COPYRIGHT LAWS

What you need to know to avoid legal problems.
Copyright

- A right granted to the author or creator of a literary or artistic work published or not
- Also called intellectual property
- 1976 Copyright Act of US
- Creator retains the right to control copies, public presentations, sale, and distribution of their work.
Not protected by copyright

- Government Documents
- Ideas
- Facts
- Titles
- Names
- Short phrases
- Oral traditions such as rhymes and children’s games
- Copyright lasts until 50 years after the author dies.
Protected by Copyright

- Books, articles, poems, anthologies
- Pictures,
- Movies,
- Music,
- Software
- Web pages
- Diaries, memos, personal correspondence
Fair Use of One Copy

- Must be non-commercial
- Must be used for educational purposes such as criticism, comment, teaching, scholarship, research
- Must not harm the commercial value of the work
- No copying of works intended to be consumable such as standardize answer sheets, coloring books, workbooks, etc.
Fair Use of Multiple Copies

- Brevity—usually not more than 10% of a work.
- Spontaneity—individual teacher decides to use the work and there is not time to request permission.
- Cumulative effect—Uses only once, limit of 9 instance of multiple copying for each course during one class term.
Penalties for infringement of a copyright

- Civil—“statutory damages” which can reach as high as $100,000 per infringement.
- Criminal—fines and possible imprisonment if infringement was intentional.
Cautions

- Copyright notice © is not needed.
- Even if you correctly cite the work you may still infringe on a copyright.
- Works on the internet may be protected by copyright.
Educational Multimedia Projects

- Systematic learning activity by a teacher at a nonprofit educational institution
- Incorporate students’ or educators’ original material such as course notes or commentary along with copyrighted media formats combined in an integrated presentation.
Fair Use in Multimedia Projects

- Copyrighted material must be lawfully acquired—purchase, given, or license agreement
- Must include proper attribution and citation of the copyright holder
- Can be used for remote access over a secure network with technological limitations on access and provided that technology prevents making copies of copyrighted material.
Limitations of Fair Use for Multimedia Projects

- May use for up to 2 years
- Up to 10% or 3 minutes of motion media
- Up to 10% or 1000 words of text or poem of less than 250 words
- Up to 10% of music, lyrics, music video
- No more than 5 images by an artist or photographer
- Up to 10% or 2500 fields or cells of data