'Sherlock Holmes' now fully in public domain

Last two stories written by Doyle among works falling into public domain in 2023

Originally Published January 1, 2023: https://www.fox13now.com/entertainment/sherlock-holmes-now-fully-in-public-domain

With the start of the new year, a number of copyrighted works that were released in 1927 have now fallen into the public domain, including the last two Sherlock Holmes stories written by Sir Arthur Conan Doyle. That's according to the Duke University Center for the Study of the Public Domain.

While the copyright for the stories and the character had long since expired in the United Kingdom, Australia, and Canada, the stories were still under copyright protection in the United States.
The two stories, "The Adventure of the Veiled Lodger" and "The Adventure of Shoscombe Old Place" were published in Liberty Magazine in the U.S. in 1927. They were later released with 10 other stories in the compilation 'The Case Book of Sherlock Holmes" later that same year.

These final stories were often a source of legal contention when it came to adaptations and depictions of Holmes in popular media, with the Conan Doyle Estate maintaining that since the remaining stories were under copyright, so too were the characters of Sherlock Holmes and his assistant, Dr. John Watson.

However, in 2013, the U.S. District Court for Northern Illinois ruled that the characters and related elements as they were depicted in stories already in the public domain were free to use without a license from the Estate. The ruling was later affirmed by the U.S. Seventh Circuit Court of Appeals the following year.

The Conan Doyle Estate would later file lawsuits against production companies producing content that appeared to depict elements featured in those later stories, most notably in 2015, where they sued Miramax over the film "Mr. Holmes," which starred Ian McKellen as a retired Holmes, and later in 2020, when they sued Netflix over the depiction of the character in "Enola Holmes," which follows the younger sister of the famed detective. The 2015 suit was settled out of court, whereas the 2020 lawsuit was dismissed with prejudice.

The copyright quagmire also had an effect on other pieces of media depicting Holmes, particularly across international lines. This was seen most recently with the localization of Capcom's "The Great Ace Attorney: Adventures," and its sequel, "The Great Ace Attorney 2: Resolve," which were originally released in Japan for the Nintendo 3DS in 2015 and 2017 respectively.

The games, part of Capcom's long-running "Ace Attorney" franchise are set in late 19th and early 20th centuries and follow Ryunosuke Naruhodo, ancestor of series protagonist Phoenix Wright, who travels to Britain to study law and ends up befriending a version of Sherlock Holmes, working with him to solve a series of cases.

When preparing to localize the games for the western market, Capcom changed the character's name to Herlock Sholmes, a name originally used by Maurice Leblanc to satirize the sleuth in his famous "Arsène Lupin" short stories, which fell into in the public domain in 2012, to sidestep any issues with the Doyle Estate.

The two games were released in 2021 in a bundle titled "The Great Ace Attorney Chronicles" for Nintendo Switch, PlayStation 4, and Windows PCs.

Holmes will not be alone in his transition to post-copyright life. He is joined by adventurer Allan Quatermain, whose final story "Allan and the Ice-gods," written by H. Rider Haggard, also entered the public domain as of 2023.