

# Copyright Issues



## Graphics on the Web

Copying text, graphics, animation, sound, and HTML code from the Internet is easy to do. Because it's so easy to do, it raises some copyright issues you should be aware of. Some of the copyright laws that apply to printed material don't necessarily apply to digital media. As a result, there are many differing opinions on what is legal and what is not.

A common situation on the Internet is to be making web pages and seeing images you would like to use on your own page. It is very easy to make a copy of an image and save it to your disk or hard drive to be used on your own page. These images are not necessarily free to all takers: many are copyrighted or have strict provisions about how they should be used (e.g. only on noncommercial sites, or only by members of a certain group, etc.) It is important to check with the creator of a site to see what restrictions exist. The creator may not necessarily own the image, but he or she could put you in touch with the person who does.

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## The Bottom Line

1. You may freely use a work if it:

- lacks originality.
- logical, comprehensive compilations (like the phone book)
- unoriginal reprints of public domain works is in the public domain.
- is Freeware (not shareware, but really, expressly, available free of restrictions-ware).
- is US Government work.
- is a known fact.
- is an Idea, process, method, or system described in a copyrighted works.

The presence or absence of a copyright notice no longer carries the significance it once did because the law no longer requires a notice. Older works published without a notice may be in the public domain, but for works created after March 1, 1989, absence of a notice means virtually nothing.

2. If the work is protected, what are owner's exclusive rights and what am I prohibited from doing?

- You cannot make a copy (reproduce the work).
- Use the work as the basis for a new work (create a derivative work).
- Electronically distribute or publish copies of the work (distribute a work).
- Publicly perform the work (music, prose, poetry, a drama, or play a video or audio tape or a CD-ROM, etc.).
- Publicly display an image on a computer screen or otherwise (publicly display a work).

3. Do the Multimedia Fair Use Guidelines exempt me from having to ask permission to use a work protected by copyright?

No. The law has NOT been written. These are guidelines. Someone with a good lawyer can sue you or the University. The best policy is to ask permission: 90% of the time you will receive permission to use the material. If you are turned down, use something else. If you don't receive a reply, and you have made a good faith effort to contact the owner, you will probably be safe if you use the material according to the Fair Use Guidelines.

- Fair use
- Library's special rights
- Educational performances and displays

Copyright Issues for Academics

<http://www.oid.ucla.edu/fnmc/fairuse.htm#Bottom>

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## • Citing Electronic Resources

This is a guide for citing electronic resources.

<http://www.wilpaterson.edu/wpcpages/library/citing.htm>

- **Citing Internet Resources**

Appearing on the Classroom Connect's website, examples are given for citing Internet resources.

<http://www.classroom.net/classroom/CitingNetResources.html>

- **Copyright Website**

An award winning site that will answer any question you may have about copyright.

<http://www.benedict.com/>

- **Keeping it Legal: Questions Arising out of Web Site Management**

Written by Jamie McKenzie, this well informed article offers issues that all school website managers should research.

<http://www.fno.org/jun96/legal.html>

- **Ten Big Myths About Copyright Explained**

As you begin collecting resources for your web page, whether on the Internet or from your own students, having a basic understanding of what you can and can't legally do will be valuable to you.

<http://www.clari.net/brad/copymyths.html>

- **Crash Course in Copyright**

Offers guidelines for fair use and creating multimedia presentations. It addresses the use of others' copyrights and the creation, ownership and management of our own copyrights. Easy to understand course on this complex topic.

<http://www.utsystem.edu/OGC/IntellectualProperty/cprtindx.htm>

