

## Answers to some common questions

Quite often, as a building designer I am asked questions on copyright such as “will I be in breach of copyright if..... “or” do I own the copyright to the plan ....."

**Here are answers to some of most commonly asked questions:**

### **Who owns the copyright if I engage a Designer/Drafting Service to draw a plan based on my ideas?**

In most cases copyright in a drawing such as a house plan is owned by the ‘author’. This is the person who does the drawing, even if the drawing depicts your ideas. This is because the person who provided the idea was not the author.

### **If I pay a Designer/Drafting Service to draw plans for me do I own the copyright?**

As you are not the author of the drawings you do not automatically own copyright in a plan you pay to have drawn.

### **Who owns the copyright if I engage a Designer/Drafting Service to draw a plan based on my sketches?**

In most cases, you will own copyright in the sketch that you were the author of and, the Designer/Drafting Service owns copyright in the plans that they have prepared. In some cases, the Designers/Drafting Services plan may incorporate your sketch, so that copying the Designers/Drafting Services plan will indirectly reproduce your sketch. In these cases some other person who wishes to use the plan may need permission from both you and the Designer/Drafting Service.

### **Can I use a brochure or plan out of a newspaper to design my plan?**

Permission is generally required from the owner of the copyright of the plan even if you only copy some of the elements of the plan.

Finally each question/situation may have its own unique set of circumstances and as a rule if you have any doubt whatsoever you should always seek qualified professional advice.