



Copyright

US Copyright is a legal tool authors and creators use to signal what other people can – or cannot – do with their works.

Public Domain: Works are in the public domain once a defined period of copyright protection has lapsed, at which point they are no longer governed by copyright and can be freely used by anyone.

If you are using a work that is within copyright, but meets certain “fair use” criteria, courts have found that no formal permission is needed. The criteria that are taken into account include the purpose (e.g., educational and research uses favor fair use while commercial uses do not); the type (e.g., factual or nonfiction-based information may favor fair use; highly creative work likely will not); the amount (e.g., small quantities vs. a significant portion of the original work); and the effect (e.g., no negative impact on the copyright holder). <http://copyright.gov/circs/circ01.pdf>

Giving credit is no substitute for asking permission!

Creative Commons (recommended)
-CC0: a waiver (no license)
-CC-BY: attribution
-CC-BY-ND attribution, no derivatives
-CC-BY-NC: attribution, non-commercial
-CC-BY-SA: attribution, share alike
More: <https://creativecommons.org/>

What can copyright protect?

1. literary works
2. musical works, including accompanying words
3. dramatic works, including accompanying music
4. pantomimes and choreographic works
5. pictorial, graphic, and sculptural works
6. motion pictures and other audiovisual works
7. sound recordings
8. architectural works

What about my copyright?

Copyright for a work you author automatically belongs to you. However, copyright may not extend to research outputs you produce as part of your thesis or dissertation. For example, data is only thinly protected by copyright; specifically designating a CC license to accompany datasets (e.g., CC0) is a good approach for simultaneously sharing and protecting these outputs.

Resources

- NCA “Best Practices in Fair Use in Scholarly Research”
https://www.natcom.org/fair_use.aspx
- CAA “Code of Best Practices in Fair Use for the Visual Arts”
<http://www.collegeart.org/pdf/fair-use/best-practices-fair-use-visual-arts.pdf>
- Cornell University “Fair Use Checklist”
http://copyright.cornell.edu/policies/docs/Fair_Use_Checklist.pdf

