COPYRIGHT INFORMATION
Why Has Copyright become an Issue?

Due to the ease of copying graphics, images, text, sound and video from the Internet, there has been a heightened concern about copyright violation.
What is Copyright?

Copyright Guarantees for the Creator of a Work the Rights to:

- Copy
- Reproduce
- Distribute or sell
- Perform and display publicly
- Prepare new works based on the protected work
What is Copyrighted?

- Literary works
- Musical works, including words
- Dramatic works, including music
- Pantomimes and choreographic works
- Pictorial, graphic, and sculptural works
- Motion pictures and audiovisual works
- Sound recordings
What Cannot be Protected by Copyright?

- Works, ideas, and facts are in public domain.
- Words, names, slogans, or other short phrases also cannot be copyrighted. However, slogans, for example, can be protected by trademark law.
- Blank forms.
“It’s For An Educational Purpose”
Fair Use

Allows you to use material for:

- criticism
- comment
- news reporting
- teaching
- scholarship
- research
Four Fair Use Factors

- **Purpose and Character of the Use**
  - Nonprofit or Educational Purposes
- **The Nature of the Copyrighted Work**
  - Factual or Artistic
- **The Amount That Is Used**
  - Less is More! Adhere to Guidelines
- **The Effect of the Use on the Potential Market**
  - Are you preventing the creator from profiting financially?
“I got it from the Internet”
Internet Copyright

- You cannot print web pages, photos, or other information from the internet without permission from the source.
- These are considered literary works under the copyright law.
- The Internet IS NOT the public domain. There are both uncopyrighted and copyrighted materials available. Assume a work is copyrighted.
Tips for the Internet

- Always credit the source of your information
- Find out if the author of a work (e.g., video, audio, graphic, icon) provides information on how to use his or her work. If explicit guidelines exist, follow them.
- Whenever feasible, ask the owner of the copyright for permission. Keep a copy of your request for permission and the permission received.
“I’m not selling it”
• You may not be making any profit—but are you preventing someone else from Making a profit!
• It's still a violation if you give it away -- and there can still be heavy damages if you hurt the commercial value of the property.
“I just used half of the song”
Fair Use Guidelines

• Music, Lyrics, and Music Video:
  • Up to 10 Percent of the Work but No More Than 30 Seconds of the Music or Lyrics From an Individual Musical Work.

• Illustrations or Photographs:
  • No More Than Five Images From One Artist or Photographer.
  • No More Than 10% or 15 Images, Whichever Is Less, From a Collection.
Fair Use Guidelines

- Text material:
  - Up to 10 percent of the total or 1,000 words, whichever is less.
  - 3 poem limit per poet, 5 poem limit by different poets from an anthology.
Fair Use Guidelines

- **Numerical data sets:**
  - up to 10 percent or 2,500 fields or cell entries, whichever is less, from a copyrighted database or data table.

- **Copying of a multimedia project:**
  - no more than two copies may be made of a project.

- **Motion media:**
  - Up to 10 percent of the total or three minutes, whichever is less.
“It doesn’t have the little ©”
In the United States, almost everything created privately and originally after April 1, 1989 is copyrighted and protected whether it has a notice or not.

You should assume for other people's works is that they are copyrighted and may not be copied unless you know otherwise.
• Nowhere in copyright law does it say that if you give credit to the author you are not in violation of the law. The only exception is if you have a licensing agreement with an author, publication, or company.
When Should You Get Permission?

- When you intend to use the project for commercial or noneducational purposes.
- When you plan to distribute the project beyond the scope of the guidelines.
“But the Author is Dead?”
The duration of United States copyright is:

- The Sonny Bono Copyright Term Extension Act signed in 1998 extends the protection of copyrighted work by 20 years.
- Works are now protected for the life of the author plus 70 years (previously 50)
Summary

- Best practice is to get permission from the source for everything you use!
- Always keep records of permission agreements.
- Give credit where credit is due!
- Adhere to the 4 Fair Use Factors and Guidelines
- Only the Courts can determine Fair Use
- Copyright violation is a Civil violation not Criminal!
Power Point Resources

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What are the Rules for Fair Use for Instructors?

Copying by teachers must meet the tests of brevity and spontaneity:

- **Brevity** refers to *how much* of the work you can copy.
- **Spontaneity** refers to *how many times* you can copy.

**One Semester Rule**

You are expected to request permission as soon as possible.
What Can Be Copied?

• A chapter from a book (never the entire book).
• An article from a periodical or newspaper.
• A short story, essay, or poem. One work is the norm whether it comes from an individual work or an anthology.
• A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper.
What Should Be Avoided?

- Making multiple copies of different works that could substitute for the purchase of books, publisher's reprints, or periodicals.
- Copying the same works from semester to semester.
- Copying the same material for several different courses at the same or different institutions.
- Copying more than nine separate times in a single semester.