

Copyright and Open Licensing

A Round Table Discussion

Copyright Law

Copyright protects all original works of authorship fixed in a tangible medium of expression.

All rights are reserved by the creator to do the following:

- Reproduce the work
- Prepare derivative works
- Distribute copies of the work
- Publicly perform the work
- Publicly display the work directly or by telecommunication
- Publicly perform a sound recording by digital means

Copyright Exceptions

Public Domain works are works published before 1923 and works whose copyright has expired (currently Life + 70 years).

Public Domain works are “no rights reserved.” Everyone has the rights to do what is listed in the Copyright Law column.

Fair Use is the right to use copyrighted works using a balancing test of four factors:

- Purpose and character of use
- Nature of the copyright work
- Amount used and substantiality
- Effect on the market

Open Licensing

Through an open license, content creators can give permissions to:

- Reuse the work
- Revise the work
- Remix the work with others
- Redistribute the work freely
- Retain the work

These open licenses, such as Creative Commons and GNU Public License, work within copyright law to grant these legal permissions.

Information on copyright from Lisa Macklin: http://www.affordablelearninggeorgia.org/documents/Copyright_Macklin_Slides.pdf

Creative Commons

Creative Commons (CC) licenses give everyone from individual creators to large companies and institutions a simple, standardized way to grant copyright permissions to their creative work. All CC licenses require attribution of the original work, and can optionally limit use to non-commercial, share-alike, and no derivatives. For a list of the licenses, visit the Creative Commons website: <https://creativecommons.org/licenses/>

Finding CC Materials

- MERLOT Advanced Search: <https://www.merlot.org/merlot/advSearchMaterials.htm>
- CC Search: <https://search.creativecommons.org/>
- Google Images (“Search Tools” > “Usage Rights”)
- YouTube (“Filters” > “Features” > Creative Commons)
- OER Commons (“Refine Your Search” > “Conditions of Use”)

Free Copyright Course

Kevin Smith, Lisa Macklin, Anne Gilliland
Copyright for Educators and Librarians
<https://www.coursera.org/learn/copyright-for-education>

Further Reading

Crews, Kenneth D., *Copyright Law for Librarians and Educators: Creative Strategies and Practical Solutions*. 3rd ed. Chicago: American Library Association, 2012.

Hirtle, Peter B., Emily Hudson, and Andrew T. Kenyon. *Copyright and Cultural Institutions: Guidelines for Digitization for U.S. Libraries, Archives & Museums* (2009), Cornell University Library at <http://ecommons.cornell.edu/handle/1813/14142>

Stanford University Copyright and Fair Use: <http://fairuse.stanford.edu/internet-resources/>

University System of Georgia 6.3 Intellectual Properties Policy: <http://www.usg.edu/policymanual/section6/C352/>