This chapter examines the subsistence of copyright. Subsistence is a central requirement for copyright protection — unless it is established that copyright subsists in one's work, one cannot make a viable claim that someone else has used one's work without permission. Section 1 of the Copyright, Designs and Patents Act 1988 (CDPA) declares that copyright is a property right which subsists in an exhaustive, or closed, list of eight different categories of 'work': original literary, dramatic, musical, or artistic works; sound recordings, films, or broadcasts; and the typographical arrangement of published editions. Originality is the paramount criterion of copyright protection. For this reason, there are a great many cases that consider how to define the level of originality required for a piece of literature, drama, music, or art to be protected.
2. Subsistence of copyright

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