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*A legal transformation.* Based on *The Girl With the Pearl Earring*, Johannes Vermeer, c.1665.

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Once an artist has been dead for more than 70 years, their work is in the public domain, and it can be copied and adapted by anyone. So if you base your work on paintings of Vermeer or plays of Shakespeare you don't need to ask for permission.

However, you could get a copyright on the new work. This is the paradox of copyright: you copy and sample what's around you, and with these public ingredients you make something new, which then becomes your private property. That's why, after a set period of time, that right expires, and the work is again fully in the public domain.

This image is based on a Dutch painting that is in the public domain. But it might also be different enough to merit its own copyright. Then you'll only be allowed to copy it freely 70 years after our death.

The image was inspired by a work of the Dutch graphic design studio Machine, "Psychedelic Warfare". Like us, they made flat coloured shapes out of a public domain painting. Within copyright, this is considered the 'idea' of the image and it can be freely copied. Copyright protects the forms you make, but not the recipes by which you make them.

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*A legal transformation, in Legal Advice for Artists, Eric Schrijver, 2016.*

Legal  
Advice  
for  
Artists

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