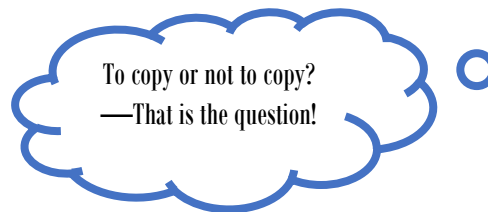




# : COPYRIGHT—



## What is Copyright?

Copyright is a form of protection given to the authors or creators of "original works of authorship," including literary, dramatic, musical, artistic and other intellectual works. What this means to a volunteer is that you should not make copies of anything that says it is copyrighted and -----shouldn't be copied unless given the right by the publisher. The exception to this is when teachers or schools have purchased the material and thus have been giving the right to copy.

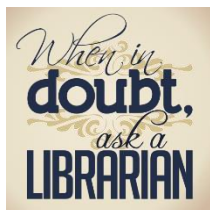
## Which Works Are Not Protected by Copyright?

Not everything is protected by copyright law. The following are categories of things not protected:

- Ideas, procedures, methods, systems, processes, concepts, principles, discoveries, or devices, (but written or recorded descriptions, explanations, or illustrations of such things are protected copyright);
- Titles, names, short phrases, and slogans; mere listings of ingredients or contents (but some titles and words might be protected under trademark law if their use is associated with a particular product or service);
- Works that are not fixed in a tangible form of expression, such as an improvised speech or performance that is not written down or otherwise recorded;
- Works consisting entirely of information that is commonly available and contains no originality (for example, standard calendars, standard measures and rulers, lists or tables compiled from public documents or other common sources); and
- Works by the US government.

## What is Copyright Infringement?

Anyone who exploits any of the exclusive rights of copyright without the copyright owner's permission commits copyright infringement. If a lawsuit is brought in a court, the infringer will have to pay the copyright owner the amount of money the infringer made from using the work or that the owner would have made if the infringement had not happened. If the copyright is registered with the U.S. Copyright Office, the infringer may also have to pay copyright owner what's called statutory damages -- an amount set by the judge that will usually be higher. In addition, an infringer may be found guilty on criminal charges and have to pay criminal penalties. Moreover, the infringer will also be stopped from making any further use of the work.



# CAN I USE THIS?

*Understanding Copyright Law & How to Avoid Infringement in the Commercial Arts*

IF YOU SEE THE COPYRIGHT SYMBOL, THINK TWICE.

*Always assume a work is protected by copyright unless you find explicit mention otherwise.*

*Ask these questions:*

## 1 WHO OWNS IT?

*Is it in the public domain, or does it have an owner? If someone is claiming the copyright to a given work and you don't have explicit permission, using it may be infringement. Can you contact the owner? Get permission!*

## 2 WHEN WAS IT PUBLISHED?

*Copyrights do expire, eventually. Works published before 1922 are in the public domain. Generally speaking, if all renewals were filed properly, most copyrights last 95 years from the date of publication.\**

## 3 HOW ARE YOU USING IT?

*Exceptions can be made under Fair Use, if you're making a parody of a work, using only a small portion of a work, or transforming a work in to something new. Be careful; there are no strict guidelines for determining how fair "Fair Use" really is.*



## TECHNOLOGY & LEARNING

# Copyright and Fair Use Guidelines for Teachers

This chart was designed to inform teachers of what they may do under the law. Feel free to make copies for teachers in your school or district, or download a PDF version at

[www.techlearning.com](http://www.techlearning.com). More detailed information about fair use guidelines and copyright resources is available at [www.halldavidson.net](http://www.halldavidson.net).

Medium	Specifics	What you can do	The Fine Print
Printed Material (short)	<ul style="list-style-type: none"><li>• Poem less than 250 words; 250-word excerpt of poem greater than 250 words</li><li>• Articles, stories, or essays less than 2,500 words</li><li>• Excerpt from a longer work (10 percent of work or 1,000 words, whichever is less)</li><li>• One chart, picture, diagram, or cartoon per book or per periodical issue</li><li>• Two pages (maximum) from an illustrated work less than 2,500 words, e.g., a children's book</li></ul>	<ul style="list-style-type: none"><li>• Teachers may make multiple copies for classroom use, and incorporate into multimedia for teaching classes.</li><li>• Students may incorporate text into multimedia projects.</li></ul>	<ul style="list-style-type: none"><li>• Copies may be made only from legally acquired originals.</li><li>• Only one copy allowed per student.</li><li>• Teachers may make copies in nine instances per class per term.</li><li>• Usage must be "at the instance and inspiration of a single teacher," i.e., not a directive from the district.</li><li>• Don't create anthologies.</li><li>• "Consumables," such as workbooks, may not be copied.</li></ul>
Printed Material (archives)	<ul style="list-style-type: none"><li>• An entire work</li><li>• Portions of a work</li><li>• A work in which the existing format has become obsolete, e.g., a document stored on a Wang computer</li></ul>	<ul style="list-style-type: none"><li>• A librarian may make up to three copies "solely for the purpose of replacement of a copy that is damaged, deteriorating, lost, or stolen."</li></ul>	<ul style="list-style-type: none"><li>• Copies must contain copyright information.</li><li>• Archiving rights are designed to allow libraries to share with other libraries one-of-a-kind and out-of-print books.</li></ul>