

Copyright

What is copyright?

Copyright law was created to protect the artist, the creator, or the holder of the copyright from unlawful use of their material.

Without written consent, you should assume that all published and even some unpublished works are protected by copyright law. This includes works posted on the internet.

Use of copyright and trademark materials

Olympics

The Olympic Rings are protected by a special trademark law. Do not use them in your yearbook. They can only appear in the yearbook if they are in a photograph taken at an Olympic venue.

A school in Colorado had always used the Olympic Rings as a school symbol. When the staff decided to use the rings in the yearbook, they contacted the Olympic Committee to request permission. Not only did the Olympic Committee refuse to let them use the Olympic symbol in the yearbook, the school had to remove the large scale model of the rings they had outside the school building.

Student Artwork

It is a good idea to get written permission from students before you include their work in your yearbook. Use of their work in any other medium than the yearbook would require a different permission.

Cartoon Characters

Any cartoon character in a TV show, movie or cartoon strip, may be copyrighted and is potentially protected by trademark law as well. You may be liable for copyright infringement even on a student drawing of the cartoon character unless there are enough differences between the original and the student's drawing.

Movie and Television Characters

The names and characteristics of movie and television characters may be copyrighted material that you cannot use without permission. Celebrity photographs are subject to copyright protection.

Games and/or Game Boards

Games such as Monopoly, Trivial Pursuit, etc., are subject to copyright and trademark protection and cannot be reproduced without permission.

One school decided to use a Monopoly theme in their yearbook. Unfortunately, they failed to get permission from Parker Brothers before they sent the yearbook to the printers. As soon as Parker Brothers became aware of the situation, they flew in a lawyer to supervise the destruction of every copy of the yearbook.

Showing a picture of a product, like Nike, in the student fads section is not a trademark violation because you are identifying the product. If you use that product's symbol as a theme throughout the yearbook, it would be a trademark violation.

Currency

You can reproduce currency as long as it lacks reproductive detail. You can safely include images of currency in your yearbook as long as its size and color are not the same as the original.

When in Doubt

If you are not sure if something has a copyright or trademark, get permission to use it or don't use it. One school asked permission to use a character from Family Circus. Not only did they obtain permission but Bill Keane drew a special cartoon for the school to use on their cover!

To obtain permission:

- Find out who holds the copyright or trademark.
- Contact the copyright or trademark holder.
- Allow ample time to receive permission.
- Always get permission in writing.

Once you receive permission:

- Follow any restrictions given from the holder of the copyright or trademark.
- Send a copy of the permission to your publisher with your yearbook to avoid production delays.

