

Here's How You Can: Copyright & the Internet

Michael Ciri
Director, UAS IT Services

Conclusion...

“How can I use something legally?”

- Find a copy in the “public domain” (wikimedia, gutenber.org and appropedia.org/PDS)
- Find a “copyleft” version (search the Creative Commons)
- Obtain permission to use it.
- Check if your use is permitted under “Fair Use”
- Check if your use is permitted under the TEACH act
- “Buy” the right to use it (the cost may be cheap or free!)

But first, a few words about Peer-to-Peer (P2P) software

Ares, Ares Lite, Audiogalaxy, BearShare, BitTorrent, Blubster, Direct Connect, eDonkey2000 and Overnet, Freewire, Gnotella, Gnucleus, Grokster, GTK-Gnutella, iMesh, Kazaa Lite and Kazaa Lite K++, Kazaa Media Desktop, LimeWire, LordofSearch, Mactella, Morpheus, NeoNapster, OneMX, Phex, Piolet, Poisoned, Qtella, Shareaza, SoulSeek, SwapNut, TrustyFiles, Warez P2P, WinMX, XoLoX, etc., etc., etc., etc., etc.

If you have P2P software,
turn off sharing/uploading!

For a much longer discussion, see:

<http://www.eff.org/wp/how-not-get-sued-file-sharing>



Wikimedia Commons

commons.wikimedia.org

“Wikimedia Commons is a **media file repository** making available public domain and freely-licensed educational media content (images, sound and video clips) to all.”



Creative Commons

creativecommons.org

“Creative Commons is a **nonprofit** corporation dedicated to making it easier for people to share and build upon the work of others, consistent with the rules of copyright.

We provide **free** licenses and other legal tools to mark creative work with the freedom the creator wants it to carry, so others can share, remix, use commercially, or any combination thereof.”



Attribution

You let others copy, distribute, display, and perform your copyrighted work — and derivative works based upon it — but only if they give credit the way you request.



Share Alike

You allow others to distribute derivative works only under a license identical to the license that governs your work.



Noncommercial

You let others copy, distribute, display, and perform your work — and derivative works based upon it — but for noncommercial purposes only.



No Derivative Works

You let others copy, distribute, display, and perform only verbatim copies of your work, not derivative works based upon it.



Creative Commons Search

search.creativecommons.org

<http://search.creativecommons.org> will help you find photos, music, text, books, educational material, and more that is free to share or build upon utilizing Creative Commons enabled search services at [Google](#), [Yahoo!](#), and [Flickr](#). You can also access this tool via the [Firefox web browser](#).

Examples

- Looking for a picture of a giraffe for a school report? Type "giraffe," choose the Flickr tab, and [see what you find](#).
- Interested in music free to download and put in a movie? Type the kind of music you're looking for, choose the Google or Yahoo! tabs, and browse results from across the web.
- Try it out. Look for books, weblogs, audio recordings, and more.
- You can also browse specific repositories of Creative Commons licensed content by clicking on [Content Directories](#).

Excerpted from: <http://wiki.creativecommons.org/CcSearch>

The Doctrine of Fair Use

- First, try to obtain permission. Really.
- Failing this, the “Fair Use” doctrine allows for legal use of works without obtaining permission from a copyright holder.

Fair Use: 4 factor balancing act

1. What is the character of the use?

Good answers: “Not for profit & educational”

2. What is the nature of the work to be used?

Good answer: “published”

3. How much of the work will you use?

Good answer: “10% or 3 minutes, whichever is less.”

4. What effect would this use have on the market for the original or for permissions if the use were widespread?

Bad answer: “it would take \$\$ away from the copyright holder”

The TEACH Act

- The TEACH Act allows students (and instructors) to use materials without permission.
- The act does not apply to all works or in all instances.
- Consult the worksheet, or better, talk to a reference librarian.

Commercial Sites

- Music
 - MySpace Music, iTunes radio, Pandora, etc. etc. etc.
- Video (TV and Movies)
 - Netflix, NBC.com, comedycentral.com, YouTube, etc. etc. etc.

When in doubt...

- Egan Library reference desk
796-6502 (local)
or 1-877-465-4827 ext. 6502 (toll free)
- IT Helpdesk
helpdesk@uas.alaska.edu
796-6400 or 1 877 465-6400
- Media Services 796-6314

Conclusion...

“How can I use something legally?”

- Find a copy in the “public domain” (wikimedia, gutenber.org and appropedia.org/PDS)
- Find a “copyleft” version (search the Creative Commons)
- Obtain permission to use it.
- Check if your use is permitted under “Fair Use”
- Check if your use is permitted under the TEACH act
- “Buy” the right to use it (the cost may be cheap or free!)