music available to choose from and if you commission a bespoke piece of music then you would own the rights to it. It can contain literary or performance rights and therefore you need to check all origins.

How long does copyright last?

For literary, dramatic, musical or artistic copyright lasts for life of author plus 70 years from the last day of the year of his death. Ranges from 50 (for broadcast) - 25 (published edition) years for other forms. Photo ownership is more complex, however is usually 70 years after death.