Copyright Information Pertaining to Dissertations or Theses
ADV Form 8f

General Copyright Information

What is Copyright?: Copyright is a form of protection to authors of original works including literary, dramatic, musical, artistic, and other intellectual works. Copyright extends to published and unpublished works. Copyright is also given to musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work.

How to Secure a Copyright: The way copyright protection is secured is frequently misunderstood. A copyright is secured automatically upon creation of an original work. No publication or registration or other action is required to secure copyright. Copyright registration, a legal formality, is discussed below.

Notice of Copyright: The use of a copyright notice is not required, although it is often beneficial. A notice should contain the following three elements: first, the © symbol or the word “Copyright,” second, the year of first publication of the work, and third, the name of the owner of copyright (Example: © 2000 Jane Doe). The phrase “all rights reserved” is often added because it may give some protection in countries not part of any world-wide Copyright convention.

Copyright Registration: Although not required, there are advantages to copyright registration. Registration establishes a public record of the copyright claim. A copyright that is registered allows the copyright holder certain advantages in the case of infringement suits. The registration establishes prima facie evidence in court of the validity of the copyright, and statutory damages and attorney’s fees will be available to the copyright holder in court actions.

Mandatory Deposit Requirement

The Copyright Act establishes a mandatory deposit requirement for works published in the United States (i.e. distributed to the public by sale or other transfer of ownership, or by rental, lease, or lending). This means that the owner of copyright is legally obligated to deposit in the Copyright Office, within 3 months of publication in the United States, two copies for the use of the Library of Congress. Unpublished works are not subject to mandatory deposit.

Masters Theses: Masters theses are intended for inclusion in library holdings and for personal use and are thus considered unpublished; therefore, the mandatory deposit requirement does not apply. However, Master’s students may register copyright at any time by following the Copyright Registration Procedure (found below).

Doctoral Dissertations: Since doctoral students are required to have their dissertations published by UMI Dissertations Publishing, the mandatory deposit requirement applies. A single deposit can be made to satisfy both the deposit requirement, and copyright registration. For a fee of $65, UMI will prepare the necessary forms and copies of the dissertation for submission to the Copyright Office. This process is explained in the booklet “Publishing Your Dissertation” which is included in the oral defense packet. Doctoral students who do not use UMI to register copyright, may register a copyright at any time by following the Copyright Registration Procedure (found below).

Copyright Registration Procedure

If you wish, you may register your own copyright at any time following creation of the work. To register a work follow the instructions found online at www.copyright.gov, or send the following three elements in the same envelope or package to:

Library of Congress
Copyright Office
101 Independence Avenue, S.E.
Washington, D.C. 20003

1. A properly completed application form (available for download or online registration at www.copyright.gov)
2. A nonrefundable filing fee (required for each application)
   - The filing fee is $45 if completed through mail.
   - The filing fee is $35 if completed online.
3. A nonreturnable copy of the work being registered
   - If the work was published, two complete copies of that edition.
   - If the work is unpublished, one complete copy (does not have to be bound, but should be firmly secured).

*Fees are subject to change. For current fees, check www.copyright.gov, write the Copyright Office (address above), or call (202) 707-5959.

For more information or answers to questions concerning copyright policies and procedures, contact the General Counsel’s Office, A-350 ASB, (801) 422-4722. Circulars, announcements, regulations, other related materials, and all copyright application forms are available from the Copyright Office Web site at www.copyright.gov.