LEGAL KITTY™ CHEAT SHEET

Split Sheets & Co-Writing

Who owns the song when it was written in a room full of people.

KEY PRINCIPLES

1 **Merge your work, and you co-own it.**
A "joint work" merges contributions into "inseparable or interdependent parts of a unitary whole" (17 U.S.C. §101). Its authors are co-owners (§201(a)).

2 **No paper? Co-writers split equally.**
Co-owners are treated as tenants in common: each can use or license the work, owing the others an accounting of profits (Davis v. Blige).

3 **Being in the room isn't authorship.**
Courts look for a copyrightable contribution and a shared intent to be co-authors (Childress), shown objectively, often through control (Aalmuhammed).

4 **Transfers need a signed writing.**
A copyright transfer is "not valid" without a signed writing (§204(a)). And a later deal can't erase a co-writer's past claims (Davis).

KEY EXAMPLES

Real decisions, from primary sources

Childress v. Taylor
2d Cir. 1991

An actress who supplied research and ideas for a play about Moms Mabley was not a joint author.

FOR YOU **Put intended credit in writing, early.**

Aalmuhammed v. Lee
9th Cir. 2000

A consultant contributed substantially to Malcolm X but wasn't an author. Control and shared intent were missing.

FOR YOU **Valuable help isn't automatically a share.**

Davis v. Blige
2d Cir. 2007

One co-author's retroactive transfer couldn't defeat the other's infringement claim. Licenses "only act prospectively."

FOR YOU **Get every writer's signature, not one.**

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KEY CLAUSES

Red flag, green flag

Push back on the red. Ask for the green.

	RED FLAG · PUSH BACK	GREEN FLAG · ASK FOR
SPLITS	"We'll figure out splits later"	Percentages signed the day of the session
WRITERS	Everyone in the room listed	Writers named; other roles stated
LICENSING	Anyone licenses anything	Who licenses, and approvals, in writing
ADMIN	No PRO or publisher details	Each writer's PRO, publisher and IPI
CHANGES	Splits fixed whatever changes	Re-sign if lyrics or samples change
TRANSFERS	Verbal "take my share"	Transfers only by signed writing

Built from 17 U.S.C. §§101, 201, 204 and the cases. Sources: see the source map. Teaching examples, not forms.

GO DEEPER

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