

COPYRIGHT

1997 USA law, enforced by the US Congress

This content was created by listening to a YouTube video, Mastrius/copyright.

COPYRIGHT IS AUTOMATICALLY OFFICIAL ONCE YOUR PAINTING IS COMPLETED IT'S CREATION ON CANVAS AND IS PROTECTED.

REGISTERING YOUR COPYRIGHT (A FIXED, TANGEABLE AND INTELLAGABLE PIECE) IS WHEN THE COPYRIGHT BECOMES ENFORCEABLE, SO YOU MAY GO TO THE FEDERAL COURTS FOR ACTION. UNTIL IT'S REGISTERED – IT IS NOT ENFORCEABLE.

Selling art vs. a learning experience:

Copying your mentor's art:

You may not sell this art created by copying. This is a “practice” art learning experience. It could have been created by tracing, and may gift it to a friend/relative, but not sell it for a profit.

You sign this piece by first writing down the Original Artists name/Your name. You give credit to the Original Artist. (showing this was NOT your creation, but a copy.

You MAY NOT enter it in a juried competition, if you belong to a professional Art Association, or put this piece in a gallery, put it in art shows, put it on your business cards, post it on social media, or in any way claim it as your own.

Painting from a photo reference depends upon the photo.

If you do not have permission from the photographer, you MAY NOT use that reference photo without permission. You MAY use the photo for inspiration. This means changing the composition to the point where the photographer would not recognize the piece as taken from their photo. You MAY NOT enter this art in a judged art show that does not allow photo references where the photo was not

taken by the painting artist themselves. IT IS ILLEGAL to paint a picture from a photo WITHOUT obtaining permission by the photographer.

There are websites available to obtain FREE photos. There are websites where you can pay to get a photo. The “payment” is your permission. You then can use this photo as a LEARNING EXPERIENCE, when using this photo as an exact copy of what you are painting. You MAY NOT enter this piece into an organizational show not allowing pictures painted from anyone else’s photos, other than your own.

You MAY copy someone else's photos or art, - but you MAY NOT enter this into a competition, post it on social media, can not use this piece in any commercial art use, sell this piece, or in anyway infer that this is your original art. You may not sell this art. This piece is ONLY for practice. **THIS FALLS UNDER THE “FAIR USE ACT”.**

There is NO “% of change” in copyright law. Meaning....”if you change the original art by 30%, it’s OK to paint it and call it your own. If the original artist can see it looks similar, or can call it a copy.... You are liable for copyright infringement or art theft, depending upon the value of the art, if the original artist presses

This is a direct violation of the copyright law, and demonstration of the lack of your personal integrity, creativity, and originality when you springboard against another artist.

Don’t use anyone else’s photos, art, calendar art, any existing art of any kind – unless you have PRIOR PERMISSION! If you do, this falls under copyright infringement.

If the original artist has been dead for 70 years, it becomes property of PUBLIC DOMAIN..... IF no one of the artist’s family/guardian has not picked up the ownership of the art, with the copyrights still in place.

LESSON: don’t go near copying, tracing of someone else’s art, using photos that you don’t have permission to use, use of a magazine picture, etc. STAY AWAY FROM THAT CLIFF!! Just don’t do it, and your integrity will remain intact.

Build your own brand. Create your own career based upon your own style. This can only be done by PRACTICING!! Make your art your own. Building your own brand helps build your honesty, integrity, and truth.

You MAY study another artist's style. Styling is not a copyrightable trait.

If you create art in a WORKSHOP: You may not put that piece in a high level competition. You may not call this piece "your own" when the teacher/trainer put a brush to your piece. If the instructor gives critiques to your piece (created in a class situation) – it may not be entered into a juried or judged situation or show. You are paying for advise – not done solely with your own creativity. This is a learning experience. There are not copyright issues but this piece may not be entered into a high level judged competition.

The case in the US courts currently is ongoing regarding the copying of the Andy Warhol's portrait of Prince. The female photographer was initially paid \$450 for the photo. Another artist entered into copyright infringement and made a picture, that was reproduced MANY times, with getting paid for the reproductions. It's still in the courts as a copyright infringement.

China/Asia and other places in the world are copying, printing off, tracing, or in other words – STEALING YOUR ART FROM THE INTERNET. You can go after the thief, but it requires deep pockets, with more financial rewards than you are spending to get it stopped. Is that what you want to do?

What to do if someone is stealing your art –

- 1) Contact them and request they stop.
- 2) Hire an attorney.
- 3) Bring legal action against them.

Places to go to check your art for possible copyright infringement:

Google Search and Tin Eye.