



## MICKEY MOUSE AND COPYRIGHT LAW

Earlier this year, the famous Mickey Mouse entered the public domain, which means that anyone can use the image without having to ask Disney for prior permission.

It turns out that this is not just any image of Mickey Mouse, but his first black and white image, made popular by the cartoon "Willie's Steamboat".

The image falls into the public domain as January 1, 2024 marks 95 years since it was communicated to the public, which, according to US law, means that anyone can freely copy, share, reuse or adapt the image, giving rise to new works, without the need for permission from Disney.

The best-known version of Mickey, more colorful and with rounder features, is still

protected by copyright because it was developed later.

Despite the entry into the public domain of the first version of Mickey Mouse, it is important to bear in mind that Disney owns several trademarks that protect its products and services. Therefore, if there is any situation that misleads consumers as to the provenance of the works, it will, of course, be monitored by Disney and could be the subject of legal action.

If, on the one hand, the company must play this vigilant role to ensure that protected images are not used, on the other hand, its position in the market also acts as a deterrent to the use of images that have fallen into the public domain, since in the event of doubt, few will risk litigation with Disney.

In the meantime, two independent horror films featuring Mickey Mouse have emerged, leaving the question of the public's interest in seeing these works that use a cartoon from our childhood imagination in a completely opposite cinematographic aspect.

Nonetheless, it seems essential to guarantee the protection of a work from all possible angles, as Disney has done, thus enhancing the ways of protecting and defending the company's interests.

## WHAT IF MICKEY MOUSE WAS PORTUGUESE?

In Portugal, Copyright expires, in the absence of a special provision, 70 years after the death of the intellectual creator, even if the work was only published or disseminated posthumously.

In the case of collaborative work, it expires 70 years after the death of the collaborator who died last.

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