



## What is “Work-for-Hire” under copyright law?

CopyrightTips from experts\* at [CopyrightsNow.com](http://CopyrightsNow.com)

### Definitions

“Work-for-hire” is a term used in U.S. copyright law to describe a situation where the person or entity that commissions or pays to create a copyrighted work is considered the owner of the copyright, rather than the person who created the work.

There are two main types of work-for-hire:

- Commissioned work: Work (i.e., text article, photos, illustrations, sound recording, etc.) specifically commissioned or ordered for use as a contribution to a collective work, such as a book, e-book, audio-book, article or periodical, or as a part of a motion picture or other audiovisual work, is considered a “work-for-hire” and the employer or commissioning party is considered the copyright owner.

*You should always specifically spell out that copyright ownership and all rights will be vested with the commissioning party not the subcontractor.*

- Employee work: When a work is created by an employee within the scope of their employment, the employer is considered the copyright owner of the work, as long as the work was created as part of the employee's job duties and is not a work of independent contractor.

What if you work for yourself...

as an employee of your own Self-Publishing Company?

- If you worked in the ‘role’ of an employee for your company, then the work you create is ‘owned’ by the Company (even your own company) and therefore the company would own the rights to your content, including: text, images, photos, etc.
  - *Note: Make sure your company is a legal entity registered in your state with a separate Tax ID*
- To register a U. S. copyright, you have two filing options:
  - As ‘Individual’ or
  - As ‘Organization’

- If you're filing under a Company name... you will file as an 'Organization' as both 'Author' and 'Claimant' as follows...
  - For 'Author'— Indicate 'Organization' and enter your company name and contact information and check 'Work-for-Hire', then enter the original content type for the contribution (i.e., text, photos, art, etc.) as if the company created it (*Note: Your name would not appear as the Author*)
  - For 'Claimant' - Indicate 'Organization' and your company name and contact information (*Note: Your name would not appear as the Claimant*)
  - For 'Certificate - You may indicate *both* your company name and your name (if you like) printed on the certificate

It's important to note that not all types of work are considered "work-for-hire." For example, works created by independent contractors, such as freelance writing, illustrations, art, text, editing, narration, etc., are typically not considered "work-for-hire" *unless there is a written agreement to the contrary indicating that the commissioning party owns all rights to the work.*

Understanding this "Work-for-Hire" concept and having written agreements in place when commissioning or creating copyrighted works, will ensure that ownership of the copyrights is clearly established.

*Note: Always consult with your tax attorney or accountant for advice on which entity should own the copyrights - an Individual or Company.*

*Note: A fast and easy way to register copyrights is using [CopyrightsNow](#) - a software app that navigates through this process with 'step-by-step' prompts, 1-click 'on-line help' and extensive edits and validation.*

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

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