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# Copyright 101

Here are some general points to copyright ownership:

- Simply purchasing a piece of literature or piece art does not give purchaser copyright privileges
- Both published and UNPUBLISHED works can be protected by copyright
- In order to be protected by copyright laws, the owner is not required to register said work; when a piece of work is created into a hard copy or recorded for the first time (on or after January 1, 1978), it is automatically protected under copyright laws
- Notice to the public that a piece of work is protected under copyright is not required
- Copyright protects the author(s)/creator(s)' work during their lifetime plus 70 years after their death(s)
- "International copyright" protections do not exist; copyright laws are subject to said country's laws

For an overview on Copyright laws, go to [Copyright Basics](#).

For a detailed list of copyright laws, see [Copyright Law of the United States](#).

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## Copyright: What does it mean?

The legal right to be the only one to reproduce, publish, and sell a book, musical recording, etc., for a certain period of time

-Merriam Webster.com

## History of Copyright:

Copyright laws were created in England to protect the author and publisher's works. These works could not be reproduced without the author or owner's permission.





-Association of Research Libraries

# Fair Use

**Fair Use**  
A source may be used without permission from the owner or author if the source you are using falls into these

**4 Guidelines**

**If you are using the source in these manners:**

-  A teaching tool, face to face or at nonprofit educational institution
-  Fact based or out of print
-  Only a portion
-  No negative effects on the value of the work

Remember, these are only guidelines, not strict rules. Weigh each guideline as if you were the owner or author of the source and if you deem it falls under the Fair Use guidelines, it is probably safe to say the source may be used as you plan.

Still unsure? Here is a [checklist created by the Columbia University Library](#) to help you determine if you are using a source in accordance to Fair Use.

A more interactive tool is the [Fair Use Evaluator/Decision Tool](#).

View a fact sheet from Copyright.gov on [Fair Use](#).

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The Fair Use Checklist from the Columbia University Library contains a Creative Commons License. The Fair Use Checklist was created by Kenneth D. Crews and Dwayne K. Butler.



The Fair Use Evaluator/Decision Tool contains a Creative Commons License. The Fair Use Evaluator/Decision Tool was created in 2008 by [Michael Brewer](#) & [ALA Office for Information Technology Policy](#).

# Creative Commons Licenses

The internet has become a valuable tool in education. New rules and permissions have been created to what and how these accessible ideas on websites can be used in any kind of setting.

What is Creative Commons?

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*"Creative Commons is a nonprofit organization that enables the sharing and use of creativity and knowledge through free legal tools."*

[-CreativeCommons.org/about](https://creativecommons.org/about)

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Creative Commons licenses have turned information sharing from "all rights reserved" to "some rights reserved." Creative Commons lets you work within your copyright preferences; allowing for your work to be shared or used on your terms.

Watch a [short introductory clip](#) on sharing.

Creative Commons Licenses are:

- CC BY
- CC BY-SA
- CC BY-ND
- CC BY-NC
- CC BY-NC-SA
- CC BY-NC-ND

To learn what these mean, go to [About the Licenses](#) and [Creative Commons Licenses](#).

Learn more about Creative Commons licenses and how it can help you in your classroom at [CreativeCommons.org](https://creativecommons.org).

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## A report about the State of the Commons

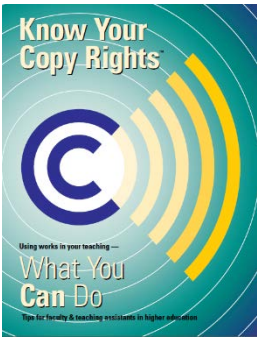
Creative Commons licenses allow for the author/creator's work and ideas on the internet to be distributed; according to their preferences.

Creative Commons licenses allows the world to be connected through ideas in ways that were impossible before.

Creative Commons licenses has protected public resources, requiring that information created by public funds be free, open and public to everyone. Three examples are the Trade Adjustment Assistance Community College and Career Training initiative (TAACCCT), the Hewlett Foundation and UNESCO.

Creative Commons is currently working to create *The List*, images that are not restricted by copyright. They are also working with the [Open Policy Network](#) and the [Institute for Open Leadership](#).

Read the [full report](#).



# Know Your Copy Rights: Tips for Faculty and Teaching Assistants in Higher Education

This helpful brochure will offer guidelines on how to use literature and other works in your classroom without violating copyright laws. An easy to read table is also included in the brochure.

(The brochure: *Know Your Copy Rights* is © 2007 Association of Research Libraries and is available for your re-use under a Creative Commons Attribution-NonCommercial 2.5 License (<http://creativecommons.org/licenses/by-nc/2.5/>))

Put your own work in an archive to share with your students. [SPARC Author Addendum](#) can help you!

## Copyright terms

: Subject to the conditions of using a particular source, copyright sources may be used without consent of author or owner

**Public Domain:** Any source in the public domain may be used without consent of author or owner

**Creative Commons Licenses:** Specifically used for internet websites, the creator or author of the website will state how their source can be used (copy only, allowance of distribution, to display, to perform)

**Open Access Works:** Internet sources that do not have licenses, require a password to access and do not have technical restrictions

Here are a few quick tips from the brochure:

- Instead of making copies, simply give your students the webpage link
- Check with your library; they may have a subscription to your source
- Depending on four factors, you may use a source in your classroom under the “Fair Use” provision
- Copyright protection expires 70 years after the death of the author and the work then falls into the public domain
- Anything created by the US Government falls into the public domain
- Showing a movie, TV show, performance or work of art for in person teaching at a nonprofit educational institution is allowed

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# Showing Videos in Face to Face Classrooms

Any kind of video being shown in a teaching environment, face to face, in a nonprofit educational institution and has been legally obtained does not need permission from the owner or the author to be shown. Read for a more [detailed explanation](#).

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*Remember!!! Copyright law differs between face-to-face teaching situations and online classrooms*

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## A Framework for Analyzing any Copyright Problem

This document helps instructors work through five questions in order to determine if you are violating copyright law.

[A Framework for Analyzing any Copyright Problem](#), was created by Kevin Smith (JD, MLS), Lisa A. Macklin (JD, MLS Director), and Anne Gilliland (JD, MLS) for their *MOOC Copyright for Educators & Librarians*, (7/21/2014 – 8/18/2014). (This handout is subject to the Creative Commons Attribution – ShareAlike 4.0 International License (<https://creativecommons.org/licenses/by-sa/4.0/>))

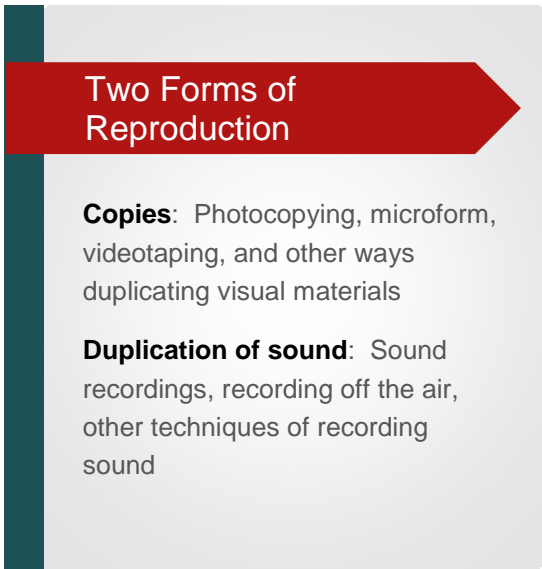
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# Reproduction of Copyrighted Works by Educators and Librarians

The [Reproduction of Copyrighted Works by Educators and Librarians](#) will help you further with using sources for in class teaching and for your students.

For educators, what is most important in this information packet will be reproducing sources for teaching in educational institutions at all levels.

Here is a guide for the packet:

- The two different forms of reproduction on page 1.

The graphic is a light gray rectangle with a dark teal vertical bar on the left. A red arrow points from the left towards the text. The text is organized into two sections: 'Copies' and 'Duplication of sound'.

**Copies:** Photocopying, microform, videotaping, and other ways duplicating visual materials

**Duplication of sound:** Sound recordings, recording off the air, other techniques of recording sound
- The five fundamental rights of copyright owners on pages 2 to 3.
- When infringement takes place on page 3.
- The difference between “reproduction” and “display” on page 3.
- Limitations of Fair Use on pages 3 to 5.
- Summary of reproducing sources in a teaching environment on page 5.
- *Guidelines with Respect to Books and Periodicals* on pages 5 to 7; includes Multiple Copy use, definitions of sources, prohibitions, and guidelines to music.
- *Guidelines for Educational Use of Music* on page 7 to 8.
- Who constitutes as a “teacher” on page 10.
- Educational needs of the deaf and hearing impaired on page 10.
- *Reproduction by Libraries and Archives* from page 10 to 20.
- *Liability for Infringement* from page 21 to 23.
- *Guidelines for Off-Air Recording of Broadcast Programming for Educational Purposes* on pages 23 to 24.

Other helpful websites to visit:

National Technical Information Service (NTIS): [www.ntis.gov](http://www.ntis.gov)

Library of Congress: [www.loc.gov](http://www.loc.gov)

Copyright Office: [www.copyright.gov](http://www.copyright.gov)

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# What is not protected by Copyright law

There are documents that are not protected by copyright law. They are:

- Any form meant to document or record information
- Names
- Phrases
- Formatting, design and the configuration of a document; such as calendars, tables, charts, etc.

To read more on what is not protected by copyright law, go to [Works Not Protected by Copyright](#).

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## Requesting Permission

If at last you determine that you need permission from the owner or the author to use a source in your classroom, there are two easy steps according to [How to Obtain Permission](#) from [Copyright.gov](#):

1. Research the copyright status of source
2. Contact the owner of the copyright

To further help you in requesting permission, here is a [sample letter](#) of a request to obtain permission to use a specific source.

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## NTC Policy on Copyright

Here is a link to NTC's Policy on Copyright: [Policy 266 Copyright](#).

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# NTC Library Resources

You may share or post a link to any online NTC Library resource as our online collection is negotiated to include access for all NTC staff and students. Off campus users will be required to authenticate their identity using a NTC username and password.

You may also embed videos from our  and [Intelecom](#) subscription into Blackboard courses.

NTC Library resource passwords must be limited to current NTC staff and students use.

Please contact the library if you have questions at 715-675-3331 ext. 1055 or [aldrich@ntc.edu](mailto:aldrich@ntc.edu).

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## TEACH Act

The Technology, Education, and Copyright Harmonization Act, also known as the TEACH Act, was passed in 2002 to revise certain sections of Copyright Law.

It changed the circumstances under which accredited, nonprofit educational institutions can use copyright materials without permission from owners and authors and without paying for permission to use.

**At this time, Northcentral Technical College has not implemented the TEACH Act, or Section 110(2) of the Copyright Law. NTC Instructors should not use the TEACH Act provisions to justify any use of copyrighted material.**

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# Questions?

Do you have a copyright question? Your question may be answered here: [\*Frequently Asked Questions about Copyright\*](#)

The above documents can be found at the [United States Copyright Office](#) website.

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## Additional Resources

[\*Applied Copyright: Find Media Online\*](#): A webpage containing links to websites containing media educators can use in their classrooms

[\*Complete Copyright for K-12 Librarians and Educators\*](#) by Carrie Russel: An e-book on copyright law; for K-12, but scenarios are also useful for a technical college setting.

[\*Copyright Plain and Simple\*](#) by Carol Besenjak: An easy to read, to the point e-book about copyright.

[Association of Research Libraries](#): A library resource in which you can learn more about copyright laws.

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