

OrigamiUSA Copyright FAQ

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Origami USA has had occasion to consult with an experienced intellectual property attorney on a range of issues pertaining to copyright and origami. This document describes (1) our general understanding of copyright law as it applies to origami, and (2) the policy of Origami USA in light of that understanding. We caution the reader that this document is not intended to constitute legal advice and should not be construed as legal advice. Please consult with your own attorney regarding your own unique legal situation or requirements.

In lay terms, here is our understanding of the law and OrigamiUSA's policy in light of our understanding of copyright law.

First, a few general principles:

1. Neither the images nor the folding sequences for *traditional* models — generally those over 100 years old — are protected by copyright, although specific diagrams for traditional models, such as those redrawn for recent publication, are protected.

2. Original origami compositions composed within this century *are* generally protected by copyright, whether or not they are marked, and whether or not they were purchased or obtained for free, unless copyright is specifically waived.

3. When you legally obtain instructions for a copyrighted origami figure, for example, by buying a book of instructions, along with that book you have the right to fold as many copies of that figure as you wish for your own enjoyment and/or for private display. However, you have not obtained the right to fold, teach, or display it commercially, unless that right is specifically granted in the instructions.

4. Folded origami figures are works of art and are protected by copyright. Specific origami *techniques*, however, are, in general, not protected by copyright but are potentially protectable by other means (e.g., patents).

Next, some questions and answers.

1. *May I fold someone else's model?*

It depends how you obtained the information on how to fold the model. If you purchased the instructions or diagrams from the copyright holder for such instructions or diagrams, then there is no problem. If you observed the model and figured out how to fold it, this would not be a copyright violation as long as you did not unfold the model and devise a system of folding that was substantially similar to the diagram developed by the owner of the copyrighted diagram or instructions. If the owner of the copyright to the model has no copyrighted instructions or diagrams, then there is no problem with your figuring out how to fold and folding the model in any manner you choose for your own usage. For publication or commercial usage, the conditions are tighter; see

below.

2. *May I diagram someone else's model that I learned informally?*

It depends what you mean by "learned informally." See answer to the next question (no. 3).

3. *I have a new method of folding someone else's creation – do I have the right to diagram it?*

Yes, if you developed your method of folding independently, without reference to the folding of the creation (i.e., by unfolding the creation) or the creation's instructions or diagrams. If you had access to the creation's folding or instructions or diagrams and your method is not substantially similar to the folding diagram of the creator, then your method is not infringing. If your method is substantially similar to the creation's instructions or diagrams and you had access to such instructions or diagrams, then you should obtain the permission of the holder of the copyright to such instructions or diagrams prior to creating or publishing your diagram.

Keep in mind, however, that if you have diagrammed someone else's model, the final diagram shows what is essentially their finished work. That work, and any derivative representations of that work, is still protected by copyright. That is, you need the same permission as outlined in the answer to question 11 below.

4. *May I photocopy someone else's origami diagrams?*

U.S. copyright law permits limited copying for research and personal use. Such copying is governed by four "Fair Use" principles (See Title 17, Section 107 - <http://www.copyright.gov/title17/92chap1.html#107>). Generally, making multiple copies, copying an entire work, or redistributing copies are not permissible.

5. *May I re-draw someone else's diagrams and use them as my own?*

If your redrawing is based on an original copyrighted diagram and is substantially similar to the original, then your drawing is an infringing work and violates the copyright laws. Therefore, you should obtain the permission of the copyright owner of the diagram before redrawing it.

6. *May I teach someone else's model?*

Generally not without the permission of the owner of the copyright to the model, unless you are teaching a class under the auspices of a nonprofit educational organization and all copies of the diagrams, instructions, and/or model utilized in your class have been obtained lawfully by you.

7. *May I make a video tape of a person teaching someone else's model, and sell the tape?*

Not unless you obtain the permission of the creator of the model.

8. *May I display on my web site or in other public forums a picture of an origami figure I copied from the creator's web site?*

Not without the permission of the creator.

9. *May I display in origami shows and other public forums an origami figure I purchased from the owner of the copyright to such figure?*

Yes. You are entitled under the copyright laws to display in public a “sculptural work” you have lawfully acquired.

10. *May I display in origami shows and other public forums an origami figure I folded using instructions or diagrams provided by the owner of such instructions who is also the owner of the copyright to the figure itself?*

Normally, yes, as there is implied consent by the owner of the instruction or diagrams for the person doing the folding to own the resulting figure. If the owner has specifically reserved public display rights to himself or herself in a lawful contract or license to the folding person, then the display right is not accorded to the person doing the folding.

11. *May I use an origami figure I folded using instructions or diagrams provided by the owner of such instructions in a commercial setting, for example, in an advertisement?*

Not without explicit permission from the owner of the instructions for this usage.

12. *May I display in origami shows and other public forums an origami figure I folded using instructions or diagrams which I developed myself (or were developed independently by someone other than the owner of the copyright to the origami figure)?*

Only with the permission of the owner of the copyright to the origami figure. The copyright to the figure is separate from the copyright to the folding instructions or diagrams. Since you have not purchased the instructions or diagrams from the owner of the copyright to the figure, you have not obtained an implied right to ownership of your copy of the figure and the display rights that accompany such ownership.

13. *I have independently developed folding instructions or diagrams for making a model, the copyright to which is owned by a third party. In developing such instructions or diagrams, I did not utilize the folding instructions or diagrams of the owner of the model, did not take apart the model, and my instructions or diagrams are not substantially similar to the instructions or diagrams owned and published by the owner of the model. Can I publish, sell, and distribute my instructions?*

Yes, but see answer to number 11; you still need the permission of the owner to the copyright of the final figure.

14. *I learned a model via oral teaching and want to teach it to a friend. Do I need to attribute the creator when I teach it?*

Yes: it is, in OrigamiUSA's opinion, always proper and ethical to attribute the creator of a model, and in many countries where copyright laws include Rights of Attribution, it is your legal obligation as well.

15. Can I distribute diagrams if I'm teaching a class (with or without pay)?

Not without explicit permission from the creator and diagrammer.