Subject: Using public domain cartoon for products.
Posted by JohnSmith123 on Thu, 24 Jan 2013 14:19:15 GMT
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http://en.wikipedia.org/wiki/Case_of_the_Missing_Hare
This cartoon is under public domain. So in theory as long as I don't use the name bugs bunny and Merrie melody logos. I am free to make products of it right?I am free to use this design of bugs bunny right?Now known as supah bunny.
Anything else trademarked in it. The magician name is not trademarked.

Subject: Re: Using public domain cartoon for products.
Posted by Passagemedia on Thu, 24 Jan 2013 15:34:52 GMT
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Careful! What lapsed into public domain is the short feature cartoon, and not the character of Bugs Bunny. Intellectual property rights are a serious business with companies like Warner Brothers, who still own the rights to Bugs Bunny and still make a lot of money off of this character. You can get the contact information at a number of websites, like LegalForce or Trademarkia.com.

Depending on how close you resemble your model to Bugs Bunny (even without calling it that), and how much of the selling of the product relies on that tie-in, will inform how much force is brought to bear against you during court proceedings. Be careful. ;>)

Subject: Re: Using public domain cartoon for products.
Posted by JohnSmith123 on Thu, 24 Jan 2013 18:45:48 GMT
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I am not afraid to take a chance. Need some advice for supah bunny. This version of bugs bunny the one in this short is it okay to use? Also the magician doesn't seemed trademarked. Needs some legal advice before doing this.

Subject: Re: Using public domain cartoon for products.
Posted by stop4stuff on Thu, 24 Jan 2013 19:56:50 GMT
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JohnSmith123 wrote on Thu, 24 January 2013

14:19http://en.wikipedia.org/wiki/Case_of_the_Missing_Hare
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Pay someone qualified to give you the correct answer - if their answer is wrong you'll be able to sue them - a public forum is not the place to ask for legal advice.

Paul

Subject: Re: Using public domain cartoon for products.
Posted by numarul7 on Thu, 07 Mar 2013 12:10:27 GMT
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Warner Bros and other media company`s are updating their copyrights all day. Even if the cartoon rights have passed over 70 years in EUROPE the rights go over 70 years of the death of the author. Life+70.

So that means you are not entitled to use the characters, only after (if the author lives 70 years) 140 years total. The the copyright expires. And the works is Public Domain.

My legal advice is that better draw your own character and have full IP protection.

1942 + 140 = 2082 , so all characters Bugs Bunny etc are covered by COPYRIGHT! (just an example if the author lives 70 years , some live 90)

This si valid for Music, Designs made by Designers , Drawings , Sculptures , Paintings , Engineering Drawings that are not made to Patents , Interpretation of art for Actors /Singers /TV presenters/ etc.

Yep , I got a law degree.

The complete list is here http://en.wikipedia.org/wiki/List_of_countries'_copyright_lengths

You will get sued by the Warner Bros and others if you use any character in that cartoon , and they can ask in damages if you sold lots of products based on any character that is presented on that cartoon.

And your models will be down due the Shapeways Terms of Agreement

http://www.shapeways.com/terms_and_conditions

check the part " You, as a designer, retain all your intellectual property rights in your 3D design, including without limitation any and derivative works like 3D renders. Except for the rights and licenses specified below, Shapeways shall not use, modify or display your 3D design or derivatives thereof. By uploading your 3D design, you warrant that it is your original creation and not copied from any third party and/or entity"

I bolded the important part.

Subject: Re: Using public domain cartoon for products.
Posted by UniverseBecoming on Thu, 07 Mar 2013 15:22:03 GMT
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Another thing you can do is approach them about getting a license to market their copyrighted items.

Interestingly, I once had a run in with American astronaut Buzz Aldrin in regards to a copyright violation! You see, United States government documents are, by United States law, not copyrighted. Consequently, space photos from NASA for example are public domain and can be used by anyone for any purpose. BUT WAIT! If a photo has a person in the photo, then that person owns legal rights to the photo. And cuz this quirk in the law, Buzz Aldrin and other astronauts regularly sue people for using their photos.

Luckily I simply cease and desisted as requested and all was forgotten.

Another interesting incident I ran into was with Apple. I found out that their very first logo that they had as a start-up company had never had a copyright filed and ended up being public domain, so I used it in some art and they came after me! Here's their first logo.

It turns out that they are able to keep people from using this old public domain logo cuz of the words Apple Computer, which is trademarked.

I play by the rules though; when I know the rules that is.