



How to Copyright a Website!

CopyrightTips from experts* at CopyrightsNow.com

You've created a great website... to publicize your book, product or service. So how do you protect the content from illegal copying or plagiarism?

Question: Can you protect the entire website with a copyright registration?

Answer: Yes (*for the copyrightable content*)

While a website itself is not considered a copyrightable work, you can register 'copyrightable content or authorship' on the website such as: text, photographs, illustrations and artwork, music, sound recordings and/or videos.

What if there are several types of content on the website?

It should be registered in according to the *predominant* copyrightable content.

For example, if you want to protect a blog post consisting mainly of text, you can register the blog entry as a 'Literary Work'.

If you want to protect a musical work that is available on a website, you can register it as a 'Work of the Performing Arts'.

Likewise, a photographer who displays or distributes photographs on a website can register these images as 'Work of the Visual Arts'.

Multiple elements, consisting of text, illustrations, photos, etc. are typically submitted using the *predominant* copyrightable content such as 'Literary Work'.

Who is the Author and Copyright Owner of a Website?

Generally, the person or entity who creates the work owns the copyright.

If you hired an independent contractor to develop a website or content, the contractor is considered the author and copyright owner of the work, not the hiring party, unless the work is created under a 'Work-for-Hire' Agreement, in which case the contracting entity owns all rights (including copyright) to the

work. This is because under a 'Work-for-Hire' Agreement, the contracting party is considered the Author, and the subcontractor's name doesn't have to appear in the work.

By contrast, if an individual creates a work during the course of his or her employment under a typical employment relationship, the work is considered a 'Work-for-Hire' and the employer is considered the author and copyright owner of that work, not the employee.

Many websites include content created by others, such as: blogs, licensed art or graphics, stock art, links to other websites, etc. These elements would be excluded from your application by indicating 'Pre-existing 3rd Party Material' on your application.

Is AI-generated content copyrightable?

According to the U. S. Copyright Office, works created by AI - known as "generative AI" are technologies that generate "original" content based on prompts from humans.

USCO currently interprets AI-generated text and images as **not protected under copyright law** since they were produced by a machine based on prompts from humans. These elements would be excluded from your application by indicating 'Pre-existing 3rd Party Material' on your application.

Updates and Revisions

Most websites are updated often and change significantly over time. Generally, each new version of a website is considered a separate work for purposes of copyright registration. A registration for a specific version of a website covers the new material that the author contributed to that version, including any changes, revisions, additions, or other modifications made. Ordinarily, the registration does not cover earlier or later versions of the same website or pre-existing material that may be contained within that site.

In particular, a registration for a specific version of a website does not cover:

- Previously published or previously registered material
- Material that is in the public domain; or
- Copyrightable material owned by a third party

What do you submit as the 'deposit' copy of your work?

Works that are displayed on a website are registered in much the same way as any other work, and the same rules apply when your application is vetted.

Typically, you should submit the content in the form in which it appears on the actual website - by printing each page to a PDF file and uploading your PDF.

(There is no need to submit the HTML code for a site unless you specifically want to register the human-written portions of the HTML itself)

Sample Copyright Registration for a Website

Example: Register Copyrights for an Author Website to promote your book

Your original book is published by Your Self-Publishing Company - and the company also owns the website which also includes the copyright.

Your company hired an independent contractor under a 'Work-for-Hire' to create original illustrations for the book and the website promotional material.

You reprinted 3rd party reviews of your book.

Here is sample copyright registration using CopyrightsNow®:



The screenshot shows the CopyrightsNow interface. At the top, there is a navigation bar with a home icon, the CopyrightsNow logo, a 'Log-off' button, a help icon, a back arrow, and a 'Next >' button. Below the navigation bar, the project details are displayed: 'BOW282-CF' and 'My Best Selling Novel'. On the right, there are checkboxes for 'Cpy' and 'Lok', both set to 'Y', and a progress indicator showing '10%...'. The main section is titled 'Create/Edit - Copyright Project'. It contains several input fields: 'Proj Acronym' with the value 'BOW282-CF', 'Project Title' with 'My Best Selling Novel', 'ISBN (If Available)' which is empty, 'Copyright category' with 'Book, Poetry, Written Work' selected and 'Other Website' as an alternative, and 'Year created or completed?' with '2024'. There are also help links like '(What's an ISBN?)' and 'What's this?' next to the category and other options.

*Fig 1: Sample screenshot of Project -
Copyright category: 'Book, Poetry, Written Work' is filed as 'Literal Work'
(Note: Other 'Website' is a comment only)*

BOW282-CF My Best Selling Novel Cpy Y Lck Y 20%

Create/Edit - Copyright Project

Is your work Published?

For Copyright Application purposes, 'Published' means the work has been distributed to the public by sale or other transfer of ownership; or by rental, lease or lending. A work is also 'Published' if there has been an offering to distribute copies to a group of persons for the purposes of further distribution, public performance or public display.

Published? Yes No *Has work been published or distributed to the public?* ?

Date of first Publication? Nation of first Publication?

Intended Media Formats Print Audiobook Electronic Video

Note: You can register Print & Electronic on one application; Audiobook and Video require a separate application

Fig 2: Sample screenshot of Project | Published selection

Note: Websites are considered 'Unpublished' under certain conditions: Work for which downloading or reproduction is expressly prohibited.

If there is a notice on the website in the 'Terms of Service' or another obvious place that ***prohibits downloading, printing or copying***, the work or content may be deemed '***Unpublished***' because the end-user is not authorized to download, print or otherwise copy and distribute.

BOW282-CF My Best Selling Novel 40%...

Author Information

Individual Organization

Enter your full legal name (not a 'Pen' name) - leave blank if 'Organization' is selected

First Name: [] Last: []

Company*: Your Self-Publishing Company ?

** Leave Company blank (no spaces in the field) if 'Individual' is selected*

Address: 123 Main St

City: YourCity St: MI Zip: 48301

Country: United States Yr of Birth (Optional): []

Phone: []

E-Mail: publisher@yourdomain.com

Check to use Author's contact information as the only Copyright Owner (Claimant) and Certificate mailing address

Fig 3: Sample screenshot of Author Information
In this sample, an Organization is the Author and Claimant.

BOW282-CF My Best Selling Novel 40

Author Information (Literary Work)

First Name: [] Last Name: [] OR Company: Your Self-Publishing Company

Author Contribution ?

Check all categories of your creative contribution to the work

- Text
- Artwork
- Photographs
- Computer Program
- Other...

If 'Other' checked above enter description: []

Limited to 99 characters

What's this? On a later screen 'Limitation for Pre-Existing Material' - you can enter 'Add'l Notes'

Fig 4: Sample screenshot of Author - Contribution
(Note: An employee of the company created the Photos and the company hired an Illustrator under a 'Work-for-Hire' Agreement to create original illustrations (Artwork) (see Fig 5) Other 'Pre-Existing 3rd Party Material' was used (see Fig 6)

BOW282-CF My Best Selling Novel Cpy Y Lck Y

Author Information

First Name Last Name OR Company
Your Self-Publishing Company

If a 'work-for-hire' agreement applies to this work from an employee or subcontractor, check 'Yes'

Work-for-Hire?* Yes No ? * If you are registering Author as an 'Organization' you must select 'Work-for-Hire'

If you would like to remain anonymous, check 'Yes' (default No)

Anonymous Yes No ?

If you would like to use a 'Pen name' (pseudonym), check 'Yes' and enter name here (default No)

Pseudonym Yes No Pen Name ?

If there is a co-author for this work, check 'Yes' (default No)

Co-Author? Yes No ?

Fig 5: Sample screenshot of Author - Work-for-Hire
(Note: The Author (Organization) hired an Illustrator under a 'Work-for-Hire' Agreement to create original Illustrations for use on the site. Other 'Pre-Existing 3rd Party Material' was used (see Fig 6)

BOW282-CF My Best Selling Novel Cpy Y Lck Y 80%...

Limitation for Pre-Existing Material

If your work includes any 'Pre-existing 3rd Party Material', **you cannot claim copyright on that material** even if you have permission and/or a license. Check 'Yes' and list type of material below:

Pre-existing material? Yes No ? Check 'Yes' if you used any material which you did not create yourself including stock art, other licensed material and public domain/fair use material.

Description	List 'Type' of material (i.e., Text, Art, Audio, etc.) <i>Not a list of all 3rd party material!</i>
Describe type of pre-existing 3rd party material you used.	Text (3rd Party review quotes), Illustrations (Licensed Stock-Art)
Add'l Notes Indicate other notes regarding content used / created	

Fig 6: Limitations for Pre-Existing Material
(Note: Author used 3rd party quote and licensed Illustrations from Stock Art company)

In this example, your company (Your Self-Publishing Company) hired an Illustrator 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.

The website also includes 3rd party quotes and 'Illustrations' licensed from a Stock-Art firm... which need to be *excluded* from registration as 'Limitations for Pre-Existing Material' (Fig 6).

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

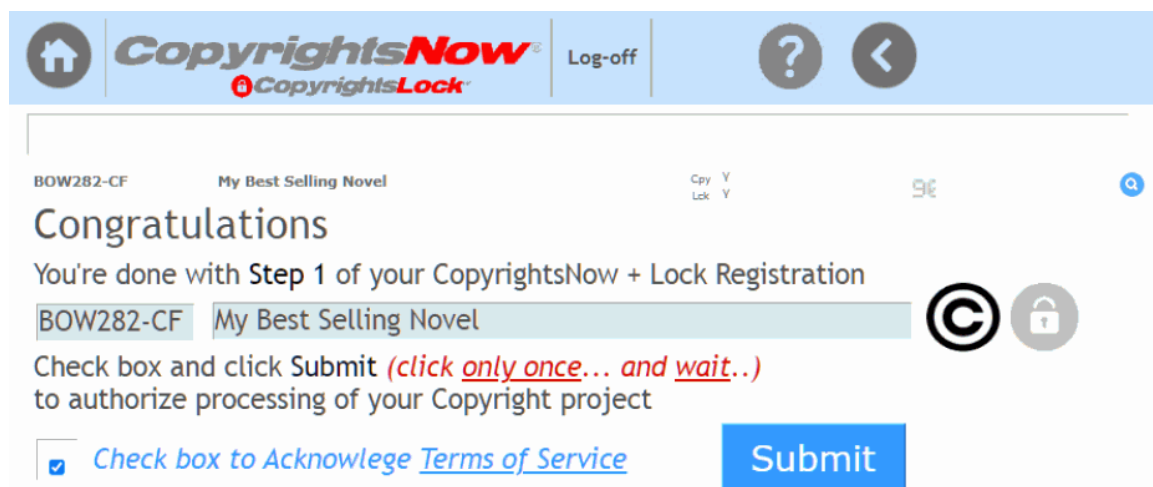


Fig 7: Sample screenshot of 'Submit' button

Sound confusing? Rest Easy... By using a copyright preparation tool like CopyrightsNow®... the system edits and validates your application with AI 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: https://www.digi-rights.com/drights/blogs/Blog_04a_Work-for-Hire.pdf

To start your copyright registration protection, click to [learn more!](#)

For more information, refer to U. S. Copyright Office - Circular 66 - Copyright Registration of Websites and Compendium of U. S. Copyright Office Practices - Chapter 1000 - Website and Website Content

** The information contained in this post and software application are believed to be accurate at the time of publication; however, copyright regulations change and subject to various interpretations... so always consult with a personal attorney for legal advice.*

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