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Copyright Compliance with
Creative Commons and Open Educational Resources

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Virginia Tech Libraries

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An invitation to learn about:

1. Copyright, a few facts
2. Open licensing via Creative Commons
3. Overview of Creative Commons licenses
4. How to use openly-licensed materials
5. Finding openly-licensed works
6. How (and why) to openly license

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Copyright Basics

Works that can be copyrighted:

• Literary works, musical, and dramatic works
• Pantomime & choreographical works
• Pictoral, graphic and sculptural works
• Sound recordings
• Motion pictures and other audiovisual works
• Computer programs
• Architectural works

Works that cannot be copyrighted:

• 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 for life + 70 years

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

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Faculty Authors & VT Policy 13000

- VT employees own copyright to their “traditional works of scholarship” (unless they are “works for hire”)

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Copyright Basics

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– Public Domain (most US Gov works) and works with expired copyrights http://librarycopyright.net/resources/digitalslider

– Protected by Copyright (owned by someone else)

– Protected by Copyright (owned by YOU)

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Teaching Faculty 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
Ways to (legally) respond:

1) Obtain permission/license rights for use of copyrighted materials

2) Identify an exempt or fair use under U.S. Copyright law
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: Documentation of the exemption you used – that you acted “in good faith”
5 Ways to (legally) respond:

1) Obtain permission/license rights for use of copyrighted materials

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

3) Utilize Library links, reserves & eReserves

4) Use materials from the public domain

5) Use openly licensed materials
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5 Ways to (legally) respond:

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

3) Utilize Library links, reserves & eReserves

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