



Cultural Heritage & Museums News

## January 1st is Public Domain Day

# Works from 1928 are open to all, as are sound recordings from 1923!

*By Jennifer Jenkins\**

On January 1, 2024, thousands of copyrighted works from 1928 will enter the US public domain, along with sound recordings from 1923. They will be free for all to copy, share, and build upon. This year's highlights include *Lady Chatterley's Lover* by D. H. Lawrence and *The Threepenny Opera* by Bertolt Brecht, Buster Keaton's *The Cameraman* and Cole Porter's *Let's Do It*, and a trove of sound recordings from 1923. And, of course, 2024 marks the long-awaited arrival of *Steamboat Willie* – featuring Mickey and Minnie Mouse – into the public domain. That story is so fascinating, so rich in irony, so rife with misinformation about what you will be able to do with Mickey and Minnie now that they are in the public domain that it deserved its article, “Mickey, Disney, and the Public Domain: a 95-year Love Triangle.” Why is it a love triangle? What rights does Disney still have? How is trademark law involved? Read all about it here:

[Mickey, Disney, and the Public Domain: a 95-year Love Triangle](#)  
[Why Celebrate the Public Domain?](#)  
[The Tip of the \(Melting\) Iceberg](#)  
[The Copyright Term Extension Blues](#)

Here is just a handful of the works that will be in the US public domain in 2024. They were first set to go into the public domain after a 56-year term in 1984, but a term extension pushed that date to 2004. They were then supposed to go into the public domain in 2004 after being copyrighted for 75 years. But before this could happen, Congress hit another 20-year pause button and extended their copyright term to 95 years. Now the wait is over. (To find more material from 1928, you can visit the [Catalogue of Copyright Entries](#).)

## Books and Plays

- [D.H Lawrence, \*Lady Chatterley's Lover\*](#)
- [Bertolt Brecht, \*The Threepenny Opera\* \(in the original German, \*Die Dreigroschenoper\*\)](#)
- [Virginia Woolf, \*Orlando\*](#)
- [Erich Maria Remarque, \*All Quiet on the Western Front\* \(in the original German, \*Im Westen nichts Neues\*\)](#)
- [W.E.B. Du Bois, \*Dark Princess\*](#)
- [Claude McKay, \*Home to Harlem\*](#)

- [A. A. Milne, illustrations by E. H. Shepard, House at Pooh Corner \(introducing the Tigger character\)](#)
- [J. M. Barrie, Peter Pan; or the Boy Who Wouldn't Grow Up \(because it was not "published" for copyright purposes until 1928\)](#)
- [Radclyffe Hall, The Well of Loneliness](#)
- [Evelyn Waugh, Decline and Fall](#)
- [Agatha Christie, The Mystery of the Blue Train](#)
- [Wanda Gág, Millions of Cats \(the oldest American picture book still in print\)](#)
- [Robert Frost, West-Running Brook](#)
- [Ben Hecht and Charles MacArthur, The Front Page](#)

These are just a few of the thousands of works entering the public domain in 2024. They present a snapshot of the cultural struggles of the time, some of which seem decidedly relevant today: some books were banned for obscenity, a critique of the inhumanity of capitalist society works from the Harlem Renaissance, and a reminder of the lingering trauma from World War I. There are works exploring gender fluidity and sexuality, including Orlando, a feminist classic about a character “liberated from restraints of time and sex,” and The Well of Loneliness, an exploration of lesbian love. There are literary classics and great theatrical works, bestsellers, and works of high culture. There are even popular children’s books—cat lovers can rejoice over Millions of Cats and Tigger bouncing into the Hundred Acre Wood.

## Films

- [Steamboat Willie, directed by Walt Disney and Ub Iwerks](#)
- [The Passion of Joan of Arc, directed by Carl Theodor Dreyer](#)
- [The Cameraman, directed by Edward Sedgwick, starring Buster Keaton](#)
- [The Circus, directed by and starring Charlie Chaplin](#)
- [The Last Command, directed by Josef von Sternberg](#)
- [The Singing Fool, directed by Lloyd Bacon](#)
- [Street Angel, directed by Frank Borzage](#)
- [Lights of New York, directed by Bryan Foy](#)
- [Show People, directed by King Vidor](#)
- [The Man Who Laughs, directed by Paul Leni](#)
- [Speedy, directed by Ted Wilde, starring Harold Lloyd](#)
- [The Circus Kid, directed by George B. Seitz](#)
- [Four Sons, directed by John Ford](#)
- [The Crowd, directed by King Vidor](#)
- [The Wedding March, directed by and starring Erich von Stroheim](#)

- [Beggars of Life, directed by William A. Wellman](#)
- [The Patriot, directed by Ernst Lubitsch](#)
- [The Wind, directed by Victor Sjöström](#)
- [The Docks of New York, directed by Josef von Sternberg](#)

Yes, Steamboat Willie is finally entering the public domain. Welcome, Mickey and Minnie Mouse! Read what this means here. But many more wonderful films will also be free of copyright. 1928 was part of the transitional period from silent films to “talkies,” it brought us both some of the last great silent pictures and the “first ‘all-talking’ picture.” There are features from comedic giants such as Buster Keaton, Charlie Chaplin, Harold Lloyd, and Laurel and Hardy. There are films chosen for preservation in the National Film Registry because they are “culturally, historically, or aesthetically significant.” There are winners of some of the first Academy Awards. Sadly, many films from the era have been lost forever, while others survive only due to serendipitous stories of rediscovery. Please note that while the original footage from the listed films will be in the public domain, newly added material such as musical accompaniment might still be copyrighted. [6]

## Musical Compositions

- [Animal Crackers \(musical starring the Marx Brothers; book by George S. Kaufman and Morrie Ryskind and lyrics and music by Bert Kalmar and Harry Ruby\)](#)
- [Mack the Knife \(original German lyrics by Bertolt Brecht and music by Kurt Weill; from The Threepenny Opera\)](#)
- [Let's Do It \(Let's Fall in Love\) \(Cole Porter; from the musical Paris\)](#)
- [Sonny Boy \(George Gard DeSylva, Lew Brown & Ray Henderson; from the film The Singing Fool starring Al Jolson\)](#)
- [When You're Smiling \(lyrics by Mark Fisher and Joe Goodwin and music by Larry Shay\)](#)
- [Empty Bed Blues \(J. C. Johnson\)](#)
- [I Wanna Be Loved By You \(lyrics by Bert Kalmar and music by Herbert Stothart and Harry Ruby; from the musical Good Boy\)](#)
- [Makin' Whoopee! \(lyrics by Gus Khan and music by Walter Donaldson\)](#)
- [You're My Necessity, You're The Cream in My Coffee \(George Gard DeSylva, Lew Brown & Ray Henderson; from the musical Hold Everything!\)](#)
- [I Can't Give You Anything But Love, Baby \(lyrics by Dorothy Fields and music by James Francis\)](#)
- [Ramona \(lyrics by L. Wolfe Gilbert and music by Mabel Wayne\)](#)

- [There's a Rainbow 'Round My Shoulder \(Al Jolson, Billy Rose, Dave Dreyer; from the film The Singing Fool\)](#)
- [Beau Koo Jack \(lyrics by Walter Melrose and music by Alex Hill and Louis Armstrong\)](#)
- [Pick Pocket Blues \(Bessie Smith\)](#)

This year's musical line-up includes Broadway songs, jazz standards, early blues, and pop music addressing some familiar themes.[7] Only the musical compositions—the music and lyrics that you might see on a piece of sheet music—are entering the public domain, not the recordings of those songs, which are covered by a separate copyright.[8] The lyrics and music to Cole Porter's Let's Do It (Let's Fall In Love) were published in 1928 and will be free for anyone to copy, perform, record, adapt, or interpolate into their song. But the later recordings by Eartha Kitt, Lady Gaga, and others are still copyrighted. Note, however, that sound recording rights are more limited than composition rights—you can legally imitate a sound recording, even if your imitation sounds the same, you just cannot copy from the actual recording. To hear some great adaptations of public domain songs and other material, visit WNYC's Public Domain Song Project.

### Sound Recordings from 1923

- [Charleston \(recorded by James P. Johnson\)](#)
- [Yes! We Have No Bananas \(recorded by Billy Jones; Furman and Nash; Eddie Cantor; Belle Baker; and The Lanin Orchestra\)](#)
- [Who's Sorry Now \(recorded by Lewis James; The Happy Six; the Original Memphis Five\)](#)
- [Down Hearted Blues \(recorded by Bessie Smith; Tennessee Ten\)](#)
- [Lawdy, Lawdy Blues \(recorded by Ida Cox\)](#)
- [Southern Blues and Moonshine Blues \(recorded by Ma Rainey\)](#)
- [Down South Blues \(recorded by Hannah Sylvester; The Virginians\)](#)
- [Wolverine Blues \(recorded by the Benson Orchestra of Chicago\)](#)
- [Tin Roof Blues \(recorded by the New Orleans Rhythm Kings\)](#)
- [That American Boy of Mine and Parade of the Wooden Soldiers \(recorded by Paul Whiteman and his Orchestra\)](#)
- [Dipper Mouth Blues and Froggie More \(recorded by King](#)

- [Oliver's Creole Jazz Band, featuring Louis Armstrong\)](#)
- [Bambalina \(recorded by the Ray Miller Orchestra\)](#)
- [Swingin' Down the Lane \(recorded by the Isham Jones Orchestra; The Shannon Four; The Columbians\)](#)

In 2022, under a new law called the Music Modernization Act,[9] decades of sound recordings made from the advent of recording technology through the end of 1922 went into the public domain. In 2023 there was a pause, with no sound recordings entering the public domain. Now, in 2024, recordings from 1923 are open for legal reuse. You can download, remix, or use them in a soundtrack. Yes, these recordings are a century old, but better late than never! As you look through the list above, note that only the 1923 recordings made by these artists are entering the public domain, not their later recordings.

To listen to old recordings, go to the Library of Congress National Jukebox—in 2024 the Library of Congress will make all of the 1923 recordings in its collection available for download from this site, while recordings from 1924 forward will be streaming only until they are in the public domain.

Copyright will also expire over works of art such as M.C. Escher's Tower of Babel woodcut. While we were able to locate the copyright records indicating that Escher's work was copyrighted through the end of 2023, we did not find definitive copyright information for other notable artworks. What we do know is that art published in 1928 – including drawings, paintings, and photography – will be in the public domain in 2024, but many works were copyright-free earlier due to noncompliance with the notice and renewal “formalities” that copyright law used to require.

Read More:

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