

## APPENDIX E

### WHEN WORKS PASS INTO THE PUBLIC DOMAIN

DATE of WORK	PROTECTED FROM...	TERM of PROTECTION
Created 1-1-78 or later	When work is fixed in a tangible medium of expression	Life + 70 <sup>1</sup> years. If work is of corporate authorship, the shorter of 95 years from publication, or 120 years from creation <sup>2</sup>
Published before 1923	Now is in public domain	None, expired.
Published from 1923-63*	When published with notice <sup>3</sup>	28 years + possibility of renewal for 67 years. If not renewed, is in public domain.
Published 1964-77	When published with notice	28 years for 1 <sup>st</sup> term; automatic renewal for 67 yrs
Created before 1-1-78 but not published	1-1-78, effective date of the Copyright Act which eliminated common law copyright	Life + 70 years, or 12-31-2002, whichever is greater.
Created before 1-1-78 but published between then and 12-21-2002	1-1-78, the effective date of the Copyright Act which eliminated common law copyright	Life + 70 years or 12-31-2002, whichever is greater

<sup>1</sup> Term of joint works is measured by life of longest-lived author.

<sup>2</sup> Also works for hire, anonymous & pseudonymous works 17 U.S.C. § 302(c)

<sup>3</sup> Under the 1909 Act, works published without notice went into the public domain upon publication. Works published without notice between 1-1-78 and 3-1-89, effective date of the Berne Convention Implementation Act, retained copyright only if, e.g., registration was made within five years. 17 U.S.C. § 405

\* (4/2007) See Stanford Determinator Chart for 1923-1963 Renewals (U.S. Books only):  
<http://collections.stanford.edu/copyrightrenewals/bin/page?forward=home>

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