



Did you know...

There is a BONUS for registering your copyright before you're published?

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CopyrightTips from experts* at CopyrightsNow.com

Common Questions

Does my work have to be published to be copyright protected?

No. Publication is not necessary for copyright protection. "Publication" is the distribution of copies of a work to the public by sale or other transfer of ownership, or by rental, lease, or lending.

Should I register my copyright before publication?

A recent Supreme Court ruling requires that you register copyrights before you can file a copyright infringement lawsuit for money damages! Registering 'Unpublished' may also protect your 'Published' work*. Registering also creates a public record and makes it easier to defend your copyright.

Registering 'Unpublished'

- Registering your 'Unpublished' work gives you *peace-of-mind*... knowing that your copyright legal protection starts earlier... while you shop for agents, or submit your work to publishers or 3rd parties reviews, etc.
- Registering as 'Unpublished' provides BONUS copyright protection for both your 'Unpublished' and may also protect your 'Published' version (*assuming there are no changes, new material or new contributors*)*. |
- Registering as 'Unpublished' is usually faster and less costly since you can simply upload the required copy as a PDF for copyright protection vs. having to mail in physical copies of your hardcover or paperback book
- Note: If at a later date, the 'Published' version involves *any changes (e.g., edits, additions, new material like a preface, foreword or cover art, or new contributors, etc.)* the Copyright Office considers the 'Published' version as new entity (*i.e., a derivate work of the unpublished version*).
- As a new entity, you should file a separate copyright registration covering the new or changed material – and exclude previously registered material as 'Pre-existing Material'

Registering 'Published'

- If the work is published, registering it as a published work with the correct publication date is recommended to:
 - o Reflect the accurate status of the work
 - o Ensure clarity in legal proceedings (courts may require proof of publication status)
 - o Cover any new material added in the published version (e.g., illustrations, edits or forewords)
 - o Maximize statutory damages, as damages may be calculated differently for unpublished vs. published works
- Note: For 'Published' works, if your formats include hardcopy (i.e., hardcover or paperback) then you must mail in two complete physical copies of the best edition in a hard copy format; if the published format is only electronic then you may upload a PDF version containing the complete work
- Most importantly – the sooner you register your copyrights, *the sooner your copyright protection and enforcement begins!*

To start your copyright protection, click to [learn more](#) about registration NOW!

** 'Published' version must not have any changes from the 'Unpublished' work (i.e., the same material, authors and claimants). If the published version includes new material or new contributors, a separate copyright registration should be filed to cover the changes.*

** By registering the published version, it strengthens your legal position, especially if you need to enforce your rights; and may also affect the amount of money damages you may collect in a lawsuit, as statutory damages may be calculated differently for unpublished vs. published works; and may influence other legal rights like the right to control first publication.*

** When a work was registered as unpublished and later becomes published, your original registration is still valid, if the published version is identical or has only minor editorial changes. A supplementary registration (Form CA) and separate filing fee - adds an official record of the work's publication to the original file, which may be useful for litigation purposes. Always consult with your personal attorney for legal advice as above procedure is subject to change.*

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