



# Educational Technology Department

## Overview of Copyright

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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..)



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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](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**



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For more information on fair use, go to the Princeton University Library

- <http://infoshare1.princeton.edu/researches/libcitcopyright.html#genfair>



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# 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.



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# 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>



# Creative Commons

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>



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The End