Fall 2016 – SOWK 305 – Outcome 4 – describe copyright

After this session, students will be able to describe copyright.

Directions

1. Working on your own, read the below background reading and answer the exercise questions.
2. Working as a group, discuss your answers and thoughts about the material.
3. Formulate a list of the most important points your group believes the rest of class should know.
4. Turn in your sheet at the end of class.

Background Reading

What is Copyright?

Copyright is a form of protection grounded in the U.S. Constitution and granted by law for original works of authorship fixed in a tangible medium of expression. Copyright covers both published and unpublished works.

What Does Copyright Protect?

Copyright protects original works of authorship including literary, dramatic, musical, and artistic works, such as poetry, novels, songs, computer software and architecture. Copyright does not protect facts, ideas, systems, or methods of operation, although it may protect the way these things are expressed.

Excerpt taken from the United States Copyright Office website: http://www.copyright.gov/help/faq/faq-general.html#what

Copyright: Your College Career and Beyond

Adapted from Purdue University’s Copyright Office: https://www.lib.purdue.edu/uco/files/College%20Career%20and%20Beyond.pdf

Copyright is complex; therefore, we have highlighted the parts of the law that are most relevant to the kinds of activities you will engage in as a student. Most importantly, we hope that the information presented here will encourage you to consider copyright law by remembering to ask yourself, “Am I violating copyright law if I…?” as you write and research in your role as a student, as well as when you use the Internet as a means of communicating with others. Copyright law will continue to be important even after you obtain your degree.
**What can and cannot be copyrighted?**

The word *works* refers to a wide range of materials, not just written ones. *Works* are considered protected by copyright law from the moment they are created—even if the copyright symbol © is not present. Works that are not copyrightable include: ideas; procedures; methods; systems; titles; names; or slogans.

**What about works on the Internet?**

Just because a work is freely available to the public on the Internet does not mean it is in the public domain. It is critical that you assume all information on the Internet is protected by copyright unless otherwise specifically indicated. One way an author can indicate his/her permission to use a work without having to obtain explicit permission is by assigning it a Creative Commons license. For more information about Creative Commons licenses, please see [http://creativecommons.org](http://creativecommons.org).

**Are there exceptions to the copyright law in higher education?**

Copyright law does provide some exceptions for educational activities. One such exception is known as *fair use*. *Fair use* allows you to use copyrighted works without seeking permission provided that all of the following apply:

- the use is for educational purposes
- the work is more factual than creative
- only a small amount of the work is used
- it is not something you would normally purchase

Works you use in preparation of academic materials that you will submit to your professors are many times covered under the *fair use* provision. However, you could risk violating copyright laws once you broaden the scope of your audience beyond the classroom setting—for example, by posting your work on the Internet where anyone can access it.

**Research Papers**

You should be aware that copyright infringement and plagiarism are different but both can have serious consequences personally and academically. Plagiarism occurs when you fail to properly cite the source of
your information—in effect you claim the work of another as your own. Copyright, on the other hand, can occur when you use too much of the work without seeking permission from the copyright owner even if you have cited the source. Consider the following dos and don’ts.

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<tr>
<td>• Use your library databases as research tools rather than simply Googling for sources and information.</td>
<td>• Copy entire papers.</td>
</tr>
<tr>
<td>• Properly and completely cite your sources.</td>
<td>• Post your finished papers on a non-academic, non-password protected website.</td>
</tr>
<tr>
<td>• Consult your instructor or a librarian for assistance if you are unsure about citing sources or about following copyright law.</td>
<td>• Assume that just because you cited a source you are not violating copyright law.</td>
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**Presentations**

Generally, if your classroom-related presentation materials are text-only, you can be fairly certain you have not violated copyright. However, many times you will want to use copyrighted images, music, and video to make your presentations more interactive and interesting. Whether or not you are violating copyright will depend on who you are sharing the presentation with and where it is being presented. Consider the following as you prepare and present your work.

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<td>• Know who your audience is and add or delete works as necessary. Re-evaluate your use of works as your audience broadens (i.e. from the classroom to the web).</td>
<td>• Post your finished presentation on a non-academic, non-password protected website unless you remove all copyrighted images, videos, or songs before doing so.</td>
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<td>• Use short clips of music or video rather than entire songs or movies.</td>
<td>• Distribute print copies of your presentation with copyrighted images included.</td>
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<tr>
<td>• Utilize the subject expertise of your librarians.</td>
<td>• Use illegal download procedures to obtain the music, videos, or images you want to use in your presentation.</td>
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**Exercises**

**True | False**

Respond to the following multiple choice and True/False questions.

1. Which of the following items is **not** protected by copyright laws?
   a) An innovative chart in a text book
   b) A poster published by a text book company showing a chart and creative descriptions of the photosynthesis process
   c) A Body Mass Index (BMI) chart in your doctor’s office.

2. Your instructor has assigned a text book for a course. You—as well as a number of other classmates—have not received your book yet. One of your classmates offers to make copies of the first two chapters for all of those without a book. Doing so **would** comply with copyright law.
   True | False
   Explain your reasoning:

3. A student has decided to use a portion of John F. Kennedy’s “We choose to go to the moon” speech for a class presentation. Afterwards, she uploads the presentation to her personal webpage. This is an example of fair use.
   True | False
   Explain your reasoning:

4. Works that exist within Creative Commons may be used without fear of violating copyright law.
   True | False
   Explain your reasoning:

5. Copyright law protects:
   a) Tangible property
   b) Intangible property
   c) The name of a particular good or service
   d) Ideas contained in varied forms of expression

**Discussion Questions:**

1. In a 2013 TedTalk, attorney and Creative Commons political activist Lawrence Lessig asserted that copyright was a “law that chokes creativity.” How might copyright restrict or ‘choke’ creativity? What are the advantages? Disadvantages?

2. Copyright infringement in the music industry is common. Discuss a case you are familiar with where one musician ‘borrowed’ from another musician. What is your perspective on this type of ‘borrowing?’ Is it creative inspiration or creative theft?
What should the rest of class know?
Prepare a brief list of key points your group believes the rest of the class must know.

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What do you still need?
After doing all of this, what do you still have questions about?
Notes for Group Presentations

Group 1 – define and detect plagiarism

Group 2 – define examples of intellectual property

Group 3 – describe copyright

Group 4 – describe why citing the work of others is important

Group 5 – identify the elements of citations for journal articles and books

Group 6 – construct citations

Group 7 – employ citations to locate a resource