Overview of Copyright

Dr. C. Shamburg

This is a presentation for my online Educational Technology courses
Intellectual Property

Copyright is one form of protection for intellectual property. The other legal protections are Trademarks and Patents.
What is Copyright

A copyright gives the owner the exclusive right to reproduce, distribute, perform, display, or license his work.
When Does it Begin?

• Copyright begins once the work is put into a ‘fixed form’. You cannot copyright an idea, but you can copyright the articulation of an idea.

• Copyright is automatic as soon as the form is fixed, i.e. written down, filmed, etc.—you don’t need to register your work or even add the © sign (you have the right to add it to any of your original material—including papers, emails, etc..)
For more information on copyright law...

• Go to the Cornell Law Center
  http://www.law.cornell.edu/topics/copyright.html
The Principle of Copyright

- Copyright ensures a profit for the creator of intellectual property. It has a limited time to ensure the public use of that intellectual property. Generally, a copyright lasts 70 years after the death of the author. However, because of changing laws, there is variance on the time. For more information, go to Wikipedia’s definition of the Copyright Term Extension Act

http://en.wikipedia.org/wiki/Sonny_Bono_Copyright_Term_Extension_Act
Public Domain

Any work or image that is not copyrighted or with an expired copyright is in the public domain.

For example:

- US Government documents are not copyrighted

- Works of authors who are long dead like Shakespeare, Twain, etc.
Fair Use

- Under certain circumstances, you may use copyrighted work without seeking the copyright holder’s permission. There are no hard rules, but rather a consideration of four factors—this is called FAIR USE. It is very important in education because teachers are some of the biggest benefactors of fair use.
Four Factors of Fair Use

• Character of the Use
• Nature of the Material to be Copied
• Amount and Importance of the Part Copied
• Effect on Market for Permissions
For more information on fair use, go to the Princeton University Library

- [http://infoshare1.princeton.edu/reserves/libcitcopyright.html#genfair](http://infoshare1.princeton.edu/reserves/libcitcopyright.html#genfair)
Special Exceptions for Online Learning—The Teach Act

• In November 2002, The TEACH (Technology, Education and Copyright Harmonization Act) Act was passed. This act eliminated the need to get permissions or pay royalties for copyrighted materials for online education---under certain circumstances.
More information on the Teach Act

For more information, go to the American Library Association’s Article of the TEACH Act

http://www.ala.org/washoff/teach.html
There is an exciting movement to create a sliding scale of permissions for the use of intellectual property. In this movement, copyright holders give different levels of permission to use their material.

Creative Commons is a leader in this effort.
http://www.creativecommons.org
The End