

*A guide to the vast treasure of public domain profits...*

# How To Profit From Public Domain Information

The Largest Opportunity For Entrepreneurs In This Decade!

By David Vallieres, Editor, [The Public Domain Report](#)

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## How To Profit From Public Domain Information

**By David Vallieres**

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2811 Oneida Street, Suite 700  
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Email: [info@publicdomainreport.com](mailto:info@publicdomainreport.com)

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The reader is encouraged to seek competent legal and accounting advice before engaging in any business activity.

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DISCLAIMER/WARNING/NOTICE: I am not an attorney and am not providing legal advice in the following report. A competent attorney of your choice should be consulted when investigating copyrights. The following is entirely a layman's opinion – mine - only. For a very good layman's reference on publishing law and copyrights see *Kirch's Handbook of Publishing Law* by Jonathon Kirsch (Acrobat Books, Los Angeles ISBN 0-918226-33-3), which was the primary source for my understanding of copyright expirations detailed below.

## **WHAT THIS REPORT CAN DO FOR YOU**

If you have ever written an article or a book or you're an entrepreneur who requires information from a variety of sources to develop content you'll appreciate this guide on how to profit from public domain information and how to perform certified copyright searches.

In 1979 I started my first publishing business. At the time I had an intense interest in antiquarian books as a collector and a dealer. Whenever I discovered a book I wanted to add to my collection, I would also try to locate a much, much less valuable copy I could use for general reading.

I looked often without success. Many of the books I was purchasing were extremely rare and out-of-print (OP). The Internet wasn't exactly a household word and searching for used copies was very time consuming.

Occasionally I would have success and find a used copy for reading. Sometimes it would take years of looking through used and OP book dealer catalogs to find what I wanted.

In 1996 I started using the Internet to find books I was interested in reading and collecting. But I still had the problem of securing 'reading copies' of the rare books I was accumulating on the 'net. True, I found copies *faster* -but for the very rare, I found no copies at all...which gave me an idea.

One book was so rare that it popped up in dealers catalogs about once every ten years. But, unlike most antiquarian and collectible books, this one had a subject matter that was relevant today and would be eagerly sought after by advertising and marketing practitioners.

### **What Is "Public Domain?"**

The public domain is generally defined as consisting of works that are either ineligible for copyright protection or with expired copyrights. Public domain is generally referred to anything that is NOT protected under copyright laws.

Work that passes into the public domain may be freely used by anyone without the permission of the original copyright holders.

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So I decided to take my second plunge into the world of books and reprint the book and sell it under my own imprint. The problem, of course, was how do I secure the copyrights?

I had heard about certain literary works being in the 'public domain' and that they could be published without infringing on the rights of anyone else. Basically, they were 'free to use anyway I wanted.

But the term "Public domain" is one of those elusive catch-all phrases that really doesn't explain a thing... as you'll see. Some people I consulted with said anything published 75 years or more ago is automatically in the public domain.

As I discovered, that is not true.

You'll discover many things in this report. Things that will open your eyes to an incredible opportunity that is just now becoming a reality!

Based on over 35 years of business experience it is my firm belief that, if you get in on this now and have the proper motivation and business sense, you will profit more by re-packaging and re-publishing public domain information than any other home-based business for the next 50 years. Let's get started!

*David Vallieres*

David Vallieres

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## How To Get Started Re-Publishing and Re-Packaging Works In The Public Domain For Profit

I want to tell you a 100% true story about how a simple man with seemingly no ambition (and was constantly teased for too often 'day dreaming' while in school) created a business empire worth billions (yes, billions) using books that are in the "public domain".

But first, if you're not familiar with the term "public domain" allow me to help give you at least a general idea of the legal and business power contained in these two words. At a very basic level, "public domain" means...

**...anything that is NOT protected under US copyright law. This includes ALL works published before 1923 AND, under certain conditions, works published up to 1978. A 'work' can be anything: a book, a play, music, photographs, movies, manuals, reports, posters, etc...**

Re-publishing and re-packaging public domain information and other creative works can make you a lot of money. The reason is fairly simple: If you find, re-package and sell information that has fallen into the public domain you do not have to pay royalties or copyright fees on that work. Can you tell me about any other business that you can resell over and over and keep 100% of the profits without paying ONE CENT in royalties or copyright fees for its use?

In any normal business start-up you will be required to provide a Tax ID number along with other documents and a proof of your business registration just to be able to buy your products for resale! Then, until you've had a chance to establish 'terms' with your wholesaler, you'll be required to pay cash, up front, for all your starting inventory.

If you're buying widgets for \$4.95 wholesale and selling them for \$9.95 you must constantly re-invest that \$4.95 in more widgets. In order to do a large trade in widgets you'll need a large inventory! Before you even open your business door you'll have to invest \$50,000 to \$100,000 in widgets and as soon as you sell one of them you have to take \$4.95 out of that \$9.95 sale and plunge that right back into buying more widgets! I call it the 'black hole' of retail business, because

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you will constantly have up to \$100,000 or more, depending on the type of business you operate, tied up in cold, hard inventory for as long as you are in business!

Let's contrast this normal business start-up with one that is started using 100% FREE public domain information as their 'widget'.

First, I should state clearly that there is not another business in the world that is more profitable than the 'information business' i.e. selling books, manuals, reports, etc...but...

The biggest problem for most individuals who want to enter this enormously profitable business is that they have to either create their own information product or secure the rights to sell someone else's product.

Again, for most individuals 'creating' their own information product is very hard to do... they can't write or don't like to write, they find it difficult or impossible to even think about writing an entire book!

If you love the idea of publishing information as a business model but you don't want to create your own book or manual...what do you do?

You find a deal where someone else will allow you to purchase a 're-sale' license to their book or manual. In most cases these 'rights' can be purchased inexpensively. The problem, of course, is that everyone else has discovered this secret and have purchased the rights to the same book you just bought and is selling it all over the Internet!

Not only have you lost exclusivity, but in most cases the 'product' has been discounted to attract sales that there's no profit margin left in the sale of the book!

Now, you can also purchase rights that are much more expensive and exclusive... \$900, \$1,500 up to \$15,000 or more for the 'rights' and, in many cases, you'll have to pay royalties on each sale payable quarterly to the copyright holder.

This will certainly make your product more exclusive and sales will be better, however, you are still faced with enormous competition because the investment required to purchase these rights will have attracted the most dangerous competition of all: sophisticated marketers or as I like to call them, "players with money".

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Yes, these players are competing against you! Not good news if you're just starting out or want a good chance at making a lot of money with your 'reprint' right product.

Like I said, let's contrast this business start-up with one that is started using 100% FREE public domain information as their 'widget'.

**First**, securing the rights to public domain information will cost you nothing- they are 100% free to use!

**Second**, there are thousands of works to choose from in thousands of categories and since almost no one knows this kind of opportunity even exists you will be able to dominate entire markets before your competition even knew what hit them!

**Third**, since you do not have to purchase a large stockpile of inventory and you have no major competition you can spend your money where it matters most: creating marketing that makes you money!

Why now? Why public domain information?

**First**, there are books and manuals and music and other creative works whose copyrights **expire almost every day**. These are all potential information products that are FREE for the taking, if you only knew how to find them and how to re-publish them!

**Second**, the vast treasure of public domain information is growing daily and a very tiny, miniscule percentage of the business public even know that they can be used without permission, without cost and without royalties or fees.

**Third**, it is absolutely the easiest way to start or expand an existing business with such low risk and such high profits ever in history! Your product is 'free' and when you sell it you keep 100% of the profits. If you ever see a better opportunity, please let me know!

This is a massive opportunity that has been created because thousands of books, music, movies and other 'works' that have passed into the public domain in just the last few months and years, so...

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...the time to act is now!

I currently publish 3 books that contain 100% public domain information. These three books alone earn me thousands of dollars each year in profits- and the best part is I don't pay a penny in fees or royalties to anyone! After my marketing costs the profits are staggering. I also generate what most would consider a full-time income re-printing a line of rare Japanese prints that I 'found' in the public domain, had printed on high quality poster stock and sell wholesale to art galleries across the country.

There are thousands of works in the public domain- they are simply 'there' - you don't have to do anything to create them- they are just there waiting to be re-published and they are ALL FREE!

So, they are 'free'... but how do you profit??

You can do exactly what I did... digitize the information, create an 'ebook', create posters, framed 'prints, your own line of coffee cups, mouse pads, etc... and sell it on the Internet. One book I re-published is about "day trading", another book is on "mind reading" and another book is on "advertising and copywriting". They all have markets and they sell.

As I mentioned, when you find a work that's in the public domain you can digitize it (with a scanner hooked up to your computer) you can have it published as a 'real book' and sell it on Amazon, or sell it as an ebook or even create a 'course' and publish it!!... the possibilities are endless and the profits staggering.

Not every kind of work in the public domain will have a market but here are some examples of books you could be re-publishing that have an excellent market right now:

- Books on mind reading, thought transference, etc
- Books on marketing, advertising and copywriting
- Books on trading stocks and commodities
- Books on collecting: figurines, wedgwood, pottery, etc
- Books on hand writing analysis, palmistry and the occult
- Books on herb remedies and natural healing
- Children's books and stories
- Posters (the 'patriotic' ones are especially popular right now)



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- Radio shows, music and movies!

Not convinced yet?

I started at the beginning of this report to tell you about a rather un-ambitious fellow who built a billion dollar empire using works that had recently fallen into the public domain. He based his entire business on fairy tales that were popular in the early 1800's ...The Grimm Fairy Tales.... can you guess who it is?

It was Walt Disney. Yes, he knew that the Grimm Fairy Tales were wonderful stories and he also knew they were now in the public domain. He changed the names of some of the characters and 'modernized' them a bit, but essentially copied them and made a large fortune selling the stories to a new generation!

Want another example? How about Turner Classic Movies or TCM... the majority of the films on TCM are in the public domain, not all are, but most. Turner gets them at a very low cost and sells advertising when they are aired on his station. Is he making a profit? Well if he wasn't do you think TCM would still be around? He is making a fortune just from the ad revenue!

How about one more example?... I'll keep it short because by now your mind must be reeling with the possibilities and will want to get going ASAP!

Rebecca Fine received a book in the mail one day. The book was written by a man who had been dead nearly 90 years. The book's title, *The Science of Getting Rich* intrigued her and she devoured the book in a single session on a spring afternoon in 1998. She realized how wonderful the book was and started to implement the suggestions the book taught and her little home business doubled and then tripled in income. She credited the advice she received in the book to her good fortune!

Instead of simply reading the book and then letting it sit on her bookshelf she created a [web site](#), made the book available for download (she scanned or 'digitized' it), and has built an entire business around that one book! She has followers from over 111 countries who have requested a copy and has thousands of people on her mailing list who all wanted a copy of that ONE book!

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She sells a 'cd' version of the book and even created an 'audio-book'... she is succeeding because of that one book... imagine what you can do with the vast treasure chest of information in the public domain!

I could give you many more examples... you have my example: 3 books published and thousands in profits in sales (re-publish model); how Walt Disney got his start (update or 'modernize' model); TCM (ad revenue model) and Ms. Fine ('free ebook to build list' Internet model)...but

...what if you find something you'd like to publish but are afraid to because someone might steal it?

You have a right to be concerned... especially if someone who bought the work found out it was in the public domain. Couldn't they just copy it and sell it as there own?? The answer is...

... NO!! If...

They cannot do that... IF...if you follow my advice: I found a 100% legal way to prevent anyone from stealing your work (even if you got it in the public domain!) ... .. and if they do, you can take legal action against them just as if you were the original copyright holder!!

Ok?? This ONE PIECE of information is worth a hundred times the price of this report alone!!

So how do you protect yourself? What is this 'secret'?

First you need to understand something. The original work was probably 'paper and ink' or a 78 rpm or a 35mm reel of film, etc...

But, you're not going to sell the 'public domain' info in EXACTLY the same format using the EXACT same medium now are you?

This is the secret that no one will ever tell you and will protect you 100% guaranteed and dissuade all but the most determined of thieves:

If it's a 'paper and ink' product add a few pages, randomly, to the original text or 'edit' the original text in some way to modernize the language, etc.... Why? You will want to do this because:

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THE ADDITIONS YOU MAKE can copyrighted by you and you only! In other words, the graphics you add to make a 'cover' or if you change the 'type-style' and re-format the text, the editorial work, the changing of the text in anyway, etc...makes YOUR copy of the original brand new work and protected under US Copyright Law. There are several 'tests' that need to be performed to determine if the work is 'new' but they are failry simple ones. I describe in detail the precise steps that need to be taken to protect yourself in my weekly Public Domain Report newsletter.

What makes this an incredible opportunity is that you can legally claim "copyright" for a public domain work that you have modified. And all the benefits of copyright protection are afforded you the same as anyone who just wrote a book and had it published last week. The original text is still in the public domain, however, but no one can copy and use or sell your modified copy because it's protected under US Copyright law.

The question is, "*When does a copyright expire?*"

Believe me, that's not an easy question to answer. But I will give you some general guidance here and then try to summarize what it means to you in practical terms.

## **What Is Public Domain Information and How Can We Tell If It's In The Public Domain?**

Here's a general guide to what is and what is not protected under copyright:

1. If the work was published in the United States prior to 1923, it is in the public domain.
2. For works published between 1923 and March 1, 1989, it depends on whether the certain statutory formalities were observed, such as providing a notice of copyright on the work or renewing the copyright per statutory deadlines.

Examples:

- a) If the work was published in the United States between 1923 and 1978 **without a valid copyright notice**, it is in the public domain. (Note: If the work published during this period has a notice, it is protected for up to 75 years from the date of publication.)

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b) If the work was published in the United States between 1978 and March 1, 1989 **without a notice and registration**, it is in the public domain. (Note: If the work published during this period has a notice, but was never registered, it is protected for 70 years from the death of the author.)

c) If the work was published in the United States between 1923 and 1963 **with a notice**, but copyright was **not renewed**, it is in the public domain.

3. After March 1, 1989, all works (published and unpublished) are protected for 70 years from the date the author dies. For works of corporate authorship (works made for hire), the copyright term is the shorter of 95 years from publication, or 120 years from creation.

- U.S. government works are not protected under US copyright law and in fact, cannot be registered. (Note: projects written by non-government authors with federal funding may be copyright protected) This does not apply to works authored by State or Local governments which may be copyrighted.

## **DETERMINING IF A WORK IS IN THE 'PUBLIC DOMAIN'**

Works published prior to January 1, 1978 are governed by the Copyright Act of 1909. Under the 1909 copyright law, a copyrighted work was protected for two consecutive terms of 28 years each—but (and this is a key “but”) the copyright was extended into the second 28 year term of protection **ONLY IF** it was duly and timely renewed prior to the expiration of the first term by filing a renewal application in the Copyright Office.

Therefore the total period of copyright protection, under the 1909 Act, was either 28 years or 56 years from the year of publication. The way to determine the expiration was to search the Copyright Office for the renewal filing.

But, that's not all I found.

Under the Copyright Act of 1976 (which took effect in 1978) the second ‘term’ of 28 years **was extended** to 47 years!

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If you are researching a work today that was published in 1910 and it was officially renewed in 1937 (prior to the end of the first "28 year" term of protection) the copyright would last 75 years after the date of publication (28 year first term + a 47 year second term).

If the same work was NOT RENEWED prior to the expiration of the first 28 year term of protection the copyright protection would have expired in 1938, 28 years from the date of publication.

So the maximum protection under the Copyright Act of 1976 granted protection for a maximum of 75 years. But the copyright protection could have expired much, much sooner if it was never renewed. Also don't forget what we mentioned earlier:

a) If the work was published in the United States between 1923 and 1978 **without a notice**, it is in the public domain.

b) If the work was published in the United States between 1978 and March 1, 1989 **without a notice and registration**, it is in the public domain. (Note: If the work published during this period has a notice, but not a registration, it is protected for 70 years after the death of the author.)

c) If the work was published in the United States between 1923 and 1963 **with a notice**, but copyright was **not renewed**, it is in the public domain.

If you find a work that DOES NOT have a notice of copyright, you may have a work that is already in the public domain even if was created after 1923 and up to 1963!

Then in 1992 Congress passed the Copyright Renewal Act. The Act basically eliminated the need for the filing of a renewal application. So, any work which was *first* published between January 1, 1964 and December 31, 1977 (The day prior to the effective date of the Copyright Act of 1976) would be automatically renewed for an additional 47 years without the filing of a renewal application.

Confused yet? Stick with me, it gets worse. But then I'll make it better, I promise.

So, we have this kind of 'limbo' period between 1/1/1964 and 12/31/1977 when the 'second' term of copyright protection was extended to 47 years from 28 years- only for works WITH a notice of copyright. Prior to 1/1/1964 a renewal application was required to continue the copyright protection- after this date the second term of 47 years was automatically granted from the date of publication.

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Then we have works created after 1/1/1978 when the Copyright Act of 1976 went into effect. It's a whole different ball game because the copyright protection of a work is no longer governed by a fixed number of years as it was in the past.

Copyright protection is determined under the Act of 1976 by "the life of the author plus 70 years". In other words, protection is automatically granted 70 years after the death of the author (this only applies to a "Natural" person who is the author and not a corporation or other entity).

In the case of a 'jointly authored work' the death of the last surviving author is the benchmark for copyright protection.

Let's summarize what *may* constitute the expiration of copyright protection:

1. Any work published before 1/1/1964 will have copyright protection for 28 years *plus* an additional 47 years (75 years total) but ONLY IF a renewal was filed. If a renewal was NOT filed, the copyright protection expired 28 years from the date of publication.
2. Any work *first* published after 1/1/1964 up to 1/1/1978 will not expire before 75 years or on 12/31/2038. In other words the second term of 47 years is automatically added to the first term of 28 years without a renewal filing. This is the 'limbo' period of copyright protection I mentioned earlier.
3. Any work first published after 1/1/1978 will be protected for the life of the author plus 70 years.
4. If the work was published in the United States between 1923 and 1978 **without a valid copyright notice**, it is in the public domain.
5. If the work was published in the United States between 1978 and March 1, 1989 **without a notice and registration**, it is in the public domain.
6. If the work was published in the United States between 1923 and 1978 **without a valid copyright notice**, it is in the public domain.

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As you can see it's the filing of the renewal application OR the notice of copyright being present in the work that is all important to us—and if it was filed or not. And that's exactly what you need to determine if a copyright has expired. And the only way to determine if a renewal application was filed is by getting a certified copyright search report.

The good news is:

**Only 7% of the books published in the US through 1958 were renewed!**

That means that there is a huge body of published work available that is free to use-100% in the public domain.

This fact offers entrepreneurs with one of the largest opportunities in this decade.

For detailed information on profiting, finding and re-publishing public domain information visit <http://www.publicdomainreport.com>.

**Q&A on: Re-Publishing Public Domain Information**

**Question:**

I've heard you talk about reusing public domain information to create information products.

I went to this government site which has lots of free public publications (<http://www.firstgov.org>). But this is where I get stuck.

Ok, I have this free stuff but how do I turn it into something that people will pay for?

**InfoProductLab:**

In most cases the reports found at government sites are full of great info, but have terrible titles and they are too short and too technical.

So here's what you do:

Take 3 or 4 reports on the same subject, put them all together in one 'report' (each report= 1 chapter for your ebook)

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Write a good introduction, 'edit' the book some to delete references to government sources and create a new title for the collection. This is all perfectly within your rights to do. This is information paid for by the citizens of the United States you have the right to use this information because it is not copyrighted.

Remember that anything produced by the US government cannot be copyrighted and, when published, is in the public domain -BUT- anything that was written by a consultant for the government may have a copyright on it and may be protected under US copyright law.

So please check the work first to determine if it was written by a consultant or was published by a government agency and scrutinize the 'copyright'.

Let's get back to actually putting together a report, book or other work. Once you have the information you're going to re-publish you'll need to apply basic marketing knowledge to the project. For an 'information product' that means the title of your new work must be really interesting and targeted to your market. The title is everything. It will sell the book or kill sales.

There are some great resources to help you craft good book titles...but there's only one you really need and it's available at your local supermarket: Tabloids and Popular Magazines.

Read the cover of magazines. The editors of Cosmo, Ladies Home Journal, The Star, etc, KNOW how to write titles for articles that draw people to buy and read the magazine.

That's how they stay in business.

I'm sure you have a few laying around the house... if not go look at the magazine stand at Borders or Barnes and Noble or your supermarket.

If you can, take some 3"X 5" index cards with you and copy some of the article titles down onto the index cards. The best titles are the one's they put on the cover of the magazine, so you don't have to dig way into the issues to find them.

Take them home and substitute the words in the titles that don't apply to your book with one's that do apply to your book.

For example, a Cosmo headline might read:



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"How To Make Your Man Quiver In Bed And Beg For More!"

Your title might read:

"How To Make Your Web Site Visitors Jump At Your Offers And Beg You To Take Their Money!"

Ok... I just made that up in 10 seconds... but I think you get my drift. Keep your mind open.

Profitable ideas are all around you.

**Thank you for downloading this Special report!**

**My weekly newsletter, *The Public Domain Report* covers important works that have recently been added to the vast treasure of the public domain, how to find them and how to re-package, re-publish and profit from them.**

**For more information please go to:**

**<http://www.PublicDomainReport.com>**

**Best wishes,**

*David Vallieres*