



- **April 17th, 2008 : Grand Opening Reception at AIBD National Office, Washington DC**
- **June 22nd – 24th, 2008 : Home Styles Tour 2008 in Winter Park, FL ([link to national site](#))**
- **July 23rd -26th, 2008 : AIBD National Convention in Kansas City, MO**

As we jump into spring we will be heading into the “building season” around the country. It is time to start the design process. Whether designing a custom home or buying a stock plan off of the internet or plan book, please keep in mind the following about copyright laws. Please check back to our archived newsletters for an overview of the design process and thanks for visiting our site.

WHAT YOU SHOULD KNOW ABOUT HOME PLAN DESIGN COPYRIGHTS

1. HOME PLANS ARE COPYRIGHTED!

Just like books, movies and songs, federal copyright laws protect the intellectual property of architects and home designers by giving copyright protection to home plans and designs. These legal protections exist to protect all parties. The copyright laws prevent anyone from reproducing, modifying, or reusing the plans or design without permission from the copyright owner.

2. DON'T COPY DESIGNS OR FLOOR PLANS FROM ANY PUBLICATION, ELECTRONIC MEDIA OR EXISTING HOME

It is illegal to copy home designs found in any plan book, CD-ROM or on the Internet. It is a common misunderstanding that it is permissible to copy, adapt or change a floor plan or design found in any media. It is not. It is also illegal to copy a constructed home that is protected by copyright, even if you have never seen the plans for the home. If a particular home plan or existing home is desired, a set of plans must be purchased from an authorized source.

3. DON'T USE PLANS TO BUILD MORE THAN ONE HOUSE

You, as the original purchaser of plans, are licensed to build a single home from the plans. Building more than one home from the plans is an infringement of the designer's copyright. The purchase of a multiple set package of plans is for the construction of a single home only. The purchase of additional sets of plans does not give you the right to construct more than one home.

4. PLANS AND BLUEPRINTS CANNOT BE COPIED OR REPRODUCED

Plans or blueprints cannot be copied or reproduced without prior written consent of the copyright owner. If additional sets are required for estimating or construction, please contact us for additional sets at a nominal cost. Copy shops and blueprinters are prohibited from making copies of these plans.

5. PLANS AND BLUEPRINTS CANNOT BE REDRAWN

Plans cannot be modified or redrawn without first obtaining the copyright owner's permission. With your Plan purchase, you are licensed to make non-structural changes by “red-lining” the purchased plans. “Redlined” plans are still copyrighted and cannot be copied. If you need to make structural changes or need to redraw the plans for any reason, you must purchase a reproducible set of plans (see topic 6) which includes a license to modify the plans. Blueprints do not come with a license to make structural changes or to redraw the plans.

6. REPRODUCIBLE HOME PLANS

Reproducible plans come with a license to make modifications to the plans. Once modified, the plans can be taken to a local copy shop or blueprinter to make up to 10 copies of the plans to use in the construction of a single home. Only one home can be constructed from any single purchased set of reproducible plans either in original form or as modified.

7. MODIFIED DESIGNS CANNOT BE REUSED

Even if you are licensed to make modifications to a copyrighted design, the modified design is not free from the original designer's copyright. The sale or reuse of the modified design is prohibited. Also, be aware that any modification to plans relieves the designer from liability for design defects and voids all warranties expressed or implied.

8. WHO IS RESPONSIBLE FOR COPYRIGHT INFRINGEMENT?

Any party who participates in a copyright violation may be responsible including the purchaser, designers, architects, engineers, drafters, home owners, builders, contractors, sub-contractors, copy shops, blueprinters, developers, and real estate agencies. It does not matter whether or not the individual knows that a violation is being committed. You've heard it before: Ignorance of the law is not a valid defense! Refuse to be a party to any illicit copying or use of designs, derivative works, prints or design features.

9. PLEASE RESPECT HOME DESIGN COPYRIGHTS

In the event of any suspected violation of a copyright, or if there is any uncertainty about the plans purchased, the publisher, architect, designer or the Council of Publishing Home Designers should be contacted before proceeding. Awards are sometimes offered for information about home design copyright infringement.

10. PENALTIES FOR INFRINGEMENT

Penalties for violating a copyright may be severe. The responsible parties are required to pay actual damages caused by the infringement (which may be substantial), plus any profits made by the infringer. The copyright law also allows for the recovery of statutory damages, which may be as high as \$100,000 for each infringement. Finally, the infringer may be required to pay legal fees which often exceed the damages.