

PANORAMIC **COPYRIGHT**

United Kingdom



LEXOLOGY

Copyright

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LEGISLATION AND ENFORCEMENT

Relevant legislation

What is the relevant legislation?

The main copyright statute in the United Kingdom is the [Copyright, Designs and Patents Act 1988](#) (the CDPA). It received Royal Assent on 15 November 1988. Numerous amendments have been made to it since then, by various different statutes and statutory instruments, mainly driven by the implementation of EU laws aimed at harmonising copyright laws within the European Union prior to the UK's exit of the EU.

Law stated - 3 August 2026

Enforcement authorities

Who enforces it?

The UK has a robust enforcement system, with a variety of specialist IP civil courts. In addition, the relevant law enforcement authorities (including the specialist Police IP Crime Unit) are highly sophisticated and very thorough in policing IP crime. Unlike in many other high-performing jurisdictions, criminal prosecutions in the UK are an attractive enforcement method in relation to IP crime: the police and Trading Standards carry out investigations at little or no cost to copyright holders and other IP rights holders, and their investigations can act as a deterrent. Rights holders can also apply for enforcement of their rights by the Customs authorities (HMRC) at the UK border, to prevent infringing goods arriving in the UK from outside the UK.

Law stated - 3 August 2026

Online and digital regulation

Are there any specific provisions of your copyright laws that address the digital exploitation of works?

[Section 28A \(Making of temporary copies\)](#) provides an exception to infringement for the making of a temporary copy that is transient or incidental, which is an integral and essential part of a technological process and the sole purpose of which is to enable:

- a transmission of the work in a network between third parties by an intermediary; or
- a lawful use of the work; and which has no independent economic significance.

Certain online intermediaries (ie, conduits, hosts and caches) may benefit from the liability safe harbours under Regulations [17](#), [18](#) and [19](#) of the Ecommerce Regulations (implementation of articles 12, 13 and 14 [eCommerce Directive](#)). Under Regulation 19, a hosting service provider cannot be liable for damages or for any other pecuniary remedy for hosting third-party content if it does not have actual knowledge of the illegal activity or information, or if the provider, upon obtaining such knowledge, acts expeditiously to remove or to disable access to the information. If the platform provider fails to remove illegal content

after gaining positive knowledge of it, the platform provider may still be liable for injunctive relief.

Law stated - 3 August 2026

AI regulation

Are there any specific provisions of your copyright laws that address the use of works in artificial intelligence and machine learning? Is there any proposed legislation that would do so?

There are currently no specific provisions in the CDPA dealing with use of copyright works in the training of AI models. The UK government ran a [consultation on Copyright and Artificial Intelligence](#) from 17 December 2024 to 25 February 2025, and subsequently published a [Report on Copyright and Artificial Intelligence](#) as well as a [Copyright and AI Impact Assessment](#) on 18 March 2026. Both documents were produced pursuant to [sections 135 and 136](#) of the [Data \(Use and Access\) Act 2025](#). During the consultation, the government sought views on four options for AI-related copyright reform in the UK. The UK government also indicated that its preferred option was to broaden the UK's copyright exception for text and data mining, to allow AI training for commercial purposes, but while enabling rights holders to reserve their rights through an opt-out mechanism. However, following the consultation, the government announced that it no longer had a preferred option, due to the so-far untested nature of new copyright exceptions and their impact on AI investment, as well as uncertainty as to the impact that copyright reforms may have on the market for copyright licensing. As a result, the UK's copyright laws remain unchanged for now.

Law stated - 3 August 2026

Extraterritorial application

Do your copyright laws have extraterritorial application to deal with foreign-owned or foreign-operated websites that infringe copyright?

[Section 16 of the CDPA](#) states that acts of primary infringement of copyright must be carried out or performed in the UK. In relation to acts of infringement by "communicating works to the public" (ie, by making content available for streaming and downloading online) under [section 20 of the CDPA](#), infringement will only be found to take place in the UK where the website (or app) is targeted at the UK public. Whether there is such targeting is determined by a multi-factorial test developed by the courts (see, for instance, the UK Supreme Court decision in *Lifestyle Equities v Ahmad* [2024], although a trademark case).

Law stated - 3 August 2026

Agency

Is there a centralised copyright agency? What does this agency do?

The United Kingdom Intellectual Property Office (UKIPO) is the official government body responsible for intellectual property rights, including copyright. The UKIPO publishes

guidance on copyright protection, management and enforcement. It is responsible for public consultations on copyright issues. The UKIPO also maintains a register of orphan works and administers a statutory licensing scheme for such works.

Law stated - 3 August 2026

SUBJECT MATTER AND SCOPE OF COPYRIGHT

Protectable works

What types of works may be protected by copyright?

UK copyright protects the following categories of works, provided they qualify for UK copyright protection:

- "original" literary (including computer programs and databases), dramatic, musical and artistic works;
- sound recordings, films or broadcasts; and
- the typographical arrangement of published editions.

There is no general definition of originality in the Copyright, Designs and Patents Act (CDPA). The UK test for originality, developed by case law, has traditionally had a low threshold, requiring the work to be something other than a slavish copy of another work, and to involve sufficient skill and labour. However, the UK Court of Appeal in [THJ Systems and Sheridan](#) has confirmed that the EU test, which requires the work to be the "author's own intellectual creation" is the test to be applied in the UK to works created on or after 22 December 2002, and this test has a higher hurdle than the traditional UK test for originality. The work needs to be an expression of the author's free and creative choices, reflecting his or her personality.

Law stated - 3 August 2026

AI-generated works

To what extent is copyright protection available for works generated in whole or in part by artificial intelligence systems?

Under [section 9\(3\)](#), the CDPA extends copyright protection to literary, dramatic, musical or artistic works that are "computer-generated" (which means that the work is generated by computer in circumstances such that there is no human author of the work). The author of a computer-generated work is taken to be the person by whom the arrangements necessary for the creation of the work are undertaken and protection lasts for 50 years from the date of creation. So far, there have been no cases testing the application of this provision in relation to artificial intelligence systems. The provision has been criticised for conflicting with the UK's legal test for originality, because it grants protection to "original" literary, dramatic, musical or artistic works that have no human author. Whereas the UK test is that a work must be the "author's own intellectual creation", and reflect their "personal touch" to be an original copyright work, a test that inherently requires a human author.

The UK government recognised this conflict in its recent consultation and subsequent report on copyright and AI, published on 18 March 2026. During the consultation, the government

sought views on whether the provision should be clarified or removed. In its report, the UK government stated that its preferred option was to remove statutory protection for computer-generated works under section 9(3), unless the consultation responses provided sufficient evidence of the provision's positive effects. The report provided that only half of the consultation respondents answered questions relating to section 9(3) and, of these, 78% expressed that they were not in favour of the current protection for computer-generated works and that there should not be protection for works created solely by AI in the UK. In light of this, the UK government proposes to continue monitoring the use and impact of section 9(3) in the UK and proposes to remove this provision should no evidence of its ongoing value emerge.

Law stated - 3 August 2026

Rights covered

What types of rights are covered by copyright?

Section 16 of the CDPA sets out the exclusive rights of a copyright owner. These are:

- the right to copy the work;
- the right to issue copies of the work to the public;
- the right to rent or lend the work to the public;
- the right to perform, show or play the work in public;
- the right to communicate the work to the public; and
- the right to make an adaptation of the work or to carry out any of the other above acts in relation to an adaptation.

Law stated - 3 August 2026

Rights covered

What limitations and exceptions apply?

The CDPA sets out a range of exceptions to copyright, which can broadly be classified into the following categories:

- making of temporary copies (section 28A)
- fair dealing for various permitted purposes including:
 - research and private study ([section 29](#));
 - criticism, review, quotation and news reporting ([section 30](#));
 - parody, caricature and pastiche ([section 30A](#));
- text and data mining for non-commercial research ([section 29A](#));
- incidental inclusion of copyright material ([section 31](#));
- disability ([sections 31A-31F](#));

- education ([sections 32-36A](#));
- libraries and archives ([sections 40A-44A](#));
- public administration ([sections 45-50](#)); and
- computer programs ([sections 50A-50C](#)).

Law stated - 3 August 2026

Excluded works

What may not be protected by copyright?

The following works may not be protected by copyright:

- works that have not been "fixed" (ie, recorded in writing or other medium);
- works that do not meet the requirements for originality;
- works that do not fall within the fixed list of protected works set out in the CDPA;
- shapes of functional products, such as clothing;
- single words and very short phrases such as names, titles and slogans; and
- facts, ideas, methods, concepts, procedures and the like, as distinct from their expression in a work.

Law stated - 3 August 2026

Fair use and fair dealing

Do the doctrines of 'fair use' or 'fair dealing' exist, and, if so, what are the standards used in determining whether a particular use is fair?

Yes. The CDPA includes a number of statutory exceptions to copyright infringement, including the "fair dealing" exceptions found under section 29 (research and private study), section 30 (criticism, review, quotation and news reporting) and 30A (caricature, parody or pastiche). In a commercial context, the section 30 exceptions are the most commonly used fair dealing exceptions.

However, fair dealing under UK law differs from the concept of fair use under US law. Fair dealing in the UK provides an exception to infringement (ie, there is no infringement where a fair dealing exception applies). Whereas fair use provides that an infringer may have a defence to infringement under fair use, but may have to accept that infringement has occurred.

Criticism and review (section 30(1))

Fair dealing with a work for the purpose of criticism or review, of that or another work or performance of a work, does not infringe any copyright in the work provided that it is accompanied by a sufficient acknowledgement and provided that the work has been made available to the public.

Under [section 178 of the CDPA](#), sufficient acknowledgement is defined as meaning an acknowledgement identifying the work in question by its title or other description, and identifying the author, unless, in the case of published work, it is published anonymously, or in the case of an unpublished work, it is not possible for a person to ascertain the identity of the author by reasonable enquiry.

Quotation(section 30(1ZA))

Copyright in a work is not infringed by the use of a quotation from the work provided that the work has been made available to the public; the use of the quotation is fair dealing with the work; the extent of the quotation is no more than is required by the specific purpose for which it is used; and the quotation is accompanied by sufficient acknowledgement (unless this would be impossible for reasons of practicality or otherwise).

News reporting (section 30(2))

Fair dealing with a work (other than a photograph) for the purpose of reporting current events does not infringe any copyright in the work provided that it is accompanied by a sufficient acknowledgement. Under section 30 (3), no acknowledgement is required in connection with the reporting of current events by means of a sound recording, film or broadcast, where this would be impossible for reasons of practicality or otherwise.

Caricature, parody or pastiche (section 30A)

Fair dealing with a work for the purposes of caricature, parody or pastiche will not infringe copyright in the work.

Parody

The Court of Justice in [Deckmyn v Vandersteen](#) [2014] held that the term “parody” must be regarded as an autonomous concept of EU law and must be interpreted uniformly throughout the EU and not with reference to prior national law. The meaning and scope of the term must be given its ordinary meaning, with the essential characteristics of a parody being to (1) evoke an existing work while being noticeably different from it, and (2) to constitute an expression of humour or mockery. However, parody may fall outside the scope of the copyright exception if the parodied work conveys a discriminatory message because, for the exception to apply, a fair balance must be struck between the interests and rights of authors, and the right to freedom of expression of the user of a protected work who is relying on the exception.

Pastiche

The meaning of the term “pastiche” has various interpretations. According to [IPO guidance](#), pastiche is “a musical or other composition made up of selections from various sources or one that imitates the style of another artist or period”. While a caricature “portrays its subject in a simplified or exaggerated way, which may be insulting or complimentary and may serve

a political purpose or be solely for entertainment,” the term is defined in [Merriam Webster](#) as “a literary, artistic, musical, or architectural work that imitates the style of previous work”.

In the case of *Shazam Productions v Only Fools the Dining Experience* [2022], the court considered that the essential ingredients for pastiche within the meaning of section 30A CDPA are that:

- the use imitates the style of another work; or
- it is an assemblage (medley) of a number of pre-existing works.

In both cases, as with parody, the product must be noticeably different from the original work.

Accordingly, the court considered that the term pastiche could potentially apply to a broad spectrum of “mash-ups”, fan fiction, music sampling, collage, appropriation art, medleys and many other forms of homage and compilation.

In [Pelham II](#) (14 April 2026), the Court of Justice followed *Deckmyn* in finding that the concept of pastiche must be regarded as an autonomous concept of EU law, considering the usual meaning of the term in everyday language and taking into account the context in which that concept occurs. They also found, as in *Deckmyn*, that a balance must be struck between the interests and rights of authors, and the right to freedom of expression of the user of a protected work relying on the exception. Nevertheless, the Court acknowledged that pastiche is not a term commonly used and that it encompasses diverse meanings. The Court also found that the concept of pastiche cannot cover concealed imitations of protected subject matter, or plagiarism, as this would not be deemed to strike the fair balance required for the exception to apply.

The Court concluded that the exception for pastiche does not have a catch-all nature, but that it does cover:

creations which evoke one or more existing works, while being noticeably different from them, and which use, including by means of sampling, some of those works’ characteristic elements protected by copyright, in order to engage with those works in an artistic or creative dialogue that is recognisable as such and that can take different forms, in particular the form of an overt stylistic imitation of those works, of a tribute to them or of humorous or critical engagement with them.

Deckmyn has been applied by the UK courts already and *Pelham II*, although not binding as delivered after the UK has left the EU, is likely to be of persuasive authority to the UK courts, given its subject-matter and relationship to *Deckmyn*.

Any use of a work in reliance on sections 29, 30 and 30A CDPA exceptions must be “fair”. There is no statutory definition of what amounts to “fair dealing”. However, the Court of Appeal in *Ashdown v Telegraph Group* [2001] EWCA Civ 1142 summarised the three key factors to be taken into consideration as follows:

- whether the use of the copyright work is in fact competing commercially with the copyright owner’s exploitation of the work;
- whether the copyright work used has already been published or made available to the public; and

- the amount and importance of the copyright work that has been taken.

Law stated - 3 August 2026

Architectural works

Are architectural works protected by copyright? How?

Yes. Works of architecture are protected as artistic copyright works, under [section 4 of the CDPA](#), which defines works of architecture as a building, or a model for a building. A building is defined to include any fixed structure, and a part of a building or fixed structure. Unlike certain other artistic works, including architects' drawings, protection is limited to those features of a building that have artistic quality. Copyright in a building may be infringed by the making of a 3-D copy of the building, for example, by the making of a building or model for a building. However, it is not infringed by making a drawing, photograph or film of a building, or broadcasting an image of a building. The same is true of models of buildings, if situated in a public place or in premises open to the public. Architects' drawings are separately protected as artistic copyright works, irrespective of artistic quality. Copyright in such drawings may be infringed by any 2D or 3D reproduction, for example, in the form of other plans or constructing a building from such plans.

Law stated - 3 August 2026

Performance rights

Are performance rights covered by copyright? How?

Yes. Owners of copyright in literary, dramatic and musical works have the exclusive right to perform the work in public, meaning any mode of visual or acoustic presentation, including presentation by means of a sound recording, film or broadcast of the work, pursuant to [section 19 of the CDPA](#) (known as the "public performance" right). This right might be infringed, for example, by a band playing a cover of a song in a public venue without permission from the songwriter, or a theatre group performing a play in a theatre without permission from the playwright. Owners of copyright in a sound recording, film or broadcast also have the exclusive right to play or show those works in public, pursuant to section 19(3) CDPA (known as the "playing/showing" right). This right might be infringed, for example, by the playing of a film in a cinema or playing the radio in a shop, without the necessary licences. Note that an exception applies to the free public playing of a broadcast under [section 72 of the CDPA](#). Case law suggests that, whether or not a performance has been made "in public" will depend on the character of the audience, including whether or not the audience is bound together by a domestic or family tie. There is some overlap between the right to perform, play or show a work in public under section 19 and the exclusive right of the copyright owner to "communicate a work to the public" under section 20 CDPA, which covers the communication of a work to the public by electronic transmission, including broadcasting the work and "making it available" by electronic transmission (eg, streaming and downloading). Section 20 covers all transmissions to a public not present where the communication originates, and it does not cover performance of a work in a public place. However, there are circumstances where an act of public performance within the scope of section 19 CDPA could also be an

act of communication to the public under section 20 CDPA, for example, if a work is played on television in a pub, that could infringe both the public performance right under section 19 and the communication to the public right under section 20.

Law stated - 3 August 2026

Neighbouring rights

Are other 'neighbouring rights' recognised? How?

Yes. The UK does not distinguish between copyright works and "neighbouring" or "related" rights. Sound recordings, films and broadcasts are all protected as copyright works. Acts of performance, on the other hand, are not protected as copyright works. Instead, performers are granted certain "economic rights" (to consent to the recording or broadcasting of their performance and to certain exploitation of their performance) and "moral rights" in relation to certain performances (such as the right to be identified as the performer and to object to derogatory treatment) under [Part II of the CDPA](#). Rights to remuneration are also granted to performers in respect of certain uses of recordings of a performance.

Law stated - 3 August 2026

Moral rights

Are moral rights recognised?

Yes. The CDPA provides authors with the following moral rights, which are separate to copyright, in relation to certain categories of copyright works (namely, literary, dramatic, musical and artistic works and films):

- The right to be identified as the author of a work or director of a film (the "right of attribution"). Broadly, this right is available in circumstances where the relevant work has been published commercially or otherwise shown to the public. The attribution right is not infringed unless the person relying on it has asserted the right in accordance with [section 78 of the CDPA](#).
- The right of an author or director to object to derogatory treatment of their work or film, respectively (the "right of integrity"). Derogatory treatment is defined in [section 80\(2\) of the CDPA](#) as "any addition to, deletion from or alteration to or adaptation of the work" that "amounts to a distortion or mutilation of the work, or is otherwise prejudicial to the honour or reputation of the author or director".
- The right of any person not to have a work falsely attributed to them as the author, or a film falsely attributed to them as the director.
- The right to privacy, whereby any person who has commissioned the taking of photographs or making of a film for private and domestic purposes has the right not to have the resulting work(s) made available to the public, subject to certain statutory exceptions.

In addition, performers are entitled to a moral right of attribution and right of integrity in relation to qualifying performances under the CDPA. The rights are granted in respect of

any live performance, broadcast of a live performance or performances recorded in sound recordings and communicated or issued to the public. The [Beijing Treaty](#) extends such moral rights to performances recorded in films. The UK has not, at the time of writing, implemented the Beijing Treaty; however, in its April 2025 report on British film and high-end TV, the House of Commons CMS Committee called for the government to implement the Beijing Treaty within six months.

Moral rights are personal and cannot be assigned, but they may be waived by an instrument in writing signed by the person waiving the right. Moreover, an act will not infringe a moral right if the person entitled to the right has consented to the act.

Law stated - 3 August 2026

COPYRIGHT FORMALITIES

Notice

Is there a requirement of copyright notice?

The Copyright, Designs and Patents Act (CDPA) does not contain any requirement to include a copyright notice on a work.

Law stated - 3 August 2026

Notice

What are the consequences for failure to use a copyright notice?

While there is no requirement to include a copyright notice on a work under UK law, there are advantages. For example, it serves as notice to third parties that copyright subsists in the work and may be enforced by the copyright owner. Under [section 104 of the CDPA](#), there is also a presumption of authorship, until the contrary is proved, where an author's name appeared on a work or copies of a work. An equivalent presumption exists for sound recordings and films under [section 105 of the CDPA](#). The effect is that the claimant will not have to prove they are the actual author; the burden will be on the defendant to prove the contrary.

Law stated - 3 August 2026

Deposit

Is there a requirement of copyright deposit?

Yes. Publishers of printed works (books, sheet music, maps, plans, charts and tables) have a legal requirement, under the [Legal Deposit Libraries Act 2003](#), to deposit a copy of such works at the British Library. Publishers must also deposit a copy with five other nominated deposit libraries but only where requested by any of those deposit libraries in writing. The obligation also applies to non-print materials published in the UK online and offline after 5 April 2013, excluding works consisting only of sound recordings and/or films.

Law stated - 3 August 2026

Deposit

What are the consequences for failure to make a copyright deposit?

If a publisher fails to comply with its obligations under the Legal Deposit Libraries Act 2003, the library can apply to the county court (or, in Scotland, to the sheriff) for an order requiring the publisher to comply ([section 3, Legal Deposit Libraries Act 2003](#)).

Law stated - 3 August 2026

Registration

Is there a system for copyright registration, and, if so, how do you apply for a copyright registration?

No. There is no registration requirement for UK copyright. Copyright arises automatically on creation of a work, provided the work is recorded, in writing or otherwise (eg, on paper, film or other recording medium).

Law stated - 3 August 2026

Registration

Is copyright registration mandatory? If voluntary, what are the benefits of registration?

Not applicable as there is no system for copyright registration in the UK.

Law stated - 3 August 2026

Registration

What are the fees to apply for a copyright registration?

Not applicable as there is no system for copyright registration in the UK.

Law stated - 3 August 2026

Registration

What are the consequences for failure to register a copyrighted work?

Not applicable as there is no system for copyright registration in the UK.

Law stated - 3 August 2026

OWNERSHIP AND TRANSFER

Eligible owners

Who is the owner of a copyrighted work?

In general, the author (ie, creator) of a work is the first owner of the copyright in it ([section 11\(1\) of the Copyright, Designs and Patents Act \(CDPA\)](#)). If the work in question is a literary, dramatic, musical or artistic work or film that was created by an employee in the course of their employment, then the employer will be the first owner of copyright in the work unless otherwise agreed (section 11(2) of the CDPA).

For certain types of work, section 9(2) of the CDPA provides that the following persons will be deemed to be the author(s) and therefore first owner(s) of the relevant work:

- sound recordings: the producer;
- films: the producer and the principal director;
- broadcasts: the person making the broadcast, or for a broadcast that relays another broadcast by reception and immediate re-transmission, the person making the other broadcast; or
- typographical arrangements of published editions of literary, dramatic or musical works: the publisher.

In relation to a sound recording and film, the producer is the person by whom the arrangements necessary for the making of the sound recording or film are undertaken.

Law stated - 3 August 2026

Employee and contractor work

May an employer own a copyrighted work made by an employee?

Yes. Under section 11(2) of the CDPA, the employer automatically becomes the first owner of the copyright in a literary, dramatic, musical or artistic work or film that was created by an employee in the course of their employment, unless otherwise agreed.

Law stated - 3 August 2026

Employee and contractor work

May a hiring party own a copyrighted work made by an independent contractor?

Where an independent contractor is hired by a party to create a copyrighted work, the copyright in the resultant work will be owned by the independent contractor, as the creator and first owner. The hiring party does **not** automatically own the copyright in commissioned works. Rather, the copyright must be assigned to the hiring party for ownership to transfer. However, in the absence of any written terms, the hiring party will get an implied licence to use the material in the manner and for the purpose of which it was intended to be used. In certain circumstances, the court may decide that an implied licence to use the work for these purposes only is not sufficient. In such cases, the independent contractor may retain legal

title but the beneficial title to the work may transfer to the hiring party. The court will look at what is necessary to give "business efficacy" to the contract. The question for the court is whether an implied non-exclusive licence for certain purposes is sufficient or whether the hiring party should be granted an exclusive licence or assignment of the legal title in the copyright works by the person hired. The term implied should go no further than is necessary to fill the gap in the contract and, therefore, if a licence is sufficient, an assignment will not be implied. It is necessary for the court to consider the price paid, the impact of an assignment on the author and what the parties intended at the time of the commission.

Law stated - 3 August 2026

Joint and collective ownership

May a copyrighted work be co-owned?

Yes. Joint ownership of copyright works may arise where a work is of joint authorship or in circumstances where ownership of the copyright in a work has been subdivided by agreement.

A work of joint authorship is produced through (1) collaboration between two or more authors, in which (2) each author qualifies as an author in their own right, and (3) the contribution of each author is not distinct from that of the other author(s). For films, the producer and the principal director will be treated as joint authors and therefore joint first owners unless they are the same person.

Joint authors will generally be joint first owners of copyright. They may hold equal or unequal shares in the copyright depending on the terms of any agreement between the authors, the nature of contributions made by each of the authors, and any other circumstances that indicate an intention to split ownership into different shares. Joint owners may generally assign their own interest in the copyright. However, a joint owner cannot restrict the rights of other joint owners, for example, by unilaterally granting a licence that binds the other joint owners. Conversely, a joint owner may enforce their rights against third parties by bringing proceedings for copyright infringement without any requirement to join the other co-owners.

Joint authorship may be contrasted with co-authorship of music with lyrics. Under [section 10A of the CDPA](#), a work of co-authorship is produced by collaboration between the author of a musical work and the author of a literary work (ie, lyrics) where those works are created to be used together. Unlike joint authors, the contributions of co-authors are clearly distinguishable and so the music and lyrics are each treated as separate copyright works.

Law stated - 3 August 2026

Transfer of rights

May rights be transferred? If so, what rules and procedures apply?

Yes. Copyright can be transferred in whole or in part by way of assignment.

For a legal assignment to be valid, it must be in writing and signed by or on behalf of the assignor.

An entitlement in equity to call for the assignment of the legal title to a copyright work (sometimes referred to as an equitable assignment) may occur in certain situations. For example, where a purported legal assignment of copyright is ineffective but may be construed as an agreement to assign the copyright, or where there is an implied term in an agreement to create the work in question to this effect.

Law stated - 3 August 2026

Licensing

May rights be licensed? If so, what rules and procedures apply?

Yes. A licence may be granted either by the copyright owner or a licensee to the extent that sub-licensing is permitted. A non-exclusive licence can be oral or written, and express or implied. Under [section 92 of the CDPA](#), an exclusive licence must be in writing and signed by or on behalf of the copyright owner. Such a licence authorises the licensee to exercise any of the rights otherwise available exclusively to the owner and operates to exclude all other parties, including the grantor of the licence. An exclusive licensee can therefore bring infringement proceedings on the basis of its concurrent rights, provided that the copyright owner is also joined as a party to the proceedings pursuant to [section 102 of the CDPA](#).

Law stated - 3 August 2026

Licensing

Are there compulsory licences? What are they?

Yes. UK law provides for compulsory licences of copyright works in limited and specific areas, including the following:

- **Broadcasting:** compulsory licensing in certain circumstances in relation to the use of broadcast schedules and of sound recordings to be included in broadcasts and cable programmes.
- **Competition law:** The Secretary of State and the Competition and Markets Authority have statutory powers to provide that copyright licences shall be made available as of right. Alternatively, a compulsory licence may be ordered as a judicial remedy against a copyright owner who has breached competition law through abuse of a dominant position.
- **Orphan works:** Works whose rights holders have not been identified or cannot be located through a diligent search (orphan works) may be subject to the orphan works statutory licensing regime. A person intending to use an orphan work protected by copyright must apply for a licence by contacting the UK Intellectual Property Office.

Law stated - 3 August 2026

Licensing

Are licences administered by performing rights societies? How?

Yes, but not all licensing. The UK has a number of collective management organisations (also known as collecting societies) that administer the granting of licences and collection of royalties on behalf of various categories of rights holders. Collective management organisations operate in a variety of industries including music, film, publishing and news. Membership of such organisations is voluntary, but many rights holders opt to join these organisations due to the practical benefits of having a dedicated collective body to administer and exploit their rights.

Law stated - 3 August 2026

Termination

Is there any provision for the termination of transfers of rights?

No. There is no statutory provision for termination of an assignment of copyright once it has taken effect. However, the parties to an assignment may provide for a reversion of rights under the terms of their agreement.

Law stated - 3 August 2026

Recordal

Can documents evidencing transfers and other transactions be recorded with a government agency?

No. As the UK does not have a copyright registration system, there is no means for recording copyright transfers and other transactions with a government agency.

Law stated - 3 August 2026

DURATION OF COPYRIGHT

Protection start date

When does copyright protection begin?

Copyright protection begins when a work is created. For copyright to subsist in literary, musical and dramatic works, there is a requirement that the work must be "fixed" or recorded in some form, whether in writing or through other technical means.

Law stated - 3 August 2026

Duration

How long does copyright protection last?

The term of copyright protection varies depending on the type of work.

For literary, dramatic, musical and artistic works, copyright protection generally lasts until 70 years following the author's death. Special rules apply for the following sub-categories of such works:

- Works of unknown authorship: Copyright protection lasts until 70 years after the work was made, but if the work was made publicly available during that period, the term of protection extends to 70 years from when it was first made publicly available.
- Works of joint authorship: Copyright protection lasts until 70 years after the last joint author dies.
- Computer-generated works: Copyright protection is limited to 50 years from creation.

There are fixed terms of protection for the following types of work:

- Sound recordings and films: Copyright protection expires 50 years after creation. If the sound recording or film is released (ie, first published or broadcast) before the end of that period, the term of protection extends to 50 years after its release.
- Broadcasts: Copyright expires 50 years after the first broadcast.
- Typographical arrangements of published editions: Copyright expires 25 years after the edition was first published.

Law stated - 3 August 2026

Duration

Does copyright duration depend on when a particular work was created or published?

Yes, the term of copyright protection for a particular work is linked to when that work was created or published. For older copyright works, the question of duration can be a complex analysis, since it involves determining both how a work was protected and the applicable duration of protection for that work under the copyright regime that was in force at the time the work was created.

Law stated - 3 August 2026

Renewal

Do terms of copyright have to be renewed? How?

No. Copyright terms are not capable of being renewed in the UK.

Law stated - 3 August 2026

Government extension of protection term

Has your jurisdiction extended the term of copyright protection?

Yes. The UK has extended the term of copyright protection on multiple occasions. In 1995, the UK extended the term of copyright protection for literary, musical, dramatic and artistic works from the life of the author plus 50 years to the life of the author plus 70 years, as part of the implementation of [EU Directive 93/98](#) harmonising the term of protection of copyright and certain related rights. In 2013, the UK extended the term of copyright protection for sound recordings from 50 years to 70 years, where such recordings have been made available to the public.

Law stated - 3 August 2026

COPYRIGHT INFRINGEMENT AND REMEDIES

Infringing acts

What constitutes copyright infringement?

Primary infringement

Under [section 16 of the Copyright, Designs and Patents Act \(CDPA\)](#), the owner of copyright has the exclusive right to:

- copy the work;
- issue copies of the work to the public (or to rent or lend the work to the public);
- to perform, show or play the work in public;
- to communicate the work to the public; and
- to make an adaptation of the work or do any of the above in relation to an adaptation.

Copyright is therefore infringed by a person who does, or authorises another to do, any of the above acts in relation to a copyright work, without licence of the copyright owner.

Copyright can be infringed where any of the above acts are carried out in relation to a work as a whole, or in relation to any substantial part of it. "Substantiality" is tested qualitatively, not quantitatively, and the test will vary depending on the particular work in question. It is essentially the flipside of the test for originality, so that there will be infringement where what has been copied amounts to the intellectual creation in the original work. This means that where a copyright work has been the product of a low degree of creativity, the scope of protection is correspondingly narrow, so that only a close copy will infringe.

Copyright infringement can be committed directly or indirectly – ie, via an intermediate copy in another form or medium. For example, a toy created from a photograph of an original sculpture will indirectly infringe the copyright in the sculpture.

These are strict liability statutory torts, so that an intention to copy, etc, or knowledge that the act is an infringement is **not** required.

Secondary infringement

Secondary infringement requires knowledge. The acts of secondary infringement are set out in [sections 22 – 26 of the CDPA](#) and cover:

- the importation of an infringing copy of work;
- the possession of, or dealing with, an infringing copy of work;
- the provision of means for making an infringing copy of work;
- permitting the use of premises for an infringing performance; and
- the provision of apparatus for an infringing performance.

Law stated - 3 August 2026

Vicarious and contributory liability

Does secondary liability exist for indirect copyright infringement? What actions incur such liability?

The terms "secondary liability" and "indirect infringement" have particular meanings in the context of UK copyright law, which are different from the meanings given to these terms under US law, and are covered in the preceding section.

Under English law, a person can be liable for an act of copyright infringement without doing the act themselves, in the following situations:

- where they are vicariously liable, most commonly when the infringing act is carried out by an employee in the course of their employment, but also where the relationship is akin to employment;
- where they have authorised the doing of the infringing act, under section 16(2) CDPA; or
- where they have "accessory"/"joint" liability as joint tortfeasors, either because they have knowingly procured the doing of the act by another person, or because they have assisted the other person to infringe where the assistance was more than trivial and given pursuant to a common design between the parties, as discussed in the Supreme Court's [Lifestyle v Ahmed](#) decision.

Law stated - 3 August 2026

Available remedies

What remedies are available against a copyright infringer?

Remedies for copyright infringement can include:

- injunctions ([section 96 CDPA](#)), including injunctions against service providers ([section 97A CDPA](#)), interim injunctions and final injunctions;
- damages (section 96 CDPA) including the option for additional statutory damages having regard to the flagrancy of the infringement ([section 97\(2\)\(a\) CDPA](#)) and any benefit accruing to the defendant by reason of the infringement (section 97(2)(b) CDPA);
- account of profits (section 96 CDPA);

- delivery up of the infringing goods ([section 99 CDPA](#));
- the right to seize infringing copies and other articles ([section 100 CDPA](#));
- destruction or forfeiture of the infringing goods ([section 114 CDPA](#));
- an undertaking from the defendant to take licence of right in infringement proceedings ([section 98 CDPA](#));
- search orders;
- *Norwich Pharmacal* orders (ie, an order for the disclosure of the identity of a wrongdoer against anyone who, albeit innocently, has become involved in the wrongful act of another);
- freezing orders;
- summary judgment;
- declaration of infringement by the court; and
- orders for publication and dissemination of a judicial decision.

Law stated - 3 August 2026

Limitation period

Is there a time limit for seeking remedies?

Yes. But there is no special limitation period for copyright. The six-year limitation period for causes of action in the UK in relation to tort claims apply to copyright infringement claims.

In relation to an application for the delivery up of goods infringing copyright, or articles specifically designed or adapted for making infringing copies, there is a six-year limitation period that runs from the date on which the infringing copy or article in question was made ([section 113\(1\) CDPA](#)).

Law stated - 3 August 2026

Monetary damages

Are monetary damages available for copyright infringement?

Yes. Monetary damages are available for copyright infringement, and are calculated so as to put the claimant in the position it would have been in had the infringing act not occurred. Usually in copyright infringement cases, the court considers what a reasonable licence fee would have been between notional willing licensor and a willing licensee in the same factual circumstances at the time the infringement commenced.

A claimant may also elect for an account of profits (instead of monetary damages) whereby the defendant forfeits to the copyright owner the profits they have made as a result of the infringement.

A claimant may also seek additional damages under section 97(2)(a) CDPA where the infringement has been flagrant. This remedy does not amount to a punitive damages award but is intended to address circumstances where the amount of damages awarded on the

normal basis (discussed above) does not reflect the benefit accruing to the defendant from the infringement. It rarely exceeds twice the measure of standard damages.

Damages may not be awarded against an innocent infringer, where they did not know or had no reason to believe that copyright subsisted in the work concerned (section 97(1) CDPA). But an innocent infringer may be ordered to disgorge their profits from the infringement.

Law stated - 3 August 2026

Attorneys' fees and costs

Can attorneys' fees and costs be claimed in an action for copyright infringement?

Yes. The default position in the UK is that the losing party will be ordered to pay a proportion of the successful party's legal fees and costs. The exact figure will be adjusted based on the specifics of the case, and courts have the discretion to apportion costs among different issues in the dispute.

If a copyright claim is heard in the Intellectual Property Enterprise Court, the total recoverable costs for a successful party is capped at £60,000. Each stage of a claim (such as attendance at a case management conference, or preparing witness evidence) is subject to a separate costs cap. However, court fees, costs relating to enforcement of an order and wasted costs are excluded from the costs cap. Further, where a party has been found to have acted unreasonably, a successful claimant can seek costs over and above the relevant cost cap.

Law stated - 3 August 2026

Criminal enforcement

Are there criminal copyright provisions? What are they?

Yes. [Sections 107-110 of the CDPA](#) provide for criminal offences for copyright infringement.

The following acts carried out in relation to an infringing copy of a copyright work, with knowledge or reason to believe that it is infringing, carry a maximum penalty of six months' imprisonment and/or a fine on summary conviction, or 10 years' imprisonment and/or a fine on indictment:

- making for sale or hire;
- importing into the UK (other than for private and domestic use);
- distributing in the course of business; and
- distributing otherwise than in the course of business to such an extent as to prejudicially affect the copyright owner.

The following acts carried out in relation to an infringing copy of a copyright work, in the course of business, with knowledge or reason to believe that it is infringing, carry a maximum penalty of three months imprisonment and/or a fine:

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possessing the infringing works with a view to committing any act infringing copyright;

- selling, letting for hire or offering for sale or hire; and
- exhibiting the infringing works in public.

It is also a criminal offence to:

- make an article specifically designed or adapted for making copies of a particular copyright work, or to possess such an article;
- communicate copyright works to the public online with intent to make a gain or knowing or having reason to believe that the communication to the public will cause or will risk loss to another person;
- cause a copyright work to be performed, played or shown in public so as to infringe copyright where the person knew or had reason to believe that the copyright would be infringed.

Law stated - 3 August 2026

Online infringement

Are there any specific liabilities, remedies or defences for online copyright infringement?

Yes. Section 97A of the CDPA permits copyright owners to apply for blocking injunctions against online intermediaries whose services are used by third parties to infringe copyright. The court may grant an injunction (but not award damages) against a service provider that has "actual knowledge" of another person using their service to infringe copyright. This knowledge requirement is satisfied straightforwardly by written notice to the service provider concerned. In cases where the service provider is acting as a mere conduit, the copyright owner must bear the costs of the service provider's implementation of the blocking injunction. The position on implementation costs is not yet clear in cases where the service provider is providing a caching or a hosting service.

Although not strictly categorised as defences, the exception for temporary copying (section 28 CDPA) and the liability safe harbours under the Ecommerce Regulations are largely relevant only to online infringement.

Law stated - 3 August 2026

Prevention measures

How may copyright infringement be prevented (including, for example, customs enforcement measures and any technological notable developments)?

Copyright owners in the UK employ a variety of measures aimed at preventing or limiting copyright infringement, including:

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discouraging infringement by applying to their works a copyright notice and sometimes other warnings against infringement and the wider civic and criminal harms funded by copyright piracy;

- employing technological protection measures to frustrate infringement;
- recording their works with UK Customs/Border Force to try to keep infringing copies out of the UK market;
- policing the market to identify infringements, including sometimes by hiring specialised contractors to identify online infringements;
- invoking statutory and informal notice and takedown procedures to remove infringing material from online services;
- sending letters before action/cease-and-desist letters demanding that infringers stop infringing activity;
- bringing civil actions against infringers;
- obtaining online blocking injunctions as described above;
- working with anti-counterfeiting and anti-copyright piracy associations and law enforcement authorities concerning possible criminal enforcement; and
- providing market/infringement intelligence to the UK Intellectual Property Office's Centre of Excellence, which is a "gateway" team for IP crime intelligence review/research, analysis and dissemination, with a focus on disrupting serious organised crime.

Collecting societies representing copyright owners also take various measures on a collective basis to control infringement, including bringing proceedings against infringers who persistently refuse to take the licences made widely available by collecting societies to other copyright users.

Law stated - 3 August 2026

RELATIONSHIP TO FOREIGN RIGHTS

International conventions

Which international copyright conventions does your country belong to?

The UK is a party to various conventions and agreements of relevance to copyright. The main international copyright conventions the UK is a party to are:

- the Berne Convention for the Protection of Literary and Artistic Works (1886, as revised);
- the Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations (1961);
- the World Intellectual Property Organisation (WIPO) Copyright Treaty (1996);
- the WIPO Performances and Phonograms Treaty (1996); and
- the Marrakesh Treaty for Persons who are Blind, Visually Impaired or Otherwise Print Disabled (1961).

The UK is also party to the Beijing Treaty on Audiovisual Performances (2012); however, it has not yet implemented the Treaty.

Law stated - 3 August 2026

International conventions

What obligations are imposed by your country's membership of international copyright conventions?

Each copyright treaty has its own unique requirements. However, international copyright conventions and agreements are generally aimed at laying down a minimum level of protection for certain works and ensuring that every contracting state respects the copyright of nationals of other contracting parties, on the same basis as their own nationals.

Law stated - 3 August 2026

UPDATE AND TRENDS

Key developments of the past year

Are there any emerging trends or hot topics in copyright regulation in your jurisdiction? Has there been any new copyright legislation passed or proposed within the past 12 months?

The questions of whether the use of copyright works to train AI models or use to prompt an output infringes copyright are the most important issues for UK copyright creators, users and practitioners at the moment. The UK government ran a [consultation](#), ending in February 2025, seeking input on a number of options that attempt to strike a balance between AI developers being able to use copyright works when training models, and the rights of copyright holders. The government subsequently published a [Report on Copyright and Artificial Intelligence](#) as well as [Copyright and AI Impact Assessment](#) on 18 March 2026. The government's preferred option prior to the consultation was to introduce a text and data mining copyright exception, with a rights holder opt-out. Such an exception would align the UK copyright laws more closely with Europe, with the addition of transparency obligations. However, following its review of the consultation responses, the government announced that it no longer has a preferred option, and will instead continue to monitor developments in other jurisdictions before proposing legislative changes, so the UK's copyright laws remain unchanged for now.

In June 2025, a landmark case, *Getty Images (US) Inc v Stability AI Limited*, went to trial on the same issues, with the [High Court's judgment](#) being handed down on 4 November 2025. The case was the first to be heard in the UK concerning the training and use of a generative AI model.

The claimant, Getty Images, alleged that Stability AI (the defendant) had used millions of its copyrighted images to train its Stable Diffusion models, without permission, and that the output of these models reproduced substantial parts of Getty's works and trademarks for its watermarks. The case was widely anticipated as a test of how UK intellectual property law applies to the training and operation of generative AI models, with the potential to set important precedents for both the creative and technology industries.

Getty abandoned its primary copyright claim (and parallel database right claim) before closing submissions at trial, for jurisdictional reasons. Consequently, Mrs Justice Joanna Smith was left to decide claims for trademark infringement, and a claim of secondary copyright infringement, against Stability AI.

Getty's claim for secondary copyright infringement was dismissed. The judgment rested on whether Stable Diffusion (as a model) could be classed as an article under section 27 of the Copyright, Designs and Patents Act (CDPA) imported into the UK and contains or has contained an "infringing copy" under sections 22 and 23 of the CDPA. The judge considered it was not possible for an article to be an infringing copy if it has never consisted of, stored or contained a copy of a copyright work. Based on agreed expert evidence that Stable Diffusion's model weights do not store or reproduce any copyright works and have never done so, and a concession made by Getty Images, the judge found that it could not amount to a "copy" within the meaning of section 22. Nevertheless, the judge did find that downloads of Stable Diffusion onto devices in the UK did amount to importation within the meaning of the CDPA.

Getty did, however, have some limited success with its trademark infringement claim, with the High Court finding Stability AI liable for limited acts of trademark infringement, as earlier versions of the Stable Diffusion model were found to generate synthetic images bearing watermarks similar or identical to Getty's trademarks in response to prompts by UK users.

Following her long-awaited judgment, Mrs Justice Joanna Smith was asked to consider applications by both parties for permission to appeal aspects of the case. Getty sought permission to appeal on the dismissal of their claim for secondary infringement of copyright. Mrs Justice Smith granted permission to appeal on this issue, noting that it raised a pure question of law – specifically, the statutory construction of the term "infringing copy" under the CDPA. However, the judge refused the application by Stability AI to appeal her findings on trademark infringement, on the basis that the grounds advanced by Stability AI had no real prospect of success. It is believed that Stability AI has applied to the Court of Appeal on paper for permission to appeal this point.

The trial is expected to start on 10 November 2026, with judgment expected late 2026 or early 2027.

This case is running in parallel with similar proceedings brought by Getty against Stability AI in the United States.

Law stated - 3 August 2026