

What Is Copyright Licensing?

Copyright Licensing

An original work of authorship that is fixed in a tangible form and exhibits at least a minimal amount of creativity may be protected by U.S. copyright law. Under the law, a copyright owner has various exclusive rights to use the protected work, including the right to make copies of it; create derivative works based on it; and distribute it to the public. For certain types of works, the copyright owner also has the exclusive right to publicly perform or publicly display the work.

A **copyright license** is a contract between the copyright owner and the third party who wishes to use the copyrighted work. Generally, a copyright license permits certain uses for a certain period of time. The range of permitted uses may be broad or narrow; the time period may be limited or expansive. A copyright licensing agreement can also be limited to only a certain territory or jurisdiction.

How Do You Get a Copyright License?

To get a copyright license, you will need to determine who has the right to license the copyright. Often, this will be the copyright owner, but it may also be an agent or licensee of the copyright owner. A request to license the copyright should provide pertinent information about the desired use, such as how you plan to use the work, how often, for how long, and where. As with any contract, the best practice is that a copyright license agreement should be in writing and signed.

Visit Winston & Strawn's [Copyright Infringement Litigation Practice](#) to learn how our attorneys have helped define copyright law in the new media, entertainment, and emerging technology industries.

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