

Who owns copyright?

The Author, but...

Employee

Was that person an employee and did she make the work in the course of employment?

↓ **YES**

Was the work a literary, artistic, dramatic or musical work?

↓ **YES**

Employer owns © in the work.

↓ **UNLESS**

They've agreed otherwise, e.g. in the employment agreement.

Non-employee

Was that person commissioned and paid (or promised payment) to create the work?

↓ **YES**

Was the work a photo, a computer program, painting, drawing, diagram, map, chart, plan, engraving, model, sculpture, film, or sound recording?

↓ **YES**

The person commissioning owns © in the work.

↓ **UNLESS**

They've agreed otherwise, e.g. in a contract.

Mind the gap

You can commission and pay for a written work (other than software) and not own it — so always have an agreement!

Call the IP team:



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