

Copyright

VS.

Trademark









Original works of authorship, such as books, articles, songs, photographs, sculptures, choreography, sound recordings, motion pictures, and other works.

Any word, phrase, symbol, and/or design that identifies and distinguishes the source of the goods of one party from those of others.



Requirements for Protection



A work must be original, creative and fixed in a tangible medium.

A mark must be distinctive (i.e., that is, it must be capable of identifying the source of a particular good).



Term of Protection



Author's life plus 70 more years.

For as long as the mark is used in commerce.



Rights Granted



Right to control the reproduction, making of derivative works, distribution and public performance and display of the copyrighted works.

Right to use the mark and to prevent others from using similar marks in a way that would cause a likelihood-of-confusion about the origin of the goods or services.