

AVID Home Studios Says Borrowed Home Plans May Prove Costly

According to AVID Home Studios, using duplicated or borrowed architectural plans for a new home could cost more than the house itself. Little known copyright laws prevent the use or duplication of any home plan without the permission of the original designer. These laws encompass more than just the drawings; they protect the design of the actual structure itself. Even after modifying an existing plan, a home owner or home builder could face huge fines and penalties by using a home plan without proper licensing agreements.

Matthews, NC ([PRWEB](#)) November 22, 2008 -- To build a new home, builders need home plans. Today, professional home design firms like AVID Home Studios use sophisticated web sites to help builders find the perfect home plan. Home design services have expanded far beyond the traditional architect and anyone with a web browser can purchase a plan from a number of e-commerce warehouses. But, most people are unaware of strict copyright laws that protect the intellectual rights of these home designs and the penalties that go with them. Not understanding the license restrictions of a purchased home plan may come back to haunt the builder with severe consequences.

Despite the gloomy news, many people are building new homes. However, in light of this gloomy news many people are trying to save upfront construction costs by using and reusing existing home plans. Copying or modifying home plans may seem to be perfectly legal for some, but for others it is downright stealing. "Some builder's claim that changing an original design will nullify copyright protection," states Bill Elliott, COO of Avid Home Studios. "But, unless you can prove that your design was created without the knowledge of an existing plan, you may be liable." This feeling is shared by many designers who feel their skill, effort and creativity is insulted when their work is flagrantly copied.

As with any other work of art, sculpture or literature, home plans are protected by Federal copyright laws because they are "original works of authorship fixed in a tangible medium". Up until 1990, that "tangible medium" included only the drawing. As long as the drawing was not copied, a home could be built using the information contained within the drawing. This changed with the Architectural Works Copyright Protection Act of 1990. Now, not only is the drawing protected, but both the interior and exterior designs of the building itself are protected by law. A home builder can no longer use one plan to build multiple houses or borrow plans to build just one house. In fact, building a home by using the existing structure as a guide - without plans - violates today's copyright laws.

Infringing on these federal statutes can carry huge penalties. Not only will the builder be at risk, but the home owner as well. Violators will be required to pay actual damages from the infringement (the cost of the plan itself) plus any profits from the sale of those plans. Moreover, the fines can include the profits made from the sale of the home and penalties of up to \$150,000 for each home built from the plans. To avoid these penalties, builders need to read the license agreement that comes with the home plan purchase. If a builder wants to construct more than one home from a plan, the designer may sell the documents with a "multiple build" license. Many design firms require "reuse" fees allowing a builder to construct one more home from the same plan. Avoiding these minimal upfront fees can lead to severe consequences.

Builders who don't fully understand their home plan license agreement may want to consult a lawyer who specializes in copyright law. These challenging economic times are hitting more than just home owners. Many architects and designers are finding new sources of income by employing legal teams trained in modern copyright law. These teams inspect areas of new home construction for possible design infringement. Without proper documentation, a home builder may be ripe for some unanticipated legal costs, or more.

For more information about home plans, including a free 20-page publication titled "10 Things You Should Know Before You Buy a Home Plan," visit www.avidhomestudios.com.

ABOUT AVID Home Studios:

AVID Home Studios provides builders with sophisticated home plans through an efficient and personalized design process. Local AVID representatives understand the challenges and needs of their local market and can help builders quickly design home plans to meet those needs. With unique collaborative design services and visualization tools offered only by AVID, changes and modifications to home plans are quick, accurate and cost effective.

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