# [***Copyright Duration Chart***](https://plus.lexis.com/api/document?collection=forms&id=urn:contentItem:60DV-C1W1-JJD0-G2K6-00000-00&context=1530671)

by [*Jeremy S. Goldman*](https://www.lexisnexis.com/lexis-practice-advisor/profiles/jeremy-s-goldman), Frankfurt Kurnit Klein & Selz PC (updated by Practical Guidance Attorney Team)

These charts provide a quick, at-a-glance view of the copyright terms (also referred to as copyright duration or duration of copyright) for works first published on or after January 1, 1978 (post-1978 works) and for works first published prior to January 1, 1978 (pre-1978 works), including whether renewal terms are required or available for such works.

For a related flowchart, see [*Copyright Duration Flowchart*](https://plus.lexis.com/api/document?collection=forms&id=urn:contentItem:5JT1-4NF1-F5DR-220N-00000-00&context=1530671). For more information on copyright duration, see [*Nimmer on Copyright § 9.08*](https://plus.lexis.com/api/document?collection=analytical-materials&id=urn:contentItem:51PS-PMD0-R03K-5437-00000-00&context=1530671) (Works that Obtained Statutory Copyright Before January 1, 1978) and [*Nimmer on Copyright § 9.10*](https://plus.lexis.com/api/document?collection=analytical-materials&id=urn:contentItem:51PS-PMD0-R03K-5439-00000-00&context=1530671) (Works that Obtained Statutory Copyright During Pendency of Current Act). For an overview of copyright law, see [*Copyright Fundamentals*](https://plus.lexis.com/api/document?collection=analytical-materials&id=urn:contentItem:5B7K-5MV1-DXHD-G3FR-00000-00&context=1530671).

**Post-1978 Works**

All original works of authorship created and fixed in a tangible medium of expression on or after January 1, 1978 (the effective date of the Copyright Act of 1976) are automatically protected by copyright law upon fixation. The duration for such works depends upon the nature of the work, as follows:

|  |  |
| --- | --- |
| **Type of Work** | **Term of Copyright** |
| Works of an individual author | Life of the author plus 70 years |
| Works of joint authorship | Life of the surviving author plus 70 years |
| Works made for hire | 95 years from the date of publication or 120 years from the date of creation, whichever is shorter |
| Anonymous or pseudonymous works | 95 years from the date of publication or 120 years from the date of creation, whichever is shorter |

Other things to note for post-1978 works include:

* **Expiration date.** All copyright terms expire at the end of the calendar year. See [*17 U.S.C. § 305*](https://plus.lexis.com/api/document?collection=statutes-legislation&id=urn:contentItem:8S7X-DF02-8T6X-7407-00000-00&context=1530671).

1. **No renewal.** The current Act provides a unified term of copyright. Thus, works created on or after January 1, 1978 do not need to be renewed in order to be protected for the full term of copyright protection, and no renewal term is available to further extend the duration of the term.

For more information on works of joint authorship, see [*Joint Authorship and Ownership (Copyright)*](https://plus.lexis.com/api/document?collection=analytical-materials&id=urn:contentItem:60P3-J5J1-JXG3-X186-00000-00&context=1530671). For more information on works made for hire, see [*Works Made for Hire*](https://plus.lexis.com/api/document?collection=analytical-materials&id=urn:contentItem:609D-M4X1-FG12-6376-00000-00&context=1530671); [*Nimmer on Copyright § 5.03*](https://plus.lexis.com/api/document?collection=analytical-materials&id=urn:contentItem:51PS-NBX0-R03N-434J-00000-00&context=1530671) .

**Pre-1978 Works**

For works first published prior to January 1, 1978 (which were subject to the 1909 Copyright Act), copyright protection commenced upon either:

* Publication with notice

1. Registration (for unpublished works)

Publication without notice resulted in a forfeit of copyright protection (i.e., the work fell into the public domain). For more information on notice requirements, see [*Copyright Notice Checklist*](https://plus.lexis.com/api/document?collection=forms&id=urn:contentItem:60DV-C1W1-JJD0-G2K4-00000-00&context=1530671). For more information on the public domain, see [*Public Domain and Orphan Works Checklist*](https://plus.lexis.com/api/document?collection=forms&id=urn:contentItem:60DV-C1W1-JJD0-G2K5-00000-00&context=1530671).

Pre-1978 copyright terms were the same for all types of works and were eligible for renewal. The 1909 Act provided an initial term of 28 years with the option to renew for an additional 28 years. The 1976 Act and the Copyright Term Extension Act of 1998 subsequently extended the duration of the renewal term, for a total potential duration of 95 years, and ended the requirement that works be formally renewed.

In short, the copyright term for pre-1978 works has evolved as follows:

|  |  |  |
| --- | --- | --- |
| **Date of Publication** | **Term of Copyright** | **Whether Renewal Is Required or Available** |
| Between 1/1/1964 and 12/31/1977 | 95 years from date copyright protection commenced (initial term of 28 years plus a second term of 67 years including all applicable extensions). | Renewal term applies, but renewal registration is not required.  (Due to a 1992 amendment to the Copyright Act, these works did not need to be renewed, and were automatically subject to a second term. However, many copyright owners chose to register their renewals to maintain a clear chain of title and demonstrate any changes in ownership from the original registration.) |
| Between 1/1/1923 and 12/31/1963 | 95 years from date copyright protection commenced (initial term of 28 years plus a second term of 67 years including all applicable extensions), if copyright was properly renewed. | Renewal term applies, if properly renewed.  Failure to renew resulted in work falling into the public domain at the end of the 28-year initial term.  For more information on renewal requirements, see [*Nimmer on Copyright § 9.05*](https://plus.lexis.com/api/document?collection=analytical-materials&id=urn:contentItem:51PS-PMD0-R03K-5433-00000-00&context=1530671). |
| Prior to 1/1/1923 | Expired. These works are in the public domain. | Renewal term would have commenced and ended prior to the effective date of the 1976 Act. |

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