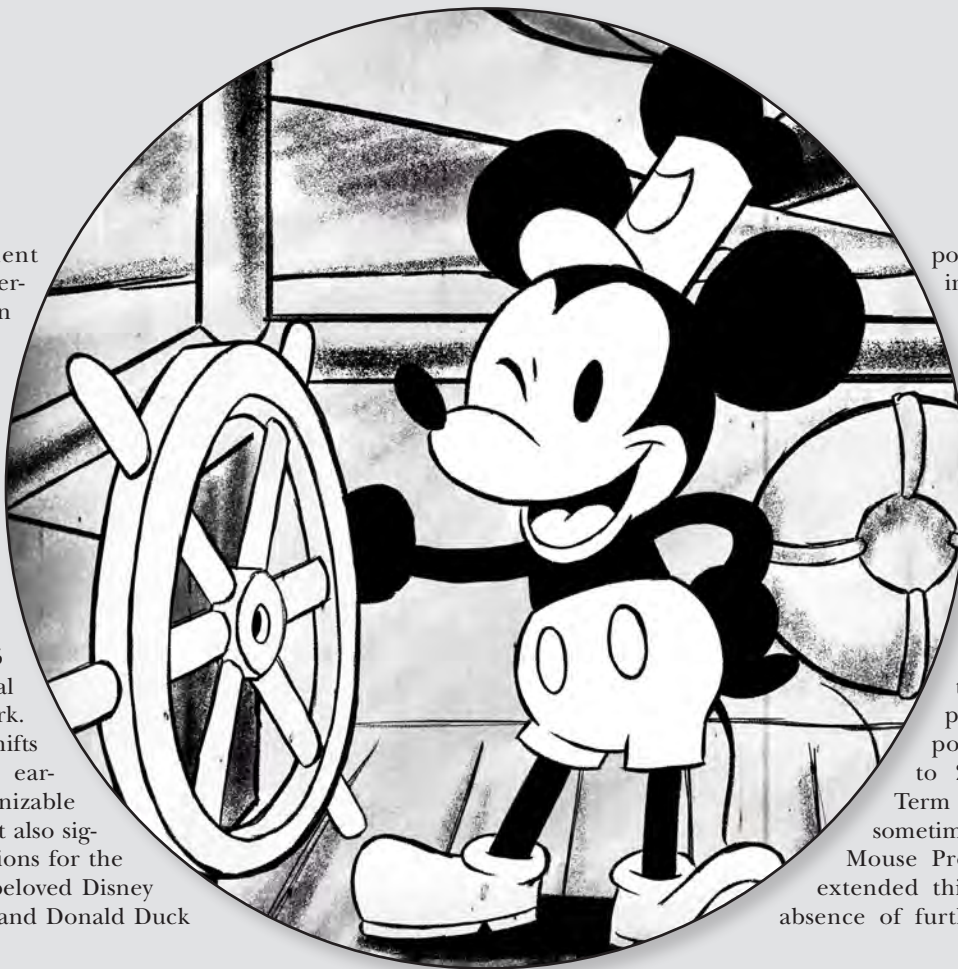


DISNEY'S "STEAMBOAT WILLIE" ENTERS THE PUBLIC DOMAIN, BUT MICKEY MOUSE REMAINS PROTECTED

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A pivotal moment occurred in the entertainment industry on January 1, 2024, when Disney's "Steamboat Willie," the animation that first introduced the world to Mickey Mouse, entered the public domain. This transition is due to U.S. copyright laws stipulating that the rights to a character expire 95 years after the original publication of the work. This event not only shifts how one of Disney's earliest and most recognizable works can be used but also signals broader implications for the industry, with other beloved Disney characters like Pluto and Donald Duck



potentially following suit in coming years.

Initially, the copyright for "Steamboat Willie" was set to expire in 1983, reflecting the existing copyright laws at the time, which offered protection for 56 years. However, the Copyright Act of 1976 significantly altered these terms, extending protection to the author's life plus 50 years, thus postponing the expiration to 2003. The Copyright Term Extension Act of 1998, sometimes dubbed the "Mickey Mouse Protection Act," further extended this term. However, the absence of further extensions means

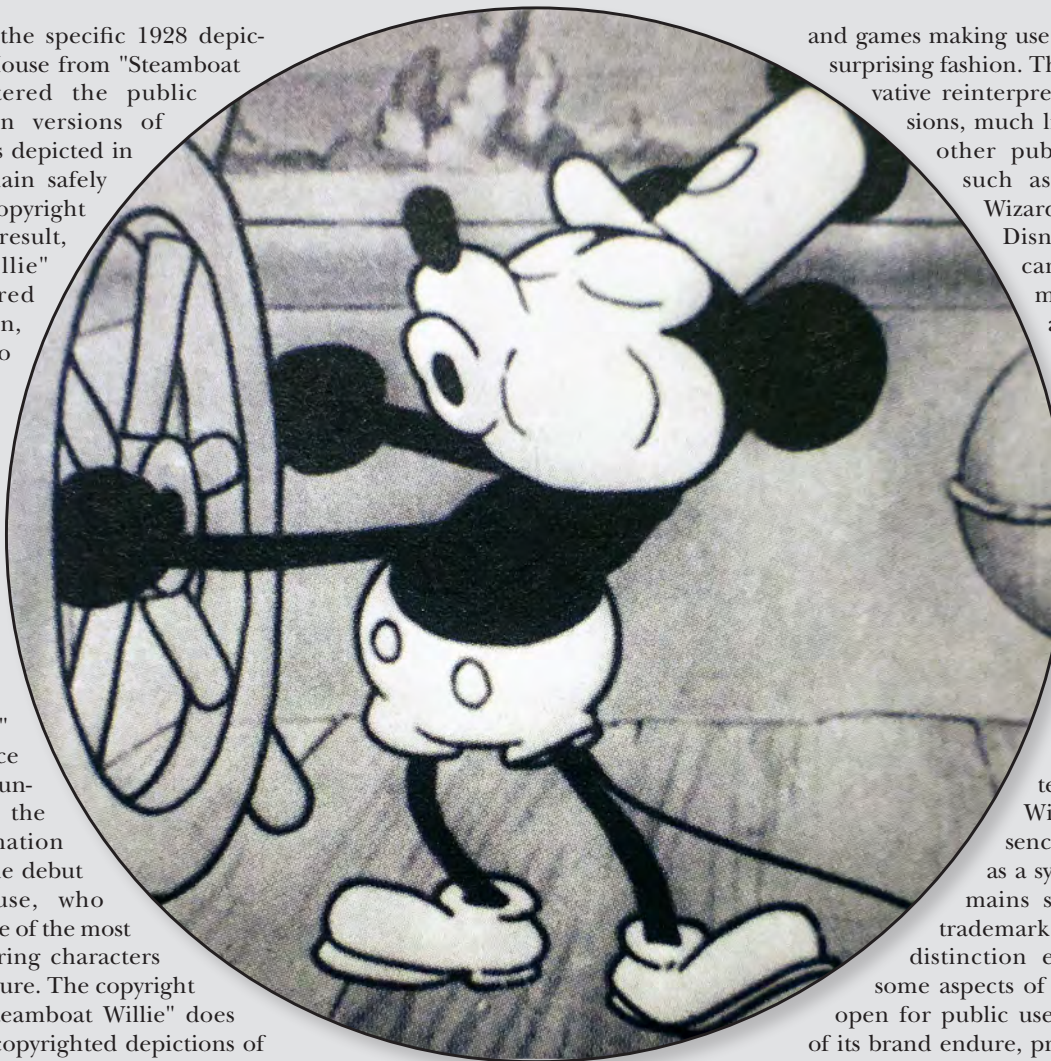
that, as of now, the specific 1928 depiction of Mickey Mouse from "Steamboat Willie" has entered the public domain. Modern versions of Mickey Mouse, as depicted in later works, remain safely under Disney's copyright umbrella. As a result, "Steamboat Willie" has now entered the public domain, meaning it is no longer under the exclusive control of Disney and can be freely used by anyone without requiring permission from the copyright holders.

This milestone is significant because "Steamboat Willie" is not just any piece of media; it's a foundational work in the history of animation and represents the debut of Mickey Mouse, who would become one of the most iconic and enduring characters in global pop culture. The copyright expiration of "Steamboat Willie" does not affect other copyrighted depictions of Mickey Mouse or other characters from the film, which remain protected under more recent copyright filings.

UNDERSTANDING COPYRIGHTS AND TRADEMARKS

Understanding the nuances of intellectual property laws is crucial. While Disney has lost its copyright for "Steamboat Willie," this is separate from a trademark. Disney also has a registered trademark for Mickey Mouse. Copyrights, which cover original works of authorship, like movies and books, are time-limited. Currently, any work published before 1929 is public domain as of January 1, 2024. Works published between 1929 and 1977 enjoy 95 years of protection, and those published post-1978 are protected for 70 years following the author's death.

Trademarks, however, protect words, symbols, and designs that identify a brand's goods and can remain in force indefinitely, provided they continue to be used in commerce. Beyond being a character in films, Disney's Mickey Mouse is a trademarked symbol of the company. While copyrights



expire, trademarks do not, offering a different layer of ongoing protection.

One character, such as Mickey Mouse, might receive copyright and trademark protection. Mickey Mouse has been featured in movies and other works but is also a well-known symbol of Disney. The copyright and trademark each provide separate types of protection simultaneously, so long as both are in effect at the same time. Once a copyright expires, the trademark can continue. Because Disney has a registered trademark for multiple images of Mickey Mouse, it will still receive protection for these trademarks under trademark law.

THE IMPLICATIONS OF "STEAMBOAT WILLIE'S" PUBLIC DOMAIN STATUS

The entry of "Steamboat Willie" into the public domain is not just a historical footnote; it opens opportunities for creative use of this version of Mickey Mouse without Disney's permission. In fact, news of the copyright expiration was met with several announcements of upcoming movies

and games making use of the character in surprising fashion. This can lead to innovative reinterpretations and expansions, much like those seen with other public domain works such as "The Wonderful Wizard of Oz." However, Disney retains significant protections for more recent works and the broader use of Mickey Mouse as a trademarked brand icon.

Despite the loss of copyright for "Steamboat Willie," Disney continues to hold a robust portfolio of protected works and symbols. The future may see new creations involving the iconic character from "Steamboat Willie," but the essence of Mickey Mouse, as a symbol of Disney, remains safeguarded under trademark law. This nuanced distinction ensures that while some aspects of Disney's legacy are open for public use, the core symbols of its brand endure, promising a complex interplay of old creations and new interpretations in the years to come.



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