

# TRADEMARK AND COPYRIGHT FREQUENTLY ASKED QUESTIONS (FAQ)

## What does Copyright mean?

It means the right to copy. Only the owner or creator of the work is allowed to produce or reproduce the work or permit anyone else to do so. Copyright is restricted to the expression of an idea, such as a video, but it does not extend to the idea itself.

Copyright includes such things as: books, pamphlets, magazine articles, posters, poems, films, videos, plays, screenplays, scripts, music only, words and music, paintings, drawings, maps, photographs, and sculptures.

Not covered by copyright are such things as: names or slogans, short phrases and most titles, such as song titles, and factual information. However, some may be covered by trademark, such as an Indians t-shirt or logo.

## What is a Trademark?

Trademarks are used to identify the difference between products of one person or company from those of another. You cannot use things like slogans, names of products, distinctive packages or unique product shapes, such as the Nike symbol, or a t-shirt or cap with the symbol on it, a 7-Eleven sign in the background, a cigarette package showing a brand name, a Cleveland Indians t-shirt, a specific car make or model, or a government sign about selling tobacco to minors, that you see in stores.

## What types of music can I use?

1. Original music, lyrics or score, created by you.
2. Generic music that is included as part of your video production software.
3. Music from a composer or writer with approval, including by email.
4. Creative commons music: In the video where you have reused the licensed work, you want to clearly state the title, author's name and that the work is "used under Creative Commons Attribution - Non-Commercial 3.0 license."
5. The use of downloaded music from and online music store such as iTunes is NOT allowed.

Keep in mind that you might like the words to a song and want to use them, using a different tune, but that is NOT allowed. Or you might want to use the melody of a song and put your own music to it, but that is also NOT allowed.

## What pictures can I use?

1. Original photos taken by you are okay, provided they do not contain trademarked or copyrighted material that you would need permission to use. Also, you need consent from the people in your photos. Using a photo taken by someone else also requires permission from the photographer, as well as any trademarked or copyrighted product permission.

2. Purchased for free photos from a stock house or graphic house can be used. For more information, go to Google and search for “free stock photos”.
3. Pictures in print publications, like those in a magazine or on a poster, require permission from the originator, because they are copyrighted. For example, using pictures from magazines (e.g. Newsweek) is not allowed as those pictures are copyrighted and were purchased to use just in that magazine. Using a poster or sign produced by a company or government is NOT allowed, unless you obtain permission from the originator.

### **What is public domain?**

A public domain work is a creative work not protected by copyright and which may be freely used by everyone. This is because:

1. The term of copyright for the work has expired
2. It is something produced by the government

In the case of government materials, it is still best to check with the originator. Material available on the Internet is NOT considered to be in the public domain. Facts from the Internet can be used, but pictures, music, etc., are restricted.

### **What is the Release Form?**

This form is necessary to allow Safe Routes Chagrin, the Chagrin Falls Middle School and the Chagrin Documentary Film Festival to obtain the rights to the use of the video for other purposes, such as producing a compilation video of the winning entries.

### **Do I need to fill out a Release Form and who should sign it?**

A completed Release Form is required for:

1. Each student under 18 who is involved in the production of the submitted video
2. Other children under 18 who appear in the submitted video.

A parent signature is required on all Release Forms.

### **When I get the Release Form signed, am I signing away my right to own the video?**

Yes, Safe Routes Chagrin, the Chagrin Falls Middle School and the Chagrin Documentary Film Festival will then own the copyright and can use the video in any manner whatsoever. However, you can use it for a resume or personal use, but NOT commercial use.