

# 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](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/>