Choices by Design, a Primer:
Finding and Using Openly Licensed Resources
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(I am not an attorney. This presentation does not constitute legal advice.)
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An invitation to learn about:

1. Copyright basics
2. What’s does openly-licensed mean?
3. Citing others’ work (aka “attribution”)
4. Finding openly-licensed works
Can it be copyrighted?

Yes

- Literary works, musical, and dramatic works
- Choreographical & pantomime & works
- Pictorial, graphic and sculptural works
- Sound recordings
- Motion pictures and other audiovisual works
- Computer programs
- Architectural works

No

- Ideas, procedures, and methods
- Titles, names, slogans (may be trademarked)
- Facts, news, and research data
- Works in the public domain
  [http://librarycopyright.net/resources/digitalslider](http://librarycopyright.net/resources/digitalslider)
- Unrecorded, unwritten, un“fixed” works
Copyright Basics

Copyright holder’s exclusive rights (life + 70 years)

• Reproduce
• Distribute
• Publically perform
• Publically display . . . the work
• Publically perform sound recordings by means of a digital audio transmission
• Create derivative works

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Copyright Exemptions

Chapter 17 of U.S. Code

- Section 107: Fair use
- Section 108: Library copying
- Section 109(a): First sale doctrine
- Section 109(c): Exemption for public displays
- Section 110(1): Displays/performances in face to face teaching
- Section 110(2): Displays/performances in distance learning
- Section 117: Computer software
- Section 120: Architectural works
- Section 121: Special formats for persons who are blind or have other disabilities

Also valuable (but not an exemption): Documentation of how you arrived at the exemption you used – that you acted “in good faith”

Case Law

- Transformative use
You **may want to** (legally) ...

- Reproduce
- Distribute
- Publically perform
- Publically display
- Publically perform by means of a digital audio transmission, and/or
- Create derivations of . . .

. . . works for which **someone else** owns copyright
4 Ways to (legally) respond:

1) Obtain permission/license rights

2) Identify an exempt or fair use in U.S. Copyright law

3) Link to a website, library website, library reserves & eReserves

4) Use openly licensed materials or materials from the public domain
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How to attribute **openly licensed works**

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Finding openly-licensed works

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- Look for?
- Create, use & share?
Thank you! (and Questions?)