Copyright Law Basics

- Protects a creator's rights to control the reproduction, distribution, public performance, digital transmission, and creation of derivative works (movies, plays, etc.) of creative works.
- Some limits to those exclusive rights exist for educational use, libraries, disability services, and other purposes.
- Guidelines exist to help inform compliance. Some are government-endorsed (e.g. CNTU), while numerous others are best practices shared by professional associations.
- Copyright law applies to materials found online as it does to print books, print journal articles, CDs, DVDs, and other materials.

Fair Use

- Much education use falls under the Fair Use limit to copyright, but classroom use and research are not automatically Fair Use.
- Fair use is determined by considering four factors. Various Fair Use checklists are available online to help you make your decision.
- Linking to online resources and referring to materials rather than copying and distributing them removes most copyright concerns.
- Print handouts, including use on PowerPoint slides, have a three-part test to determine Fair Use. Copyright notices and full citations should always be provided for any work used.
- Ownership of rights for faculty and students can be complicated. ECU's Copyright Office can help interpret these restrictions to see if there are any uses permitted.
- Brevity: Only small portions should be used; just enough. The ECU Libraries can also make electronic materials easily available.
- The ECU Libraries can help place links to online articles, e-books, and streaming media available through library databases on your Blackboard course pages.
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- Only enrolled students and the instructor are in the classroom. On-campus performances and presentations to groups, and facilitated discussions are also available from ECU students, faculty, and staff. Individual consultations, group presentations, and slides, created (e.g. the movie and music are owned separately).
- Read carefully the terms of use of sites or products from which desired materials can be more complex to identify current rights holder must be contacted directly.
- The libraries can help place links to online articles, e-books, and streaming media available through library databases on your Blackboard course pages or course/subject library resource guides.
- Use for non-curricula (e.g. club meetings and entertainment) does not need public performance rights obtained.

Library Course Reserves

- The ECU Libraries can place physical library materials and personally owned physical materials on course reserve (e.g. books, DVDs, and kits) for student use. Ask the libraries for details.
- The libraries can print scan book chapters and print articles to be placed on your Blackboard course pages.
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- You do not need 'public performance rights' for classroom use.
- Use for non-curricula (e.g. club meetings and entertainment) does not need public performance rights obtained.

Retaining Rights to Your Publications

- Ownership of rights for faculty and students can be complicated.
- Staff generally have no rights to any materials created as part of their job or using ECU equipment.
- Many publishers and journals ask you to sign over your copyright to them to publish your work. Do this only if you are sure it is in your best interest.
- For instance, it is tempting to use your personal Netflix, Hulu, Amazon Prime, YouTube, or other such service account to share video material to classes. While showing videos to your personal classes is permitted under copyright, the terms of those sites require you to obtain, personal, private home viewing or other similar private uses. No allowance is made for classroom showings or other educational or public uses.

Obtaining Permissions

- The Copyright Clearance Center (copyright.com) can often provide rights for use from many publishers and journals. The CCR shows what uses are permitted and can process royalty payments for them.
- If the CCR does not process copyright for the desired material, the current rights holder must be contacted directly.
- Journal publishers often own rights to articles. Authors of books usually own their rights. Videos, sound recordings, art, and other materials can be more complex to identify since multiple owners are typically involved (e.g. the movie and music are owned separately).
- A simple email or letter requesting use is usually all that is needed. Explain what is wanted to be used, who, how, when, and for whom. Some rights holders might have forms or contracts, but some simply reply by email or letter with approval.
- If use is granted, save any documentation that proves that you received permission, including any payment receipts.
- If permission is refused, you might paraphrase and cite, refer to the work without reproducing it, or use another source.
- Terms of Use, EULAs, & Licenses
- Some educational and personal uses that are allowable under copyright law are not permitted by website Terms of Use, software EULAs (end user license agreements), and other licenses or contracts that are either passively or actively agreed to by accessing materials.
- Read carefully the terms of use of sites or products from which desired materials might be taken to show or distribute to a course or reproduce in your publications, whether print or online. Violation of terms might result in loss of ability to use the site or legal consequences.
- ECU's Copyright Office can help interpret these restrictions to see if they apply to your intended use.
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Retaining Rights When Posting Online

- Read carefully the website’s terms of use to determine, your rights to your documents, photos, videos, and statements. Some sites claim ownership while others claim some rights to your works when you use their service.
- Consider using Creative Commons licenses to explain easily what rights you wish to exercise (if any) to works you post online. CC licenses may also be placed on printed materials.

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- If the CCR does not process copyright for the desired material, the current rights holder must be contacted directly.
- Journal publishers often own rights to articles. Authors of books usually own their rights. Videos, sound recordings, art, and other materials can be more complex to identify since multiple owners are typically involved (e.g. the movie and music are owned separately).
- A simple email or letter requesting use is usually all that is needed. Explain what is wanted to be used, who, how, when, and for whom. Some rights holders might have forms or contracts, but some simply reply by email or letter with approval.
- If use is granted, save any documentation that proves that you received permission, including any payment receipts.
- If permission is refused, you might paraphrase and cite, refer to the work without reproducing it, or use another source.
- Terms of Use, EULAs, & Licenses
- Some educational and personal uses that are allowable under copyright law are not permitted by website Terms of Use, software EULAs (end user license agreements), and other licenses or contracts that are either passively or actively agreed to by accessing materials.
- Read carefully the terms of use of sites or products from which desired materials might be taken to show or distribute to a course or reproduce in your publications, whether print or online. Violation of terms might result in loss of ability to use the site or legal consequences.
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- Consider using Creative Commons licenses to explain easily what rights you wish to exercise (if any) to works you post online. CC licenses may also be placed on printed materials.