

# Know Your Rights

**Copyright is a tricky subject, and it's important to know how to protect your own paintings as well as how to avoid exploiting someone else's work**

Many artists copy the work of others at some stage, whether they're amateur or professional. It's a good way to develop technical expertise, and someone else's painting or photograph may inspire you to try a new style or medium. This is fine, provided you don't then publicise your version of that work or pass it off as your own without crediting the original artist.

It's a nuisance having to think about something like copyright when all you want to do is paint, but it's an issue that every artist needs to be aware of. Here are a few basic rules to follow:

## **What is copyright?**

There is no formal way of obtaining copyright in the UK, it just exists. Once you have created a work, the copyright for it belongs to you throughout your lifetime and for 70 years after your death. It's a good idea to sign your work

to act as a record that you created it. You can also mark it with the international © symbol, followed by your name and the year, so anyone thinking of using it will know you've claimed copyright. If you publish your art on a website you can make it harder for people to reproduce it by keeping the images small and low resolution, or by watermarking them.

## **Using other people's work**

You won't infringe copyright if you use someone else's work for private research or study – so you can copy a photograph, a picture from a book, or a painting by another artist, whether you're working at home, at your local art club or visiting a gallery.

However, if you decide to exhibit, publish or sell that painting, you are then benefitting financially, so would need to seek permission from the artist or photographer who owns the copyright.

Even if you aren't getting paid for your painting, you still can't pass it off as your own. In the past SAA members have accidentally infringed copyright by submitting work for Member's Gallery which has been copied from a

photograph or another artist's painting. Many artists also learn to paint by using instruction books and DVDs. Always make sure that you credit other artists: so for instance you might title your work: "'Country Lane' after a painting by A.N.Artist."

## **Painting people or copying works of art**

If you want to use a photo, the photographer holds the copyright, and if that photo was taken after 1st August 1989 the copyright on it lasts for 70 years following the photographer's death. However, celebrities don't have 'image rights' so if a picture is in the public domain you can attempt a likeness of someone by using photographs in magazines. If you want to copy a famous work of art or sculpture, you won't infringe copyright if the artist who did the original has been dead for more than 70 years. You can only copy more recent works if it's for private use.

For more information about copyright visit [www.dacs.org.uk](http://www.dacs.org.uk), the Design and Artists Copyright Society.