

# **COPYRIGHT © EXPLANATION**

## **What is a copyright notice?**

A copyright notice is an identifier that the owner of the copyright places on copies of the work to inform the world of copyright ownership. While use of a copyright notice was once required as a condition of copyright protection, it is now optional. Use of the notice is the responsibility of the copyright owner and does not require advance permission from, or registration with, the Copyright Office.

## **What does copyright protect?**

Copyright, a form of intellectual property law, protects original works of authorship including literary, dramatic, musical, and artistic works such as poetry, novels, movies, songs, computer software and architecture. Copyright does not protect facts, ideas, systems, or methods of operation, although it may protect the way these things are expressed.

## **How is this Exam protected?**

This exam is under copyright protection the moment it is created and fixed in a tangible form so that it is perceptible either directly or with the aid of a machine or device.

## **Who is an author?**

Under the copyright law, the creator of the original expression in a work is its author. The author is also the owner of copyright unless there is a written agreement by which the author assigns the copyright to another person or entity, such as a publisher.

## **How long does copyright last?**

The Sonny Bono Copyright Term Extension Act, signed into law on October 27, 1998, amends the provisions concerning duration of copyright protection. Effective immediately, the terms of copyright are generally extended for an additional 20 years. Specific provisions are as follows:

\*For works created after January 1, 1978, copyright protection will endure for the life of the author plus an additional 70 years.

## **Remedy for copyright infringement**

A party may seek to protect his or her copyrights against unauthorized use by filing a civil lawsuit in Federal district court. If you believe that your copyright has been infringed, consult an attorney. In cases of willful infringement for profit, the U.S. Attorney may initiate a criminal investigation.

## **Could I be sued for using somebody else's work?**

If you use a copyrighted work without authorization, the owner may be entitled to bring an infringement action against you. There are circumstances under the fair use doctrine where you may use a quote or a sample without permission. However, in cases of doubt, the Copyright Office recommends obtaining permission.

## **OAHC authorization of permitted use of this exam under copyright law**

OAHC authorizes its members and non-members, who have purchased this exam and all its contents from OAHC, to use the exam for the explicit purpose of certifying the competence of a home health aide as is required under Oregon Administrative Rule 333-027-0130(3). Agencies who purchase the exam through OAHC may photocopy the exam and skills checklist only for the sole purpose of administering the exam to home health aides whom they employ.