Behind the Scenes of the Fair Use Week Exhibit

How We Made Our Copyright Decisions

Authors: Virginia Pannabecker, Robert Sebek, Anita Walz, Scott Fralin, Keith Gilbertson

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“Backstage” image by Pierluigi Dalla Rosa, via Flickr, CC BY-SA 2.0 license.
**Presentation Plan**

- Examples of copyright decisions from the Fair Use Exhibit Team, Virginia Tech, 2016
- Discussion
  - Questions about exhibit decisions
  - Participant experiences in using copyrighted materials
- Visit exhibit on the 2nd floor
Example 1 - Re-Upload of Video to Add Captions / Transcription

Re-Upload of “Fair(y) Use Tale” video by Professor Eric Faden to add captions / transcription
Received a notice of copyrighted content from YouTube and a request to approve ads.
Ads might appear on your video.

Copyrighted content was found in your video. The claimant is allowing their content to be used in your YouTube video. However, ads might appear on it.

VIEWING RESTRICTIONS

None

MONETIZATION

Monetized by claimant

If you agree with these conditions, you don’t have to do anything.

Learn more

Copyright details

<table>
<thead>
<tr>
<th>CONTENT</th>
<th>CLAIMANT</th>
<th>POLICY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rose Leaf Rag - Scott Joplin</td>
<td>CD Baby</td>
<td>Monetized by copyright owner</td>
</tr>
<tr>
<td>Sound recording</td>
<td></td>
<td>Remove song</td>
</tr>
<tr>
<td>8:50 - 9:50 play match</td>
<td></td>
<td>File a dispute</td>
</tr>
</tbody>
</table>
A Fair(y) Use Tale

Professor Eric Faden of Bucknell University created a humorous, yet informative, review of copyright principles delivered through the words of Disney characters -- an ironic bit of commentary given Disney's key role in lengthening copyright terms.

The video is licensed under a Creative Commons Attribution-Noncommercial-Share Alike 3.0 License.

Viewing options:

- Watch on YouTube
- Stream through the Stanford Fair Use Project
- Direct download
A Fair(y) Use Tale - Close Captioned

I believe this copyright claim is not valid because:

- I own the CD / DVD or bought the song online.
- I'm not selling the video or making any money from it.
- I gave credit in the video.
- The video is my original content and I own all of the rights to it.
- I have a license or permission from the proper rights holder to use this material.
- My use of the content meets the legal requirements for fair use or fair dealing under applicable copyright laws.
- The content is in the public domain or is not eligible for copyright protection.

[Continue]
A Fair(y) Use Tale - Close Captioned

Claims to dispute

- "Scott Joplin-Rose Leaf Rag", sound recording administered by: CD Baby

Reason for dispute

This video uses copyrighted material in a manner that does not require approval of the copyright holder. It is a fair use under copyright law.

Please explain briefly

This video was created by Eric Faden of Bucknell University: https://www.teachingcopyright.org/handouts/a-fair(y)-use-tale, and was licensed for reuse (in its entirety) as CC BY NC SA (Creative Commons attribution, non-commercial, share alike license). I have attributed the original source with a link to where this is a CC licensed law using it for...

I have a good faith belief that the claim(s) described above have been made in error, and that I have the right(s) necessary to use the contents of my video for the reasons I have stated. I have not knowingly made any false statements, nor am I intentionally abusing this dispute process in order to interfere with the rights of others. I understand that filing fraudulent disputes may result in termination of my YouTube account.

I understand that my video will be viewable by the claimant(s) so that they can review my dispute.

Type your full name to serve as your electronic signature

Virginia Pannabecker
A Fair(y) Use Tale - Close Captioned

Please verify the following information:

Claims to dispute

"Scott Joplin-Rose Leaf Rag", sound recording administered by:
CD Baby

Reason for dispute

This video uses copyrighted material in a manner that does not require approval of the copyright holder. It is a fair use under copyright law.

Explanation

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I have a good faith belief that the claim(s) described above have been made in error, and that I have the right(s) necessary to use the contents of my video for the reasons I have stated. I have not knowingly made any false statements, nor am I intentionally abusing this dispute process in order to interfere with the rights of others. I understand that filing fraudulent disputes may result in termination of my YouTube account. I understand that my video will be viewable by the claimant(s) so that they can review my dispute.

Signature
Virginia Pannabecker
Additional Examples

- Screenshots
- Book cover image
- CC License of Exhibit content
References

- “Celebrate Fair Use Week at VT,” interactive exhibit. Created and designed by: Virginia (Ginny) Pannabecker, Anita Walz, Robert Sebek, Keith Gilbertson, and Scott Fralin; Panel Design by: Robert Sebek; Exhibit Implementation by: Scott Fralin
- A Fair(y) Use Tale by Professor Eric Faden, CC Licensed CC BY-NC-SA 3.0 license
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  - Screenshots taken by Virginia Pannabecker using the Mac Grab utility application
Exhibit Tour!