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## COPYRIGHT REGISTRATION

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**QUESTION:** I've heard both that I do and that I do not need a copyright registration for my novel. Which is correct?

**ANSWER:** Whether you choose to pursue a copyright registration for your novel depends on what you plan to do with it. If you plan to commercially exploit your work, then it is strongly recommended that you register. The cost is nominal and well justifies the benefits.

Under United States federal law, copyrights in original works of authorship arise at the moment of creation of the work. Creation occurs once the work has been converted from an idea to a tangible expression of that idea. In other words, writing down on paper a story you've formed in your mind creates an original work that may be subject to copyright protection.

All you have to do to have a claim of copyright in your work is to transform it to tangible expression. However, to enforce your claim of copyright, you have to have a registration.

Copyrights in a work are enforced by the owner of the copyrights. Unfortunately, there are no "copyright police" who'll do that for you. If someone infringes your copyrights, then you have to sue him to protect and enforce your rights. In order to file a lawsuit for copyright infringement of a work, you have to have a copyright registration for that work. Simplistically speaking, a copyright registration is an admission ticket to the federal courthouse to sue for infringement.

Although you may file for a copyright registration in a work at any time during its copyright term, it is better to file right away. A copyright registration filed within three months of first publication of the work allows the copyright owner to seek attorney's fees and costs and to opt for an award of statutory versus actual damages in an infringement suit. By waiting until later to file a registration, you are potentially leaving money on the table that could have been awarded to you in a copyright infringement suit.

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