



Copyright Term and the Public Domain in the United States

1 January 2011¹

Never Published, Never Registered Works²

<i>Type of Work</i>	<i>Copyright Term</i>	<i>What was in the public domain in the U.S. as of 1 January 2011³</i>
Unpublished works	Life of the author + 70 years	Works from authors who died before 1941
Unpublished anonymous and pseudonymous works, and works made for hire (corporate authorship)	120 years from date of creation	Works created before 1891
Unpublished works when the death date of the author is not known ⁴	120 years from date of creation ⁵	Works created before 1891 ⁵

Works Registered or First Published in the U.S.

<i>Date of Publication⁶</i>	<i>Conditions⁷</i>	<i>Copyright Term³</i>
Before 1923	None	None. In the public domain due to copyright expiration
1923 through 1977	Published without a copyright notice	None. In the public domain due to failure to comply with required formalities
1978 to 1 March 1989	Published without notice, and without subsequent registration within 5 years	None. In the public domain due to failure to comply with required formalities

1978 to 1 March 1989	Published without notice, but with subsequent registration within 5 years	70 years after the death of author. If a work of corporate authorship, 95 years from publication or 120 years from creation, whichever expires first
1923 through 1963	Published with notice but copyright was not renewed ⁸	None. In the public domain due to copyright expiration
1923 through 1963	Published with notice and the copyright was renewed ⁸	95 years after publication date
1964 through 1977	Published with notice	95 years after publication date
1978 to 1 March 1989	Created after 1977 and published with notice	70 years after the death of author. If a work of corporate authorship, 95 years from publication or 120 years from creation, whichever expires first
1978 to 1 March 1989	Created before 1978 and first published with notice in the specified period	The greater of the term specified in the previous entry or 31 December 2047
From 1 March 1989 through 2002	Created after 1977	70 years after the death of author. If a work of corporate authorship, 95 years from publication or 120 years from creation, whichever expires first
From 1 March 1989 through 2002	Created before 1978 and first published in this period	The greater of the term specified in the previous entry or 31 December 2047
After 2002	None	70 years after the death of author. If a work of corporate authorship, 95 years from publication or 120 years from creation, whichever expires first
Anytime	Works prepared by an officer or employee of the United States Government as part of that person's official duties. ²¹	None. In the public domain in the United States (<u>17 U.S.C. § 105</u>)

Works First Published Outside the U.S. by Foreign Nationals or U.S. Citizens Living Abroad⁹

<i>Date of Publication</i>	<i>Conditions</i>	<i>Copyright Term in the United States</i>
Before 1923	None	In the public domain (But see first special case below)
Works Published Abroad Before 1978¹⁰		
1923 through 1977	Published without compliance with US formalities, and in the public domain in its source country as of 1 January 1996 (but see special cases) ²⁰	In the public domain
1923 through 1977	Published in compliance with all US formalities (i.e., notice, renewal) ¹¹	95 years after publication date
1923 through 1977	Solely published abroad, without compliance with US formalities or republication in the US, and not in the public domain in its home country as of 1 January 1996 (but see special cases)	95 years after publication date
1923 through 1977	Published in the US less than 30 days after publication abroad	Use the US publication chart to determine duration
1923 through 1977	Published in the US more than 30 days after publication abroad, without compliance with US formalities, and not in the public domain in its home country as of 1 January 1996 (but see special cases)	95 years after publication date
Works Published Abroad After 1 January 1978		
After 1 January 1978	Published without copyright notice, and in the public domain in its source country as of 1 January 1996 (but see special cases) ²⁰	In the public domain
After 1 January 1978	Published either with or without copyright notice, and not in the public domain in its home country as of 1 January 1996 (but see special cases)	70 years after death of author, or if work of corporate authorship, 95 years from publication
Special Cases		
1 July 1909 through 1978	In Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, Washington, Guam, and the Northern Mariana Islands ONLY. Published in a language other than English, and without subsequent republication with a copyright notice ¹²	Treat as an unpublished work until such date as first US-compliant publication occurred

Before 19 Aug. 1954	Published by a Laotian in Laos ¹⁸	In the public domain
Between 18 Aug. 1954 and 3 Dec. 1975	Published by a Laotian in Laos ¹⁸	Use the US publication chart to determine duration
Prior to 27 May 1973	Published by a national of Turkmenistan or Uzbekistan in either country ¹⁹	In the public domain
After 26 May 1973	Published by a national of Turkmenistan or Uzbekistan in either country ¹⁹	May be protected under the UCC
Anytime	Created by a resident of Afghanistan, Eritrea, Ethiopia, Iran, Iraq, or San Marino, and published in one of these countries ¹³	Not protected by US copyright law until they become party to bilateral or international copyright agreements
Anytime	Works whose copyright was once owned or administered by the Alien Property Custodian, and whose copyright, if restored, would as of January 1, 1996, be owned by a government ¹⁴	Not protected by US copyright law
Anytime	If published in one of the following countries, the 1 January 1996 date given above is replaced by the date of the country's membership in the Berne Convention or the World Trade Organization, whichever is earlier: Andorra, Angola, Armenia, Bhutan, Cambodia, Comoros, Jordan, Korea, Democratic People's Republic, Micronesia, Montenegro, Nepal, Oman, Papua New Guinea, Qatar, Samoa, Saudi Arabia, Solomon Islands, Sudan, Syria, Tajikistan, Tonga, United Arab Emirates, Uzbekistan, Vietnam, Yemen	

Sound Recordings

(Note: The following information applies only to the sound recording itself, and not to any copyrights in underlying compositions or texts.)

<i>Date of Fixation/Publication</i>	<i>Conditions</i>	<i>What was in the public domain in the U.S. as of 1 January 2011²</i>
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Unpublished Sound Recordings, Domestic and Foreign

Prior to 15 Feb. 1972	Indeterminate	Subject to state common law protection. Enters the public domain on 15 Feb. 2067
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After 15 Feb. 1972	Life of the author + 70 years. For unpublished anonymous and pseudonymous works and works made for hire (corporate authorship), 120 years from the date of fixation	Nothing. The soonest anything enters the public domain is 15 Feb. 2067
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Sound Recordings Published in the United States

<i>Date of Fixation/Publication</i>	<i>Conditions</i>	<i>What was in the public domain in the U.S. as of 1 January 2011³</i>
Fixed prior to 15 Feb. 1972	None	Subject to state statutory and/or common law protection. Fully enters the public domain on 15 Feb. 2067
15 Feb 1972 to 1978	Published without notice (i.e., ©, year of publication, and name of copyright owner) ¹⁵	In the public domain
15 Feb. 1972 to 1978	Published with notice	95 years from publication. 2068 at the earliest
1978 to 1 March 1989	Published without notice, and without subsequent registration	In the public domain
1978 to 1 March 1989	Published with notice	70 years after death of author, or if work of corporate authorship, the shorter of 95 years from publication, or 120 years from creation. 2049 at the earliest
After 1 March 1989	None	70 years after death of author, or if work of corporate authorship, the shorter of 95 years from publication, or 120 years from creation. 2049 at the earliest

Sound Recordings Published Outside the United States

Prior to 1923	None	Subject to state statutory and/or common law protection. Fully enters the public domain on 15 Feb. 2067
1923 to 1 March 1989	In the public domain in its home country as of 1 Jan. 1996 or there was US publication within 30 days of the foreign publication (but see special	Subject to state common law protection. Enters the public domain

	cases)	on 15 Feb. 2067
1923 to 15 Feb. 1972	Not in the public domain in its home country as of 1 Jan. 1996. At least one author of the work was not a US citizen or was living abroad, and there was no US publication within 30 days of the foreign publication (but see special cases)	Enters public domain on 15 Feb. 2067
15 Feb. 1972 to 1978	Not in the public domain in its home country as of 1 Jan. 1996. At least one author of the work was not a US citizen or was living abroad, and there was no US publication within 30 days of the foreign publication (but see special cases)	95 years from date of publication. 2068 at the earliest
1978 to 1 March 1989	Not in the public domain in its home country as of 1 Jan. 1996. At least one author of the work was not a US citizen or was living abroad, and there was no US publication within 30 days of the foreign publication (but see special cases)	70 years after death of author, or if work of corporate authorship, the shorter of 95 years from publication, or 120 years from creation
After 1 March 1989	None	70 years after death of author, or if work of corporate authorship, the shorter of 95 years from publication, or 120 years from creation

Special Cases

Fixed at any time	Created by a resident of Afghanistan, Eritrea, Ethiopia, Iran, Iraq, or San Marino, and published in one of these countries ¹³	Not protected by US copyright law because they are not party to international copyright agreements
Fixed prior to 1996	Works whose copyright was once owned or administered by the Alien Property Custodian, and whose copyright, if restored, would as of 1 January 1996 be owned by a government ¹⁴	Not protected by US copyright law
Fixed at any time	<p>If fixed or solely published in one of the following countries, the 1 January 1996 date given above is replaced by the date of the country's membership in the Berne Convention or the World Trade Organization, whichever is earlier:</p> <p>Andorra, Angola, Armenia, Bhutan, Cambodia, Comoros, Jordan, Korea, Democratic People's Republic, Micronesia, Montenegro, Nepal, Oman, Papua New Guinea, Qatar, Samoa, Saudi Arabia, Solomon Islands, Sudan, Syria, Tajikistan, Tonga, United Arab Emirates, Uzbekistan,</p>	