

Several times over the past few years, the issue about copyright has come to my attention. There is a lot of confusion about the use of quilt designs created by others, whether blocks or finished quilt tops. For many of us, it's very easy to look at a quilt block and, with a little math and high school geometry, figure out how it's created. But when you find a design on a website, or Etsy, or Pinterest, or even in a quilt book or magazine, what are your rights to use it, and what are the rights of the original designer? What's the difference between "copying" and "being inspired by?" When is it alright to assume it's your own design, and when should you give credit to others?

The following guidelines were written for polymer clay artists, but the information applies to all crafts, including quilting and fabric artistry. Although Ginger Davis Allman is not an attorney, she has done her research. You may find the following excerpts very informative:

The writer offers an excellent graph that breaks down the process at

<https://thebluebottletree.com/wp-content/uploads/2014/10/copyright-crafters-hobbyists.jpg>.

Permission granted by Ginger Davis Allman via email, 7/27/20

<https://thebluebottletree.com/copyright-guidelines-polymer-clay-artists/>

Copyright is always a confusing, emotional, and controversial issue. Many people are unaware when they violate copyright law (or they don't seem to care) and others are nearly paralyzed in fear that they'll accidentally break laws and hurt others. When we look online for clarity on the subject of copyright law, we're met with an onslaught of conflicting opinions, links, and confusing jargon. Copyright arguments come up in the news frequently and this gives us the idea that it's so confusing that nobody could possibly find the true answers. If big corporations and entire law teams can't decide what's right, then how can we? Well that's probably true for some of the stickier fine points in copyright law. But what are the general truths that apply to most of us? Like everyone else, I have been very curious about the rules when it comes to copyright. As a tutorial writer, I'm concerned about protecting my intellectual property, but at the same time I always want to make sure that I don't abuse anyone else's rights to their creations as well. (And I have to say it...I'm not an attorney...I did some digging and am trying to clarify it for you. You need to go see your favorite attorney if you need advice on a specific issue.)

Many people think that copyright is a method of preventing people from making anything that's similar to their work. That's actually not true. Copyright is nothing more than the right of the creator to control the copying and distribution of his work. And it only applies to creative works which exist (or could exist) in a concrete form such as a recording, sheet music, painting, photograph, sculpture, text, digital image, document, or computer program. An idea is not protected by copyright. Nor is a technique. Nor a style.

The creator of a work is automatically granted copyright as soon as that work is published in a public manner. You do not have to apply for a copyright. You can, however, register your creative work with your government to establish an undeniable date of origin. If you ever have to sue anyone for copyright infringement, you have more rights if you have registered the copyright.

When a copyright holder gives others permission to copy or distribute a creative work, that is a contract called a license (the copyright is not transferred when a license is granted). Purchase of copyright protected material does not grant the right to copy it. When you buy a book, you

don't also buy the right to photocopy it. When you buy a CD, you don't get the right to duplicate it, broadcast it, and use the songs in your online videos. And when your wedding photographer hands you a DVD with the image files on it, it doesn't automatically include the rights to print those pictures. The photographer would have to grant you a license to do this. And that's why you can't take your school pictures to a copy shop and make copies of them for your mother, even if you paid for the pictures.

It seems like there's a lot here that you can't do. But honestly, the only thing you can't do is copy another person's intellectual property. You can get inspiration from others. You can use the same color palette as your favorite artist. You can use the same techniques. You can use the same materials. You can work in the same style. You can use tutorials. But you have to make your own design. Do your own work, make your own magic.

You can't use images from the internet unless you have the permission of the copyright owner. Just because clip art or a font is online doesn't mean you can use it. Also know that doing a Google image search and saving the image from the search screen can be very misleading. Unless you follow the link to the original site and check what the source is, you might be unknowingly downloading someone's copyrighted artwork. Keep in mind that almost every image on the internet is owned by someone. Unless they give you specific permission (license) to use it, you risk copyright litigation. This really does happen.

You can't distribute copyrighted materials such as tutorials themselves, the pictures or text in tutorials, drawings or templates, or the digital file of a tutorial.

Don't take a class or buy a tutorial and then teach that same content. If you want to be respected as a teacher then you need to create your own curriculum or tutorial. It's also not okay to give a demo of a purchased tutorial in a guild meeting unless you've specifically asked the originator for that permission. Please do ask for permission. It's fair to the teacher and it builds respect for YOU as a valuable member of the community. Nobody likes a copier or a cheat. And your reputation will suffer if you do this. Word does get around.

It seems like there's a lot here that you can't do. But honestly, the only thing you can't do is copy another person's intellectual property. You can get inspiration from others. You can use the same color palette as your favorite artist. You can use the same techniques. You can use the same materials. You can work in the same style. You can use tutorials. But you have to make your own design. Do your own work, make your own magic.

Thank you for following along with me on this fascinating and complex subject. I hope this article gave some clarity for you. If you would like more information, though, have a look at these links and online resources (scroll down to "References" at <https://thebluebottletree.com/copyright-guidelines-polymer-clay-artists/>) that I consulted in pulling this article together. There is a lot of excellent information out there, you just have to go find it.

Ginger Davis Allman

<https://thebluebottletree.com/>

This is an additional perspective by quilting artist, Bethanne Nemish

<https://www.whitearborquilting.com/> (permission for duplication granted by email, July 20, 2020. The artist wrote, "I really appreciate you contacting me. It is a rarity, unfortunately."):

I'm going to take a (long) moment to talk reality. The reality of the quilting community from the perspective of both an artist and a person who serves the community as a micro vendor, especially as it relates to the economic shutdown with coronavirus. If you don't want to hear about a few sad truths, then feel free to skip this one.

The truth is this thing has hit us hard, maybe even fatally. Even when shows are back in business, there is the very, very real concern that consumers who are the bulk of this industry view themselves as "at risk" and don't want to go back to the shows, or someone like me, who is not inherently "at risk", but my child is. I have to ask myself, "Can I travel widely and continually risk her, or quarantine myself upon my return?" This has an enormous trickle-down effect to every level of the industry on every vendor, teacher, and creator. I'm buoyed with hope by the fact that many shows and individuals are really trying to embrace this new dynamic and make shifts to offering amazing programming virtually.

The fact is that for folks like me, the bottom has utterly fallen out of our income and we are all making changes and getting creative. Rather than go to shows, teach, vend and add up a larger paycheck between five or more events to make ends meet, we now rely on micro-transactions. I'm incredibly lucky to be in a dual income family with a house that's paid for and therefore have lower bills. But I'll be honest; it was a gruesome pay cut – just as it has been for the 25 million folks who got fired this year.

The ENTIRE quilt industry is made of thousands of tiny souls who all come together to make this thing we call "the quilt community." They make the patterns, the gizmos, the fabric, the test quilts to make sure you are successful, the time creating classes so you don't just have to reinvent the wheel, and on and on.

I myself am deeply thankful to each and every one of my customers and followers who have reached out to me in big and small ways over the last four months.

But what is one thing that each person can do? And I don't mean reaching into your pocketbook personally and buying something (that is great ... but seriously ... there are LIMITS). The single MOST helpful thing you as an individual can do for the hundreds of makers is positive word of mouth. It drives the micro-transactions that frankly are keeping the wolf from the door. You, a person can buy a thing for \$xx. Thank you. But even if you DON'T buy the thing, you can actually mention the thing and five people DO. So in this way, no maker is saying "hey, times are hard, but you need to buy it because ... help." No, what the small makers need is just you to expose your network to them. That's it.

If you take a class from a teacher and make something cool, then you share that something ... just take the one extra sentence to say who the teacher is. If you make something amazing and use a tool that made your life easier, take just four extra words and say what it is. Beautiful quilt? Can you name the fabric line? The store you loved to shop at? Knitted a shawl? Can you shout out the indy dyer/weaver or shop?

Do you know as an individual artist I have been asked to leave three very popular, very large Facebook quilting groups? And not because I broke any rules and "self-promoted," but because my mere presence and sharing of my personal quilt/art is "INHERENT self-promotion". Because if I make a mandala quilt, and use my rulers to do so it is INHERENTLY assumed I am doing so MERELY to make money. Well, unfortunately I cannot cut myself in two. I cannot separate the fact I made quilting rulers to make my own quilting more fun for me and now I sell them. I had to leave a group after sharing one of my yarn couching pieces when someone said "gasp, how do

you do this?" and I respond with, "I can teach you." I am in violation of the rules and therefore cannot show the art.

I understand and empathize with the various groups not wanting to be overrun by self-promoters and advertising, it would be exhausting. They are all about "just show me the finished products so we can tell you 'good job' and move on". But when the rules go SO FAR as to actually shutting down my even mentioning products, they are actually putting another nail in the coffin of the quilt community. The makers cannot continue without word-of-mouth advertising.

I'm pretty blessed in that my followers have always been pretty quick to be super supportive of me and things I do and make. Again, thank you. But industry wide ... I ask all consumers to consider that every single time they make something and share it out in the world, they can drive those micro-transactions which are the only things hundreds of makers in our beloved community have right now. Time and time again I will open my laptop and say to myself, "huh...six orders for xxx the last night! Weird." It is ALWAYS because some unknown, unrecognized person out there in quilt-world said a positive thing about xxx and it pushed six people to invest.

Happy quilting all. Stay safe and stay positive.

White Arbor Quilting, Bethanne Nemesh

@WhiteArborQuilting · Artist

So what does this mean to us as quilters?

A "copyright" means exactly that. One who owns the "copyright" is the *only* person who has the right to control the copying and distribution of their work. It only applies to creative works which exist (or could exist) in a concrete form such as a pattern, tool, or block design.. An idea is not protected by copyright, nor is a technique, nor is a style. (Allman)

You have full rights to your work if your work is original, or your work is a derivative of a technique, method, idea or procedure that you have learned.

You have limited rights to using a pattern if it is designed by someone else; if you use the pattern, you may do so with attribution and credit to the copyright owner. This is called "Fair Use."

You do not have the right to duplicate someone else's design and call it your own. You do not have the right to take a class, or follow a tutorial, and teach the technique in another class without giving attribution to or permission from the original artist.

The best thing to do is to do your own work.

If you are using someone else's pattern or design, give them credit and let your friends know where you got your inspiration.

It's the law, but in the quilting world, there are no police. More importantly, it is the ethical thing to do, and it's only fair to acknowledge the creator of the design.

Jim Jensen
Santa Rosa Quilt Guild
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