4. Criteria for protection

This chapter examines the criteria used to determine whether a work is to be protected by copyright. More specifically, it considers the requirements for copyright protection: the work must be recorded in a material form; must be ‘original’; should be sufficiently connected to the UK to qualify for protection under UK law; and should not be excluded from protection on public policy grounds. The originality requirement applies to literary, dramatic, musical, and artistic works (authorial works), not to entrepreneurial works (sound recordings, films, broadcasts, and typographical arrangements). The common characteristics of originality are also discussed, along with British conception of originality, harmonization of ‘originality’ in Europe, differences between British and European standards on originality, and the issue of whether the UK can-and does-protect non-original works. The chapter concludes by focusing on subject matter excluded from copyright protection.
4. Criteria for protection

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