

# Are separate copyrights needed for translated versions of your work?

CopyrightTips from experts\* at CopyrightsNow.com

Let's say your book is published in English and you want to publish translations in other languages to boost sales.

Question: Do you need a separate copyright registration for each translated version?

Answer: Yes. Each translation is considered a *derivative work* of the original book in a different language. It is also a *separate work* from the original and has its own copyright and therefore requires a *separate copyright registration*.

# Who owns the translated versions of the copyright?

Since each translation is a derivative work, only the copyright owner of the original work can authorize translations.

Generally, the person or entity who creates the translation is the copyright owner of the 'translated text' in the specific language version, unless the translation is authorized by a 'Work-for-Hire' Agreement, in which case the contracting entity owns all rights (including copyright) to the translation. This is because under a 'Work-for-Hire' Agreement, the contracting party is considered the Author, and the translator's name doesn't have to be revealed in the work.

However, even if a copyright owner authorizes another entity to translate their work, the *copyright owner retains the copyright to the original work* and the exclusive rights to make or authorize other derivative works such as other translations.

In any case, if a copyrighted work is used without the permission of the copyright owner, copyright protection will not extend to any part of the new work in which such material has been used unlawfully, and the unauthorized translation may constitute copyright infringement.

# Sample copyright registration for Translated Works

To register copyrights in translated works, certain information is needed about any previous registrations of the original work and a description of the new material added and pre-existing material used.

## Example: Register translated version of existing book to Chinese

Your original book is published in English by Your Self-Publishing Company – which also owns the copyright. You hire an independent contractor under a 'Work-for-Hire' to translate text into Chinese.

Here are sample copyright registration entries from CopyrightsNow®:

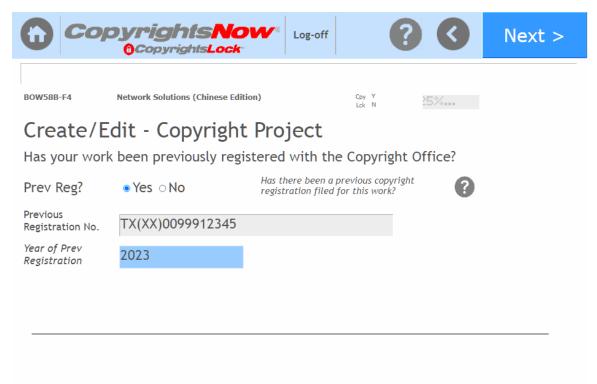


Fig 1: Sample screenshot of Project - Previously registered screen

If the original English version was registered by the same owner (i.e., Claimant) as the translated version, you would reference the previous registration.



Fig 2: Sample screenshot of Author Information

In this sample, the Author and Claimant is your company (Your Self-Publishing Company) since you hired a translator under a 'Work-for-Hire' agreement.

Therefore, your company owns all rights to the translation and is listed as the Author and Claimant on the copyright registration with an Author Contribution shown as 'translation'.

Note: If the translation is *not covered* by a 'Work-for-Hire' agreement and/or the Translator is not affiliated with the original copyright owner then the Author and Claimant of the new work would be the Translator.

(Note: All translations required permission from the original copyright owner)



Fig 3: Sample screenshot of Author Contribution for 'Translation (Chinese)

Author Contribution is shown as 'Translation (Chinese)'.

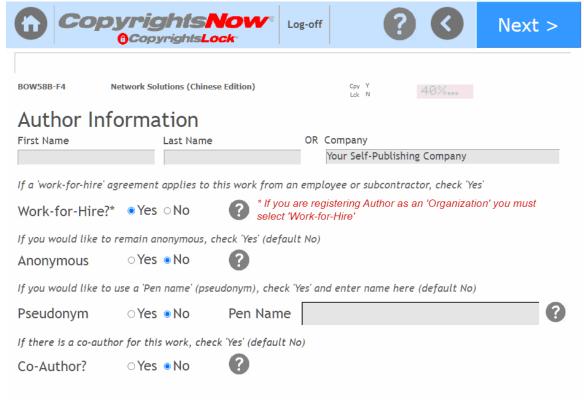


Fig 4: Sample screenshot showing 'Work-for-Hire' selection

In this example, your company (Your Self-Publishing Company) hired a translator under a 'Work-for-Hire' agreement; therefore, you check 'Yes' for 'Work-for-Hire'

Under a 'Work-for-Hire' agreement, you as the contracting party would own all the rights to the work – even though you did not create it. The agreement should be in writing and should clearly state it is a 'Work-for-Hire' contract with all rights being owned by you – as the commissioning entity.

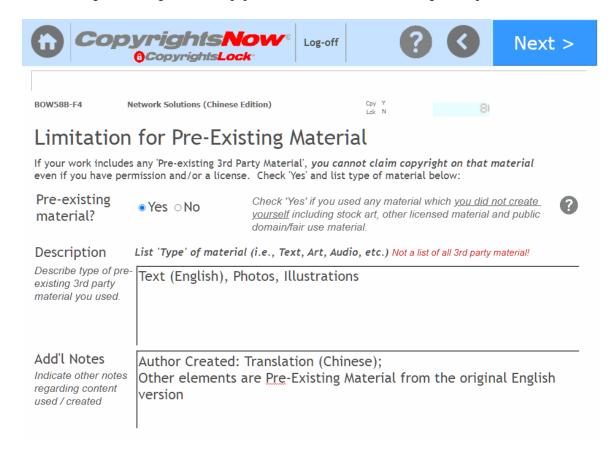


Fig 5: Sample screenshot showing 'Limitation for Pre-Existing Material'

### Limitation for Pre-Existing Material: 'Yes'

Required since the new work contains material previously published or previously registered in the U. S. Copyright Office

### Description of Material Used (and excluded from this registration):

English Text, Photographs, Illustrations

### Add'l Notes (Indicate New Material):

Author Created Translation (Chinese); Other elements are Pre-Existing material from original English version

To complete the registration, click 'Submit' on the last screen:



Fig 6: Sample screenshot of 'Submit' button

Sound confusing? *Rest Easy...* By using a copyright preparation tool like CopyrightsNow®... the system edits and validates your application with Al algorithms... and each application is reviewed by a Specialist to minimize potential issues which may cause delays or rejection by the USCO.

CopyrightsNow® also provides On-line HELP for each screen with detailed data element descriptions and 'Use-Case' procedures.

For more information on copyright registration and 'Work-for-Hire', see: <a href="https://www.digi-rights.com/drights/blogs/Blog\_04a\_Work-for-Hire.pdf">https://www.digi-rights.com/drights/blogs/Blog\_04a\_Work-for-Hire.pdf</a>

To start your copyright registration protection, click to <u>learn more!</u>

For more information on Derivative Works, refer to U. S. Copyright Office - Circular 14 - Copyright in Derivative Works and Compilations

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