



NATS Copyright Policy & FAQ

National Student Auditions & Events - September 2026 Update

For Teachers, Collaborative Musicians, Students, Auditions, and Digital Media Updated for 2026 –2027

Purpose. Voice teachers and singers encounter copyright questions in lessons, recitals, auditions, recordings, digital scores, accompaniment tracks, and online platforms. This FAQ provides general information about U.S. copyright law, fair use, public-domain music, educational copying, performance, recording, and digital media. It updates the August 2019 NATS FAQ for contemporary teaching and audition practices.

Important notice. This document provides general educational information and is not legal advice. Copyright questions are fact-specific. When permission or licensing is uncertain, consult the copyright owner or publisher, the Music Publishers Association, the U.S. Copyright Office, or qualified legal counsel. Platform and vendor licenses may impose restrictions in addition to copyright law.

GENERAL COPYRIGHT LAW

1. What is a copyright?

Copyright is a form of federal protection for original works of authorship fixed in a tangible medium. Musical works, including accompanying words, may be protected, as may original arrangements and sound recordings. Copyright owners hold exclusive rights that can include reproduction, preparation of derivative works, distribution, public performance, public display, and, for sound recordings, certain public performances by digital audio transmission.

2. How long does copyright last?

The term depends on when and how the work was created and published. For most works created on or after January 1, 1978, protection lasts for the life of the author plus 70 years. For a joint work, it generally lasts 70 years after the death of the last surviving author. Anonymous works, pseudonymous works, and works made for hire generally receive the shorter of 95 years from publication or 120 years from creation. Older works follow different rules. As of 2026, all works published in the United States before January 1, 1931 are in the public domain. Because this cutoff advances each January 1, verify the status of an older work rather than relying on a permanently fixed date.

3. What are the penalties for copyright infringement?

Civil remedies can include actual damages and profits or statutory damages. Under current federal law, statutory damages are generally \$750 to \$30,000 per infringed work, as the court considers just, and may reach \$150,000 per work for willful infringement. Criminal penalties can apply to certain willful infringements. The consequences depend on the facts of the case.

4. Must I register my composition with the U.S. Copyright Office to have copyright protection?

No. For works protected under current law, copyright generally arises automatically when an original work is created and fixed in a tangible form, such as notation or a recording. Registration is not required for copyright to exist.

5. Why register a work if copyright protection is automatic?

Registration creates a public record and provides important enforcement benefits. For U.S. works, registration (or refusal of registration) is generally required before filing a federal infringement lawsuit. Timely registration can also affect eligibility for statutory damages and attorney's fees. The Copyright Claims Board provides a voluntary small-claims forum for certain copyright disputes.

6. May I copy sheet music if it has no copyright notice?

Do not assume so. A copyright notice has not generally been required for protection since 1989. The absence of a © symbol or copyright statement does not establish that a work is in the public domain. Confirm the copyright status or applicable license before copying.

7. If I purchase a songbook or score, may I copy it for others?

Generally, no. Purchasing a lawful copy gives you ownership of that physical copy, not the copyright owner's reproduction right. Unless permission, a license, public-domain status, or a statutory exception applies, purchasing one copy does not authorize making additional copies.

8. Does giving credit to the composer or publisher make copying permissible?

No. Attribution is important, but credit does not replace permission. Unless an exception applies or the work is in the public domain, reproducing protected material generally requires authorization from the copyright owner.

9. If I distribute unauthorized copies for free, is that still a copyright issue?

Yes. Infringement does not require charging money. Noncommercial purpose may matter in a fair-use analysis or in determining remedies, but giving unauthorized copies away does not by itself make copying lawful.

PUBLIC DOMAIN, EDITIONS, AND FAIR USE

1. If music is available on the Internet, is it in the public domain?

No. Online availability does not establish public-domain status or permission to reproduce a work. Review the source, copyright status, and license terms. Some websites distribute public-domain works; others distribute copyrighted works under specific licenses.

2. How do I know whether an older musical work is in the public domain?

Public-domain status depends on factors including publication date and, for older works, historical copyright formalities. As of 2026, works published in the United States before January 1, 1931 are in the public domain. However, a public-domain composition and a particular modern edition are not necessarily the same thing. A new arrangement, translation, orchestration, engraving, editorial material, or recording may contain separately protected material. Verify both the underlying composition and the particular edition or recording you intend to use.

3. Is there a definitive list of all public-domain music?

No single list establishes the status of every musical work or edition. Reputable public-domain repositories can be useful research tools, but users should review the copyright and license information attached to the particular file. Creative Commons and other open licenses may permit broad use while still requiring attribution or imposing other conditions.

4. May I photograph, scan, or make a PDF of sheet music I purchased?

Not automatically. Photographing or scanning copyrighted sheet music creates a reproduction. Whether that reproduction is permitted depends on the work's copyright status, the publisher's or digital vendor's license, permission from the rights holder, and any applicable statutory exception such as fair use. Purchasing a printed score does not by itself create an unrestricted right to digitize it.

4. Does educational use automatically qualify as fair use?

No. Teaching is one purpose identified in the fair-use statute, but educational purpose does not automatically make a use fair. Fair use is evaluated case by case using four factors: (1) the purpose and character of the use; (2) the nature of the copyrighted work; (3) the amount and substantiality used; and (4) the effect of the use on the potential market for or value of the work. There is no automatic legal rule allowing a particular percentage, number of measures, notes, pages, or minutes.

5. May I assemble copied songs from several books into a private anthology for students?

Generally, no. Copying complete songs or other performable units to create an anthology can substitute for the purchase of lawful copies. Educational purpose alone does not authorize making a private collection of complete copyrighted works.

6. May I copy excerpts for instruction?

Limited copying may be permissible depending on the circumstances. The long-standing Guidelines for Educational Uses of Music provide useful minimum guidance for educators, including certain excerpts used for academic purposes that do not constitute a performable unit. Those guidelines do not replace the statutory four-factor fair-use analysis and are not a universal percentage rule. Copying should not substitute for purchasing music, and consumable materials should not be copied as a substitute for purchase.

7. May I charge students for educational copies?

When copying is otherwise permitted under the educational guidelines, no charge should be made beyond the actual out-of-pocket cost of copying. Charging for copies does not create permission to reproduce copyrighted material.

SCORES, ACCOMPANIMENT, AND EDUCATIONAL USE

1. If two singers or musicians perform together, may they share a photocopied score?

Do not assume that one purchased copy authorizes an additional photocopy. Each performer or collaborative musician should use a lawful copy unless the publisher's license, permission, public-domain status, or another applicable exception authorizes the additional copy.

2. May I make a copy for a difficult page turn?

This remains a fact-specific question. A narrowly limited copy used only to facilitate a page turn from a lawfully purchased score may present a stronger fair-use argument than copying an entire score, but there is no categorical statutory page-turn exception. Digital editions and publisher-authorized page-turn solutions should be used when available.

3. May I make an emergency copy if a score is unexpectedly unavailable for an imminent performance?

The educational music guidelines recognize emergency copying to replace purchased copies that are not available for an imminent performance, provided that purchased replacement copies are substituted in due course. Emergency copying is not a substitute for purchasing music in advance and does not authorize retaining an unauthorized copy instead of obtaining a lawful replacement.

4. May teachers resell lawfully purchased printed music to students?

A lawful owner of a physical copy may generally resell that particular copy under the first-sale doctrine. Teachers should also comply with applicable state tax and business requirements. This principle does not necessarily apply in the same way to licensed digital files.

5. May I resell or share digital sheet music that I purchased?

Do not assume so. Digital sheet music is governed by copyright law and by the license under which it was purchased or downloaded. Licenses vary. Review the publisher's or vendor's terms to determine whether printing, transferring, sharing, displaying, or reproducing the file is permitted. A digital purchase should not be assumed to authorize resale or redistribution.

RECITALS, AUDITIONS, AND PUBLIC PERFORMANCE

1. Do I need a public-performance license for a studio recital?

It depends on the circumstances. Copyright owners generally hold the exclusive right to perform their musical works publicly. A gathering limited to a normal circle of family and social acquaintances may not be a public performance, while a recital open to the public may be. Public-performance licenses are commonly administered by performing-rights organizations. The venue or presenting organization may already hold applicable licenses, so teachers should confirm rather than assume.

2. Is there an exemption for certain nonprofit educational performances?

Federal law includes exemptions for certain face-to-face teaching and certain nonprofit performances. One exemption may apply to a nondramatic literary or musical work when performers, promoters, and organizers are not paid and there is no direct or indirect admission charge; it may also apply in specified circumstances when admission proceeds are used exclusively for educational, religious, or charitable purposes, subject to statutory conditions. These exemptions are fact-specific. A school concert, NATS audition, public finals concert, ticketed event, livestream, or conference presentation should not automatically be treated as legally identical.

RECORDING, VIDEO, AND DIGITAL AUDITIONS

1. May a teacher record a student for evaluation or rehearsal?

The educational music guidelines recognize a single recording of student performances for evaluation or rehearsal, which may be retained by the educational institution or individual teacher. Broader copying, distribution, public posting, or reuse may implicate additional rights.

A recording also raises rights in the performance and, when applicable, in an accompaniment or backing track.

2. May parents record a student recital?

Personal, noncommercial family recording presents different considerations from public distribution. Permission from the venue or presenter may also be required. Uploading, livestreaming, selling, or broadly distributing a recording can implicate copyright and other rights even when the original recording was made for personal use.

3. May a teacher post an instructional or performance video containing copyrighted music online?

Possibly, but educational purpose does not automatically authorize public posting. Combining copyrighted music with video can implicate synchronization and other rights, and public transmission can raise additional licensing issues. A platform may also identify or restrict copyrighted content under its own licensing arrangements and policies. Public-domain music avoids copyright in the underlying composition, but a protected arrangement, edition, accompaniment track, or sound recording may still require authorization.

4. What are synchronization rights?

Synchronization rights concern authorization to combine a copyrighted musical composition with visual images. They commonly arise in films, television, advertisements, music videos, instructional videos, audition videos, and other audiovisual works. A public-performance license is not the same as synchronization permission.

5. May a singer upload copyrighted repertoire for a NATS or NSA video audition?

An audition recording involves more than live performance because the music is fixed in an audiovisual recording and then uploaded or transmitted. Whether a particular upload is authorized can depend on the composition, arrangement, accompaniment, platform, licenses, permissions, and circumstances of the audition. Teachers and singers should follow current NATS/NSA submission requirements and the terms of the hosting platform and should not assume that educational purpose alone resolves copyright questions.

6. Does making an audition video 'unlisted' or private eliminate copyright concerns?

No. Privacy settings affect who can view a video, but they do not by themselves determine whether reproduction, synchronization, or other uses are authorized. An unlisted video is still a copy and may still be transmitted through an online service.

7. May an adjudicator download or keep a singer's audition video?

Adjudicators should use audition materials only as authorized by the presenting organization and platform. Unless NATS procedures expressly authorize downloading or retention,

adjudicators should view materials through the designated system and should not make or retain personal copies.

8. May NATS, a chapter, or a region repost a singer's audition or winning performance?

A singer's submission for adjudication should not automatically be treated as permission for promotional republication. Reposting may require appropriate permissions from the performer and may implicate rights in the composition, arrangement, accompaniment, or recording. Separate consent and rights review are prudent before promotional use.

9. May NATS livestream or archive finals and other performances?

Livestreaming and archived video can implicate rights beyond those involved in an in-person performance, including transmission and synchronization issues. The presenting organization should confirm applicable licenses and permissions before streaming or archiving copyrighted repertoire.

10. May a singer use a commercially produced accompaniment or backing track in an audition video?

Only when the track is lawfully obtained and its license permits the intended use. Purchasing or subscribing to a track does not necessarily grant permission to reproduce it in an audiovisual recording, upload it, edit it, or distribute it. Singers should review the provider's license and current audition rules.

11. May a backing track be transposed, shortened, edited, or otherwise altered?

It depends on the rights granted by the track provider and the underlying music. Editing a copyrighted track or arrangement may implicate contractual license restrictions and derivative-work rights. Use publisher- or provider-authorized tools and versions whenever possible.

12. What if YouTube or another platform places a copyright claim on an audition video?

A platform claim is not itself a court determination of infringement, and platform systems may operate under licenses and automated rights-management processes. Follow the platform's procedures and NATS/NSA instructions. Do not dispute a claim merely because the video is educational; the legal analysis depends on the particular use and rights involved.

13. Does permission to perform a song also give permission to record, stream, or post it?

Not necessarily. Copyright consists of separate exclusive rights, and different licenses may cover different uses. Authorization for an in-person public performance does not automatically include synchronization, reproduction, distribution, or online transmission rights.

PRACTICAL GUIDANCE FOR NATS TEACHERS AND SINGERS

1. What is the safest approach when preparing music for a NATS audition?

Use lawfully obtained scores and accompaniment materials; verify the status of public-domain works and modern editions separately; follow publisher and digital-vendor licenses; do not use photocopies merely for convenience; retain proof of lawful purchase when appropriate; and follow the current NATS/NSA rules for scores, recordings, accompaniment, and uploads.

2. Who should I contact if I am uncertain?

For a specific work, begin with the copyright owner, publisher, or authorized vendor. For general copyright information, consult the U.S. Copyright Office. The Music Publishers Association may also provide industry resources. For legal advice about a particular situation, consult qualified legal counsel. For NATS audition procedures, teachers should contact the auditions team for the chapter, region, or national audition they are entering.

SELECTED AUTHORITATIVE RESOURCES

- **U.S. Copyright Office — Copyright Law of the United States (Title 17)**
<https://www.copyright.gov/title17/>
- **U.S. Copyright Office — Copyright Basics / What Is Copyright?**
<https://www.copyright.gov/what-is-copyright/>
- **U.S. Copyright Office — Fair Use**
<https://www.copyright.gov/fair-use/>
- **U.S. Copyright Office — Fair Use FAQ**
<https://www.copyright.gov/help/faq/faq-fairuse.html>
- **U.S. Copyright Office — Circular 21: Reproduction of Copyrighted Works by Educators and Librarians**
<https://www.copyright.gov/circs/circ21.pdf>
- **U.S. Copyright Office — Circular 15A: Duration of Copyright**
<https://www.copyright.gov/circs/circ15a.pdf>

Thank you for being part of the NATS community.