



IN THIS DOCUMENT:

FlashDen Author Copyright Guidelines Introduction	1
What is Copyright?	1
What is a Copyright Violation?	2
The Checklist	4

FlashDen Author Copyright Guidelines

As you may be aware, FlashDen.net is upgrading its copyright policy. As an author it is important that you familiarize yourself with these new requirements.

As an author you have the responsibility to only sell files that belong to you. By selling a file, you are making an agreement not only with FlashDen but with anyone who buys your file that you retain full copyright.

As it can sometimes be confusing to define what might be a copyright infringement, it is very important that you read this document thoroughly.

If after reading this you are still unclear you should contact Support to answer your questions.

What is Copyright?

You can find a full definition of copyright on the U.S. Copyright office website and how it relates to international copyright relations. Here is a short description:

Copyright is a legal concept that gives the creator of an original work exclusive rights to it. The copyright holder has the right to choose if anyone else can use, adapt or resell their work and have the right to be credited for that work.

Only the copyright holder of a work may do the following:

- Make copies of the work and distribute them
- Create derivative works or alter the work in any way
- Sell the work in either its original version or in an altered form

The creator of a work retains copyright to it even if they don't expressly tell you so. The only way you can get copyright to do the above is if the original copyright holder gives you permission to do so in writing.

What is a Copyright Violation?

A copyright infringement or violation is the unauthorized use of work that is covered by copyright. If you use, alter or sell someone else's work you are violating their copyright and are breaking the law. Here are some requirements to comply with copyright violations:

THE FILE MUST NOT INCLUDE ANY BRAND NAMES, LOGOS OR TRADEMARKS.

For example: You cannot use an Apple or McDonalds logo, even if you have recreated it, photographed it, or altered it. You cannot use a photo of a watch if the brand name of the watch is legible.

THE FILE MUST NOT INCLUDE PATENTED AND TRADEMARKED PRODUCT DESIGNS SUCH AS MUSIC PLAYERS, COMPUTERS, CARS, TOYS AND SO ON.

For example: You cannot use an iPod, iPhone or Ferrari in your file, even if you have recreated it, photographed it, or altered it.

THE FILE MUST NOT INCLUDE PHOTOGRAPHS OR REPLICATIONS OF ARTWORKS SUCH AS PAINTINGS, SCULPTURES AND SOME ARCHITECTURAL BUILDINGS.

For example: You cannot use the Mona Lisa in a template design. You cannot use a photo or replication of the Sydney Opera House or Eiffel Tour, both of which are copyrighted monuments.

THE FILE MUST NOT BE BASED ON ANY OTHER FILE.

For example: You cannot submit a website template that is similar to an established website. You cannot submit a file which is similar to a file for sale on another website.

THE FILE MUST NOT BE BASED ON A TUTORIAL.

For example: You cannot submit a file that you created by following a tutorial, in whole or in part.

YOU MUST NOT UPLOAD FILES THAT HAVE BEEN DECOMPILED FROM ANOTHER FILE. *For example: You cannot decompile a file and resell it, even if you alter it significantly.*

YOU MUST NOT UPLOAD A FILE THAT USES FREE OR PURCHASED COMPONENTS FROM ANY OTHER SOURCE.

For example: You cannot download a file then use part or all of it in a file for sale.

(Continued page 3...)

What is a Copyright Violation?

(Continued from page 2...)

YOU MUST NOT UPLOAD A FILE THAT USES GOVERNMENT OR MILITARY PROPERTY.

For example: You cannot submit a file that contains a presidential seal or military insignia.

YOU MUST NOT PURCHASE OR DOWNLOAD ANY FILE THEN RESELL IT.

For example: You cannot submit a file that you have purchased or downloaded from another site.

YOU MUST NOT PURCHASE OR DOWNLOAD ANY FILE, ALTER IT, THEN RESELL IT.

For example: You cannot submit a file that you have purchased or downloaded from another site.

YOU MUST NOT USE PHOTOS, VIDEOS OR SOUNDS IN YOUR FILES UNLESS YOU HAVE A LICENSE TO RESELL THEM.

The only photographs/videos/sounds allowed in files are:

- Created by the author
- Purchased under the appropriate license
- Downloaded from the FlashDen Asset Library

Read the Photography, Video and Audio FAQ for more information on this requirement.

YOU MUST NOT UPLOAD A FILE THAT INCLUDES A RECOGNIZABLE HUMAN FACE UNLESS YOU INCLUDE A MODEL RELEASE.

Read the Model Release FAQ for more information on this requirement.

YOU MUST NOT UPLOAD A FILE THAT INCLUDES A RECOGNIZABLE PRIVATE LOCATION UNLESS YOU INCLUDE A LOCATION RELEASE.

Read the Location Release FAQ for more information on this requirement.

The Checklist

We understand that in the beginning it can be difficult to tell whether a files infringes copyright. We have created this checklist for you to use until you have familiarised yourself with these new requirements. If you answer “YES” to any of these questions then you are infringing copyright and your file will not be approved for sale.

YES/NO

Did you base this file on any other file that you have seen before?
(Eg. Did you copy another site's design, layout or code, in whole or in part?)

Does the file refer to any other website in its title or description?
(Eg. “FWA Style Template”)

Does the file refer to any product, brand or logo in its title or description?
(Eg. “iPod audio player”)

Does the file contain music or video that you do not have copyright of?
(Eg. A movie preview playing in a player, or a song by Alicia Keyes playing in a template)

In the file do you see:

- A logo?
- Copyrighted products? *(eg. iPhone, Coke can, Apple computer)*
- Fine art? *(eg. A famous painting or sculpture)*
- Embedded copyright signs?

Does the file contain photographs that you found on the internet?
(Eg. You found the photo on Google Images or you purchased the photo under a limited usage license)

Does the file contain video that you found on the internet?
(Eg. You are using a company's showreel or a movie preview)

Does the file contain audio that you found on the internet?
(Eg. You are using a song from iTunes in a template or a sound downloaded from a free resource)

If you answer YES to any of these questions, then do not upload the file, as by doing so you are violating copyright!