

The BIG ©

Let's address the big © with respect. Copyright is out there for a reason; by not respecting it, we discredit the achievements of others.

The facts:

Yes, you can own copyright to your project for an additional fee. However, most people choose to simply license the work with reprint rights only; it's more cost effective. Other than logos, which will be delivered in eps format, your job will be delivered to you via electronic media in a flattened format, usable for reproduction only.

Why Designers prefer to retain copyright:

1. To protect the integrity of their work from future misuse or poorly implemented reworking done by other designers, which could come back to reflect poorly on the original designer.
2. To retain the right to future revenue from certain types of work, such as photography or illustration and changes to files requested by the client.
3. To show their work in juried competitions and promote their own business.

If you purchase copyright, the designer gives up all control of their work, including the right to use the work in their portfolio, or acknowledge their work without written consent. Therefore, copyright ownership comes with a higher price tag. Ask yourself how important owning copyright is to you – if it is, by all means ask the designer about full ownership. But remember, other than logos, most jobs become obsolete within two years.

The legal twist:

By law, I can only allow my clients exclusive license to use the final product. This means that you can rerun an ad, reprint a brochure, use your logo any where you want, etc... But legally I can not provide functional access to any third-party licensed files within the job itself.

Types of third-party licensed files:

1. Fonts used in the job. Designers must purchase licensed, type1, postscript fonts.
2. High-quality clipart, background images or creative software effects which become part of the job. These images are purchased on CD and provide the designer a source of usable, creative art.
3. Any photography or art with exclusive licensing.

I would be breaking copyright law by providing you access to third-party files within a job, not to mention corrupting my competitive edge in the market place should you give original files, containing third-party elements, to another designer or printer.

Why designers copyright:

Professional designers spend thousands of dollars each year to update their equipment in order to stay on the leading edge of technology. It is necessary in order to work efficiently and effectively with suppliers in all areas of the communication arena. Professional designers also spend countless hours at the computer learning the latest software, techniques, and trends in the design industry. We do this so that we can provide our clients with the very best creative solutions.

By giving the original designers files to another designer or printer for manipulation or changes, they essentially profit from the original designers skill and creativity. And the original designer loses any potential revenue those files may have generated. In legal terms it's called art theft or plagerism.

Therefore, it is fair to say that designers have a right to protect their competitive edge. This is called intellectual property. Its definition is very simple: the ownership of one's own creative work (and all the skill that implies).

I am a professional graphic designer. I hope my previous work or reputation is what attracted you to me. The work I have done for my many clients, with a variety of creative challenges, speaks volumes about my abilities. And while I am in business to make a profit, I strive to be fair while endeavoring to keeping your costs low.

Please call me if you have any questions regarding copyright and licensing.