**9.2: Copyright – Validity – Originality**

To qualify for copyright protection, the claimed work must be original to the author. “Original” means only that the author independently created the work – the author didn’t copy it from other works – and it possesses at least a minimal degree of creativity.

**Special Interrogatories to the Jury**

Do you find the claimed work was original to its author?

Answer Yes or No \_\_\_\_\_\_\_\_\_\_\_\_\_

Do you find the claimed work possesses at least a minimal degree of creativity?

Answer Yes or No \_\_\_\_\_\_\_\_\_\_\_\_\_

If your answer to either of these questions is “No,” don’t continue with your analysis of [name of plaintiff]’s claim for infringement.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Foreperson’s Signature

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_