

On Your Terms Episode 110:
Sam's Sidebar Q&A
Can I Get Paid If Someone Steals My Content?

Sam Vander Wielen: Hey. Hey. It's Sam Vander Wielen. I'm here back with another episode of On Your Terms, where, every Thursday, I tackle your essential legal questions about starting and growing a legally protected online business in ten minutes or less.

This week, we're talking all about copyright infringement - how exciting. Okay. So, Julia asked, "I've heard people say that in the case of copyright infringement, that in addition to asking the person to cease and desist, you can also request a certain amount of money for damages in order to prevent further legal action. I've also heard that this varies state to state. I have no clue where to start. Looking for more information on this. Would you be able to advise? Thank you." Okay, Julia, this was a great question.

So, yes, that is true, depending on the circumstances. If someone steals your free PDF, for example, and they just represent it as their own, they don't have it lead to a product, and they never really make any money off of the PDF itself or what it ends up leading to, you might not be able to get any money from that.

If you have registered that content, though, with the U.S. Copyright Office, you would probably be entitled to what we call statutory damages. So, that's just a fancy word for, like, you get this money automatically if somebody steals your stuff if it's registered. So, registration brings with it some guaranteed damages, which is nice.

If somebody stole your paid course, on the other hand, and then sold it as their own or you're paid product of some sort, yes, you could go after the damages owed to you for any money that they made off of the sale of your intellectual property, in this case, your course. And you would also get those statutory damages that we were talking about as well. Again, only if your course was actually registered, if the content within your course was registered.

So, for example, if somebody stole my legal templates and then they sold them as their own, I could go after them, not only for statutory damages, but I could also go after

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every single nickel that they made selling my legal templates as their own. I see you, copycats, you can just exit out of this episode now. Okay.

So, it's another reason why I'm such a big fan of registering the content of your paid products, your bigger pieces of content itself, your work with clients, whatever, with the U.S. Copyright Office because you want to put yourself in a position to collect both statutory and compensation damages for the sale of your goods as that person's own. The trickier issue here would be whether you've taken the steps necessary to actually protect your content so you could do something about it if and when somebody steals it and profits off of it.

So, if that's something that you want to learn more about, how to actually register your content, how to decide which pieces of content you should register, and then how to go after people once you see them steal it, you definitely want to get registered for my live training that I have coming up on April 25th called What to Do If Copycats Steal Your Content. I'll drop a link in the show notes for the waitlist, because registration opens up on April 17th. You're only going to have a couple of days to register. Spots are limited. I hope to see you there.

I hope that this was helpful and I can't wait to chat with you next week.

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Just remember that although I am an attorney, I am not your attorney and I am not offering you legal advice in today's episode. This episode and all of my episodes are

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