

Copyright FAQs

Written by fendi

Wednesday, 11 September 2013 05:30 - Last Updated Wednesday, 11 September 2013 08:57

Copyright FAQs

1. What is Copyright?
2. What is protected by Copyright?
3. What is not protected by Copyright?
4. If I don't make money from using someone else's work, there's no harm done, right?
5. What is "fair use"?
6. What are the "four factors" of fair use?
7. If a book is out of print, do I have to worry about Copyright?
8. How much information can I use from a Copyrighted work without getting permission?
9. When should I get permission to use a Copyrighted work?
10. How long is the Copyright protection period?
11. What are the conditions for Copyright protection in Malaysia?

1. What is [Copyright](#) ?

- Copyright is a set of rights given to a Copyright owner or author for an original, creative and intellectual work fixed in a tangible medium such as article, a book, a movie, a recording, a website, and other more.

- Copyright is a form of protection provided by the laws of the Malaysia Government ([Act 332 which is COPYRIGHT ACT 1987](#)). However, most countries in the world have their own Copyright protection for works created by authors for their countries

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2. What is protected by Copyright?

- Covers artistic works
- Literary works including published editions of works
- Computer software or programs
- Musical works including films
- Sound recordings
- Broadcasts

3. What is not protected by Copyright?

- Works that have not been fixed in a tangible form of expression.
- Titles, names, short phrases, slogans and familiar symbols or designs.
- No original authorship.
- Immoral or obscene work.
- Illegal works.

4. If I don't make business from using copyright work, there's no illegal done, right?

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- Wrong, because all the protection works used without permission will be infringing the rights of the Copyright owner or original author.

5. What is fair use?

- According to the Malaysia Copyright Act on "Fair Use," the rights of Copyright owners are subject to limitations. These limitations are outlined in Part III (NATURE AND DURATION OF COPYRIGHT) of the Malaysia Copyright Law.

6. What are the "four factors" of fair use?

- Nonprofits educational purposes.
- The nature of the copyrighted work.
- The effect of the use upon the potential market.
- The amount and substantial of the portion used in relation to the Copyrighted work as a whole.

7. If a book is out of print, do I have to worry about Copyright?

- Yes, you do. This is because the copyright is still in effect and should be taken importance.

8. How much information can I use from a Copyrighted work without getting permission?

- There is no specific number of words, lines or notes that may safely be taken without permission from the original author under the Malaysia Copyright Act.

9. When should I get permission to use a Copyrighted work?

- You can't determine the Copyright status.
- You know in fact the Copyright status.
- You've done the "four factor" fair use analysis.

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- You've done the "four factor" analysis, and you know that your use is not a fair one.
- You're unsure of how much of the original work you can reuse in your own work.

10. How long is the Copyright protection period last long?

- The life of the author + 50years after his death.

11. What are the conditions for Copyright protection in Malaysia?

- Sufficient effort has been expended.
- The work has been written down, recorded and fixed in a tangible medium.
- Work is done by a Malaysian citizen or permanent resident and also been created and published in Malaysia.

Original source:

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- [Copyright System in Malaysia](#)
- [Laws of Malaysia Act332 \(COPYRIGHT ACT 1987\)](#)