



# Get Creative (and stay legal):

## Copyright Compliance with Creative Commons and Open Educational Resources



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Anita Walz [arwalz@vt.edu](mailto:arwalz@vt.edu)

Assessment, Open Education & Online Learning Environments Librarian

October 20, 2014





Hello  
my name is

Anita Walz

Assessment, Open Education & Online Learning Environments Librarian

Virginia Tech Libraries

arwalz@vt.edu



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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



# Copyright Basics

Works that **can** be copyrighted:

- Literary works, musical, and dramatic works
- Pantomime & choreographical works
- Pictorial, 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>
- 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”)
- “...university rights are limited to free (no cost) use in teaching, research, extension, etc. in perpetuity”

# VT Faculty Author Rights

- The author is **THE** copyright holder unless you sign away your rights.
- As copyright owner, you have certain exclusive rights & control your work
- Authors who have transferred their copyright **without retaining any rights** may not be able to place the work on course websites, copy it for students and colleagues, deposit the work in a public online archive, or create derivatives.
- Consider using an Author Addendum to allow your work to be displayed and distributed, AND to retain some of your rights:  
<http://www.sparc.arl.org/resources/authors/addendum>

# Copyright Basics

In the U.S. works are divided into three categories

– 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**)



# 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 . . .



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**. . . 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

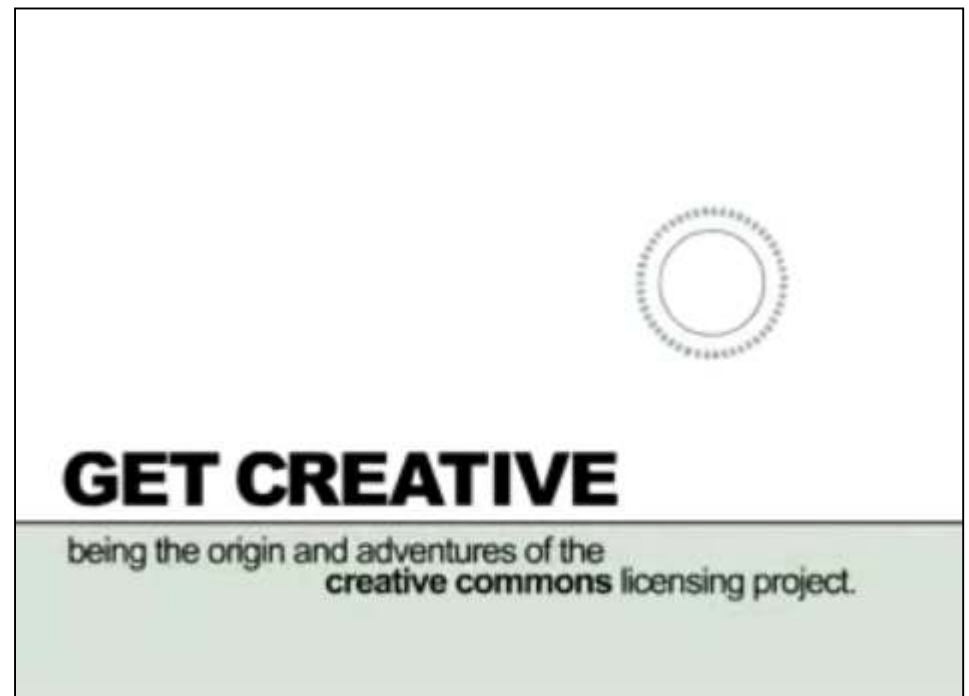
- Section 107: Fair use
- Section 108: Library copying
- Section 109(a): First sale doctrine
- Section 109(c): Exemption for public displays
- Section 110(1): Displays/performances in face to face teaching
- Section 110(2): Displays/performances in distance learning
- Section 117: Computer software
- 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

# Creative Commons Licenses



© Creative Commons [CC BY-NC-SA](https://creativecommons.org/licenses/by-nc-sa/4.0/)

<https://www.youtube.com/watch?v=io3BrAQl3so>

# 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 (CC, GNU...)

# Creative Commons License Symbols



## **Attribution**

Others can copy, distribute, display, perform and remix your work if they credit your name as requested by you



## **No Derivative Works**

Others can only copy, distribute, display or perform verbatim copies of your work



## **Share Alike**

Others can distribute your work only under a license identical to the one you have chosen for your work



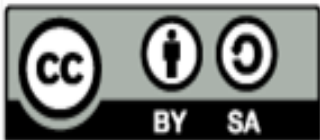
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Others can copy, distribute, display, perform or remix your work but for non-commercial purposes only.

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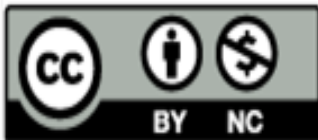
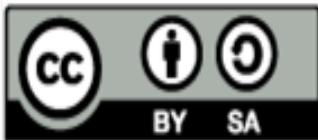


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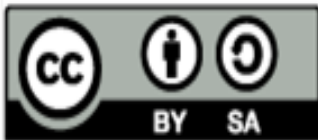


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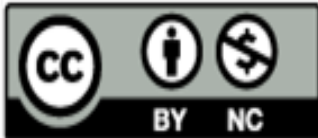
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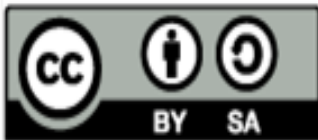


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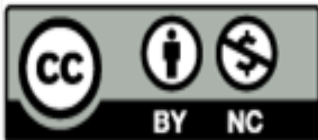
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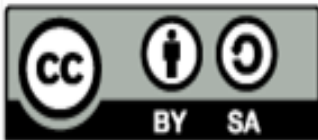


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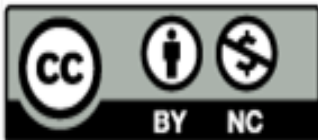
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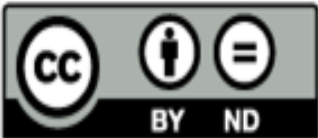
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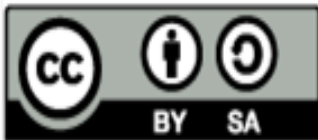


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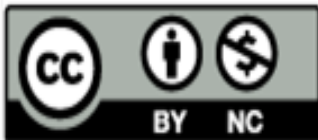
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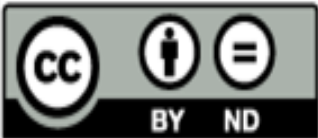
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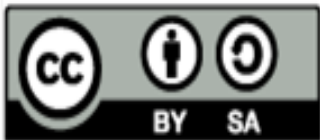


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# How to use **openly licensed** materials

Use of **ANY** and **ALL** Creative Commons licensed works **requires attribution**

- Credit the author or other parties (as they specify)
- indicate the title & URL of the work (if available)
- Indicate the license & URL of the license



## **Examples:**

"Copyright Camp" by Greg Grossmeier from <http://www.flickr.com/photos/grggrssmr/4846187035>, used under a Creative Commons Attribution-ShareAlike license: <http://creativecommons.org/licenses/by-sa/3.0> (Adapted)

OR

Adapted from "[Copyright Camp](#)" by Greg Grossmeier [CC BY-SA](#)

(See also [https://wiki.creativecommons.org/Best\\_practices\\_for\\_attribution](https://wiki.creativecommons.org/Best_practices_for_attribution) and making notices machine readable: [https://wiki.creativecommons.org/Marking\\_Works\\_Technical](https://wiki.creativecommons.org/Marking_Works_Technical))

# Attribution for various formats

- Text document or webpage → works cited/bibliography
- Audio → Read aloud at the end or include in written description.
- Image → Caption
- Video → Include in credits at the end

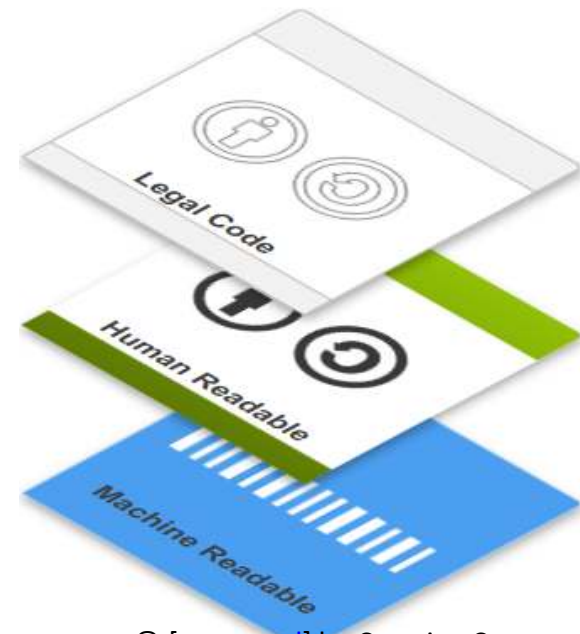


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# Three “layers” of licenses

- Legal Code
- Human Readable
- Machine Readable

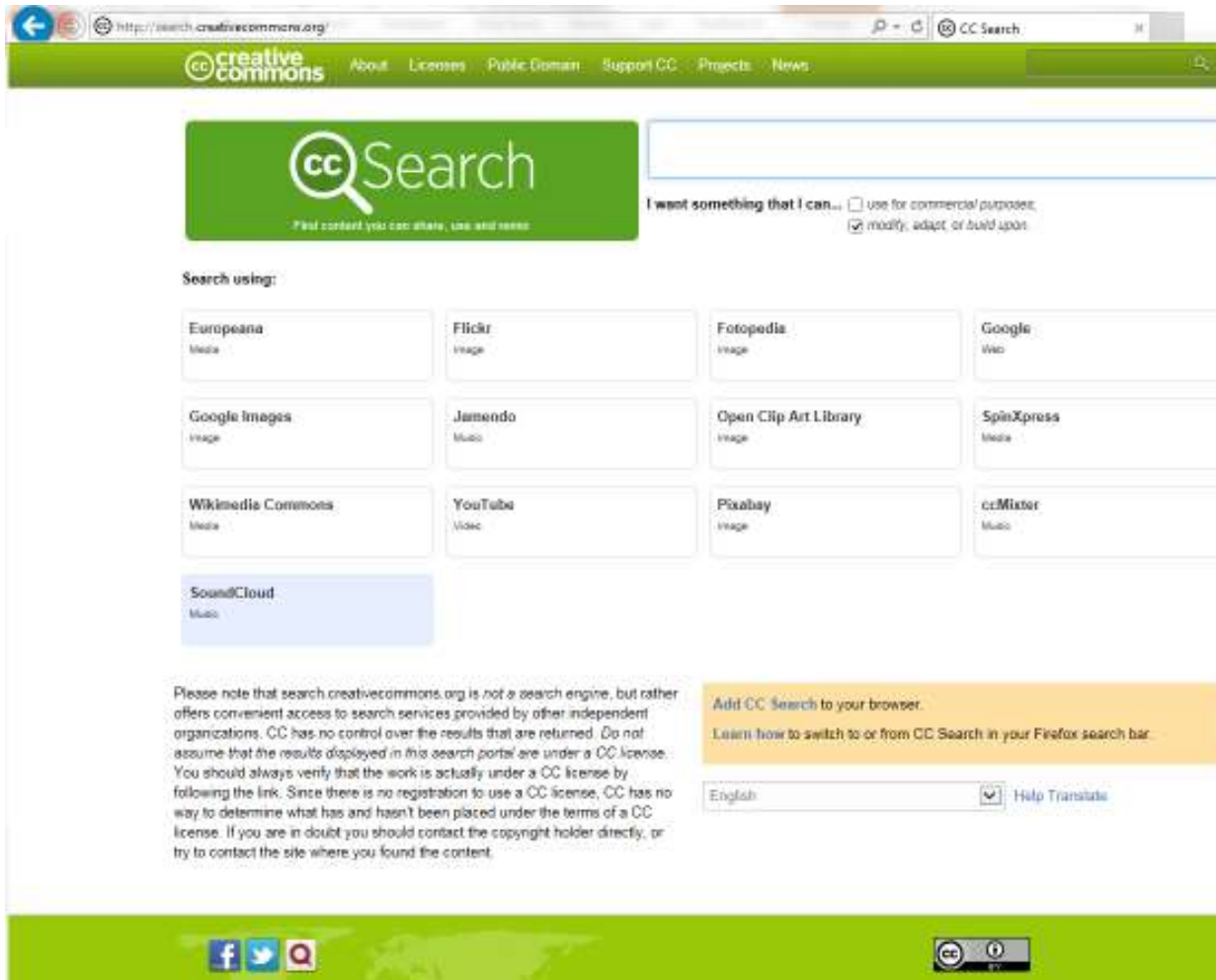


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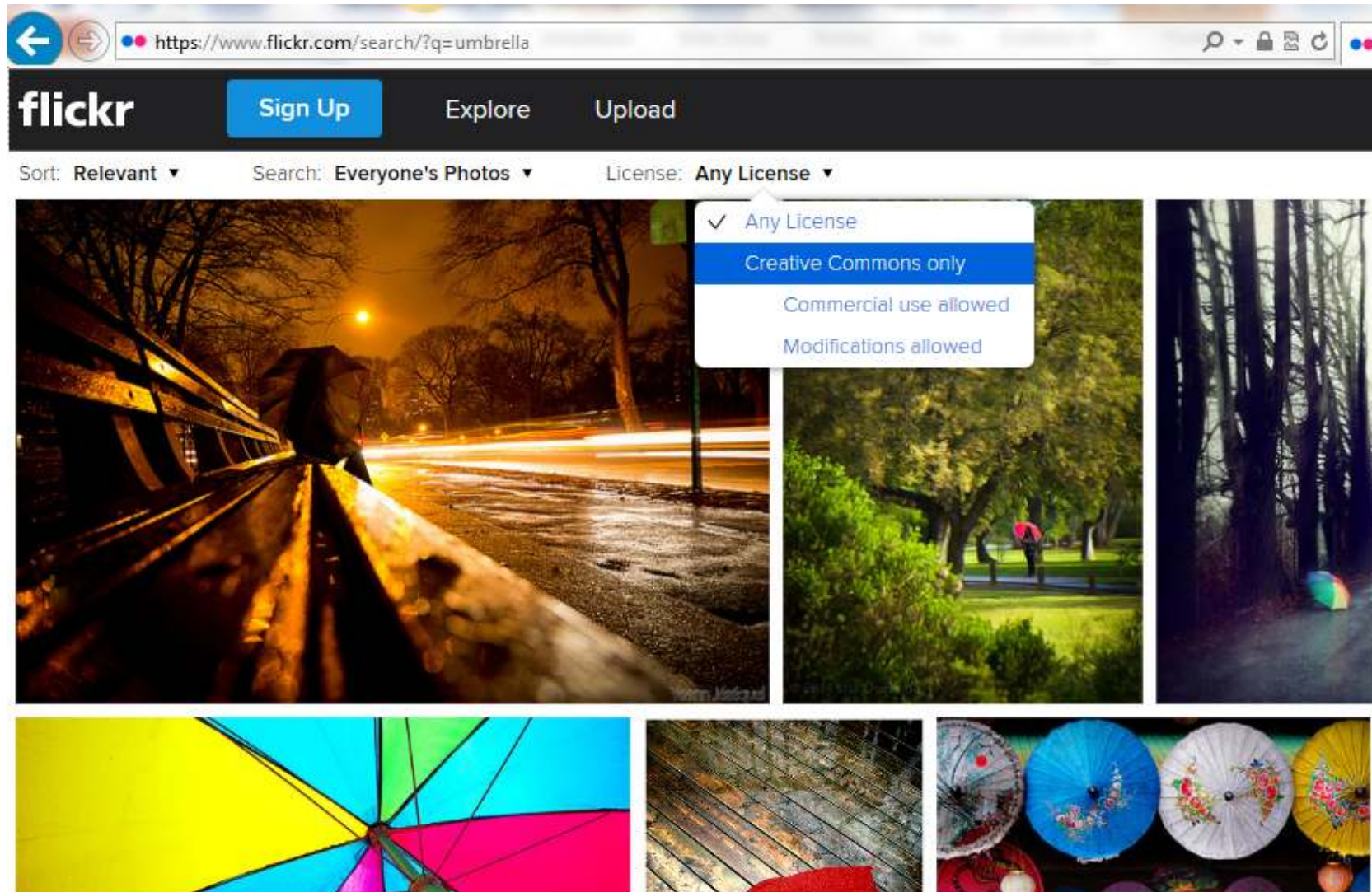
See: Making notices machine readable:

[https://wiki.creativecommons.org/Marking\\_Works\\_Technical](https://wiki.creativecommons.org/Marking_Works_Technical)

# Finding openly-licensed works



# Finding openly-licensed works



<http://www.flickr.com>



# Finding openly-licensed works

The screenshot shows the ccMixer website interface. At the top, the URL is <http://ccmixter.org/view/media/pells>. The site header includes the ccMixer logo, a search bar, and navigation tabs: Home, Picks, Remixes, Samples, A Cappellas, People, Extras, and Playlists - Podcast. A search bar on the right contains the text "BIG Fest: pells, samples, remixes, all+MORE".

The main content area is titled "A Cappella Browser". It features a list of tracks with columns for Type, BPM, and Display. A dropdown menu for "All Licenses" is open, showing options: Attribution, Attribution Noncommercial (3.0), Attribution Noncommercial Share-Alike, Attribution Share-Alike, CC0 (CC Zero), Noncommercial Sampling Plus, and Sampling Plus. The list of tracks includes:

| Type     | BPM | Display | Track Name                      | Artist              |
|----------|-----|---------|---------------------------------|---------------------|
| Featured | All | 25      | Mother Earth Ai Oh Why          | by DaYoungstas      |
|          |     |         | Jogo a Vera ACAPELLA            | by De Leve (del...) |
|          |     |         | termes                          | by robwalkerpoe...  |
|          |     |         | Two Turntables and a Microphone | by KCentric         |
|          |     |         | History + Chemistry (Vocals)    | by SackJo22         |
|          |     |         | ELEMENTALITY Feat. Plegio       | by COFFEE EUROP...  |
|          |     |         | City Life (Pella)               | by Donnie Ozone...  |
|          |     |         | MARKED                          | by CiggiBurns       |
|          |     |         | Pathways of the Mind (Vocals)   | by Kara Square ...  |
|          |     |         | I Can Finally Call You God      | by snowflake        |
|          |     |         | Simple Story                    | by ike_poet (dw...  |
|          |     |         | Half Dome                       | by spinningmerk...  |
|          |     |         | Garnet Wine                     | by CiggiBurns       |
|          |     |         | da Brum pella                   | by panu (panumo...  |
|          |     |         | Climb                           | by snowflake        |
|          |     |         | Blackbird Song                  | by CiggiBurns       |
|          |     |         | I Can See                       | by Patronski        |
|          |     |         | Pull the Trigger on My Heart    | by Admiral Bob ...  |
|          |     |         | Now We Are One (Vocals)         | by SackJo22         |
|          |     |         | Anny Sky - All Rights Reserved  | by Anny Sky (an...  |
|          |     |         | Making Monkeys                  | by Admiral Bob      |

On the right side, there are featured a cappella tracks. The first one is "Do What You Love #XOXO" by Colin Mutchler, with a license of CC BY NC. The second one is "Gett up FORENSIC" with a license of CC BY NC. A "remixed pells" section is also visible.

On the left side, there are sections for Visitors, Editors' Picks, Podcasts, and Media. The Media section includes links to Play this page, Stream this page, Podcast this page, and Download this page.

<http://ccmixter.org>

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## Introduction to Algorithms

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Instructor(s)  
Prof. Erik Demaine  
Prof. Brian Deane

MIT Course Number  
6.006

As Taught In  
Fall 2011

Level  
Undergraduate

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In Problem Set 6, students develop algorithms for solving the 20x20 Rubik's Cube

Course Description

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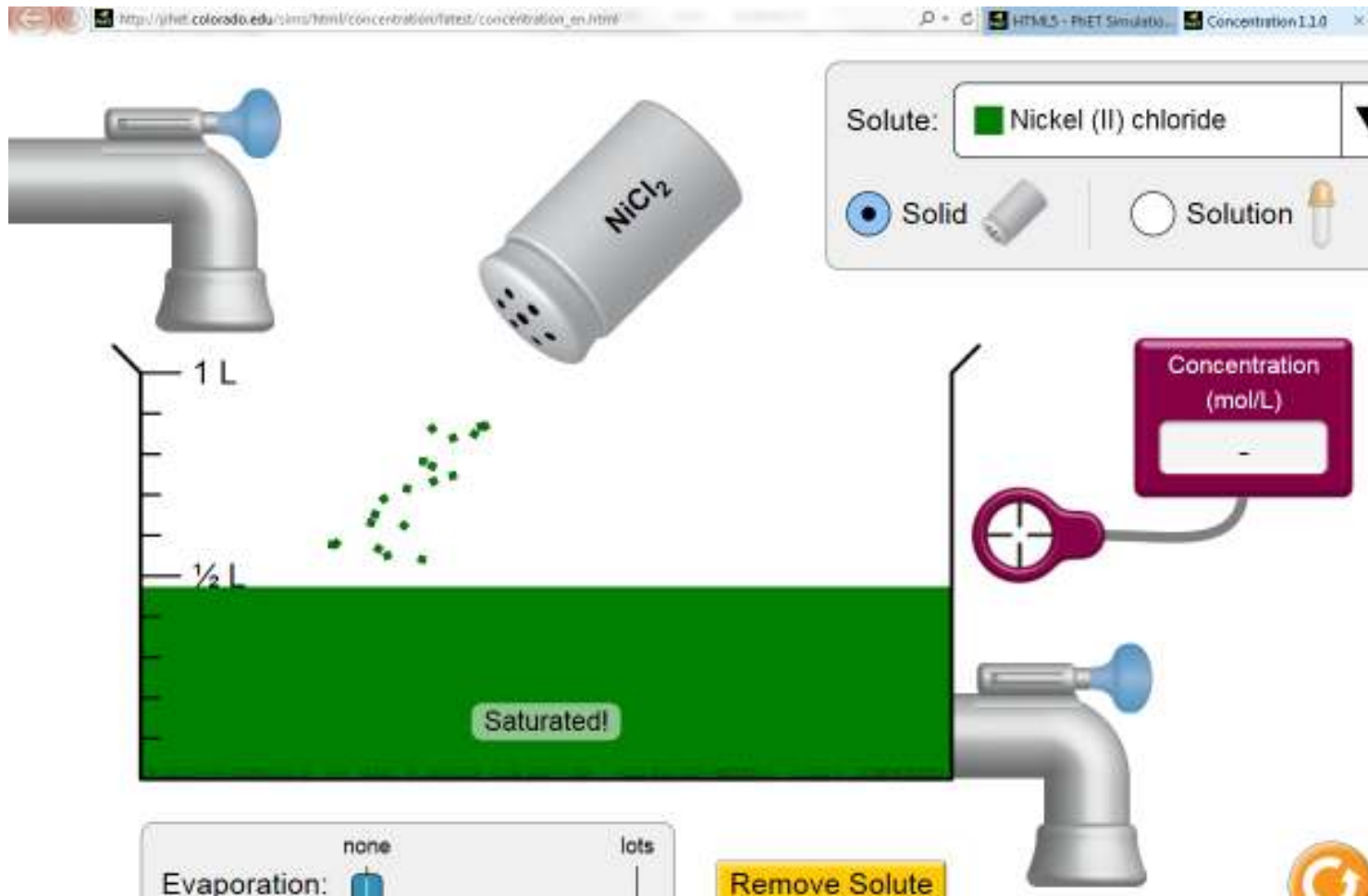
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<http://ocw.mit.edu>

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yellowstone geyser,creativecommons

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**Yellowstone geysers & hot springs (part 2)**  
by jsj1771 • 10 months ago • 1,903 views  
Some more modern hydrothermal features (geysers and hot springs) at the Yellowstone Hotspot Volcano in northwestern ...  
10:20

**♥♥ Relaxing 3 Hour Video of Geyser at Yellowstone**  
by hansende • 1 year ago • 3,881 views  
Please SUBSCRIBE by clicking here: [http://www.youtube.com/subscription\\_center?add\\_user=Hansende](http://www.youtube.com/subscription_center?add_user=Hansende) Another video you might ...  
2:50:56 HD

**Yellowstone geysers & hot springs (part 12) (HD)**  
by jsj1771 • 3 months ago • 113 views  
Some modern hydrothermal features (geysers and hot springs) at the Yellowstone Hotspot Volcano in northwestern Wyoming, ...  
8:19 HD

**Yellowstone geysers & hot springs (part 10) (HD)**  
by jsj1771 • 4 months ago • 135 views  
Some modern hydrothermal features (geysers and hot springs) at the Yellowstone Hotspot Volcano in northwestern Wyoming, ...  
7:38 HD

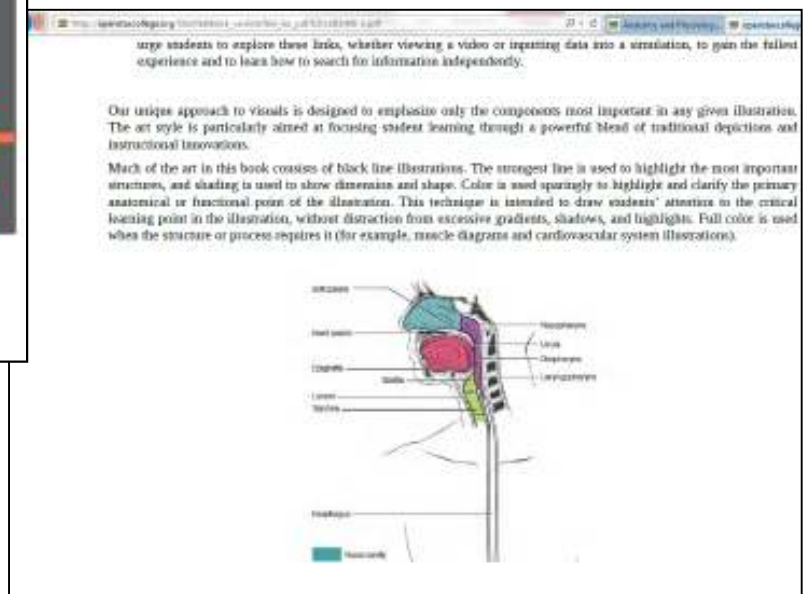


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The screenshot shows the OpenStax College website. The header includes the OpenStax logo and the tagline "Access. The Future of Education." Below the header, there is a navigation bar with links like "OUR BOOKS >". The main content area features a yellow banner that says "GET ANATOMY AND PHYSIOLOGY!". Below this, a paragraph states: "OpenStax College makes it easy to get high-quality textbooks for your course. Use the buttons below to start enjoying Anatomy and Physiology!". To the right of this text is a large image of the "Anatomy and Physiology" textbook cover. Below the paragraph, there are several options for accessing the book: "Download on the iBookstore" (with an Apple logo), "Print" (Get a low-cost, professionally printed copy), "PDF" (Download a free PDF of this book), "Web View" (Read live on the web), "EPUB" (Get this free format for popular mobile devices), and "Bookshare" (Download a free accessible version of this book).

<http://openstaxcollege.org>



The screenshot shows a page from the OpenStax Anatomy and Physiology textbook. The page title is "Anatomy and Physiology". Below the title, there is a paragraph that reads: "Large students to explore these links, whether viewing a video or ingesting data into a simulation, to gain the fullest experience and to learn how to search for information independently." Below this paragraph, there is a section titled "Our unique approach to visuals is designed to emphasize only the components most important in any given illustration. The art style is particularly aimed at focusing student learning through a powerful blend of traditional depictions and instructional innovations." Below this text, there is a diagram of the human digestive system. The diagram is a sagittal cross-section of the human torso, showing the internal organs of the digestive system. Labels with leader lines point to various parts: Esophagus, Stomach, Small intestine, Large intestine, Rectum, Sigmoid colon, Cecum, Appendix, Duodenum, Jejunum, Ileum, and Pancreas. A legend at the bottom left indicates that the color blue represents the "Respiratory" system.



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<http://open.umn.edu/opentextbooks/SearchResults.aspx?subjectAreaId=1>

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**Browse Subjects**

Accounting & Finance

Business, Management & Marketing

Computer Science & Information Systems

Economics


General Education

**Search Results: Accounting & Finance**

**Financial Accounting**

C.J. Skender, University of North Carolina  
Joe Ben Hoyle, University of Richmond

This book is intended for an undergraduate or MBA level Financial Accounting course. It covers the standard topics in a standard sequence, utilizing the Socratic method of asking and answering questions.




Financial Accounting

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**International Finance: Theory and Policy**

Steve Suranovic, George Washington University

*International Finance: Theory and Policy* is International Finance Theory and Policy is built on the author's belief that to understand the international economy, students need to learn how economic models are applied to real world problems. Economic models provide insights about the world that are simply not obtainable solely by discussion of the issues.



International Finance: Theory and Policy

<http://open.umn.edu>

# Finding openly-licensed works

<http://www.merlot.org/merlot/index.htm>



The image shows the homepage of MERLOT II. At the top, it says "MERLOT II Multimedia Educational Resource for Learning and Online Teaching". Below this is a navigation bar with links: Home, Search, Communities, My MERLOT, Membership, Add to Collection, Create Materials, News & Info, and About. A banner below the navigation bar states: "MERLOT is a free and open peer reviewed collection of online teaching and learning materials and faculty developed services contributed and used by an international education community." The main content area features a large image of a man looking through a telescope, with the text "SEARCH MERLOT" and a downward arrow. To the right, there are sections for "MY MERLOT" and "MEMBERSHIP". Below these, there is a section for "ABOUT MERLOT" with a silhouette of people holding hands. At the bottom, there is a section for "MERLOT COMMUNITIES" with a downward arrow and a section for "ADD COL" (Add Collection).

<http://www.merlot.org>



The image shows the homepage of OER Commons. At the top, it says "OER COMMONS OPEN EDUCATIONAL RESOURCES". Below this is a navigation bar with links: Home, Browse All, My OER, Connect, and Contribute. A banner below the navigation bar states: "Browse Materials (439)". The main content area features a search bar with a dropdown menu for "search all" and a button for "Higher Education". Below the search bar, there is a section for "selected filters" with a dropdown menu for "Information Visualization". The main content area also features a section for "Browse Materials (439)" with a list of materials. The first material is "Learning Math: Data Analysis" by Annenberg Learner. The second material is "Data Analysis" by Ewa Wozniak. The third material is "No Strings Attached" by No Strings Attached.

<http://www.oercommons.org>



The image shows the homepage of Jorum. At the top, it says "Jorum". Below this is a navigation bar with links: Home, Find, Share, Powered, Blog, Stats, Developers, Support, and About. A banner below the navigation bar states: "You are here: Home". The main content area features a search bar with a dropdown menu for "search all" and a button for "Higher Education". Below the search bar, there is a section for "selected filters" with a dropdown menu for "Information Visualization". The main content area also features a section for "Browse Materials (439)" with a list of materials. The first material is "Learning Math: Data Analysis" by Annenberg Learner. The second material is "Data Analysis" by Ewa Wozniak. The third material is "No Strings Attached" by No Strings Attached.

<http://www.jorum.ac.uk>

# Finding openly-licensed works

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[https://www.google.com/advanced\\_search](https://www.google.com/advanced_search) (scroll down to “usage rights”)

|                |   |
|----------------|---|
| reading level: | no reading level displayed ▼  |
| file type:     | any format ▼  |
| usage rights:  | <div>not filtered by license ▼</div> <div><div>not filtered by license</div><div>free to use or share</div><div>free to use or share, even commercially</div><div>free to use share or modify</div><div>free to use, share or modify, even commercially</div></div> |

More info: <https://support.google.com/websearch/answer/29508?hl=>

# Finding openly-licensed works

Search by type:

**Images OR media OR music OR video** (find CCMixer, SoundCloud, Flickr & YouTube here!)

Creative Commons Search <http://search.creativecommons.org>

## Syllabus

- Saylor Foundation <http://www.saylor.org/courses>
- Advanced Google search (filter by rights) [https://www.google.com/advanced\\_search](https://www.google.com/advanced_search)
- MIT OpenCourseWare <http://ocw.mit.edu>

## Simulations

- PhET-Physics, chemistry, biology, earth science (University of Colorado) <http://phet.colorado.edu>

## Short Video

KHAN Academy <http://www.khanacademy.org>

Vimeo <http://www.vimeo.com>

TED Talks <https://www.ted.com/about/our-organization/our-policies-terms/ted-talks-usage-policy>

## Open Textbooks (full text, no cost, online)

- OpenStaxCollege (Rice University) <http://openstaxcollege.org/books>
- Open Textbook Library (University of MN) <http://open.umn.edu/opentextbooks>
- MERLOT II (California State University) <http://www.merlot.org/merlot/index.htm>  
(select Material Type: "Open textbook")

Virginia Tech Library's Guide to Finding OER <http://guides.lib.vt.edu/oer>



Anita Walz

Contact: [arwalz@vt.edu](mailto:arwalz@vt.edu)

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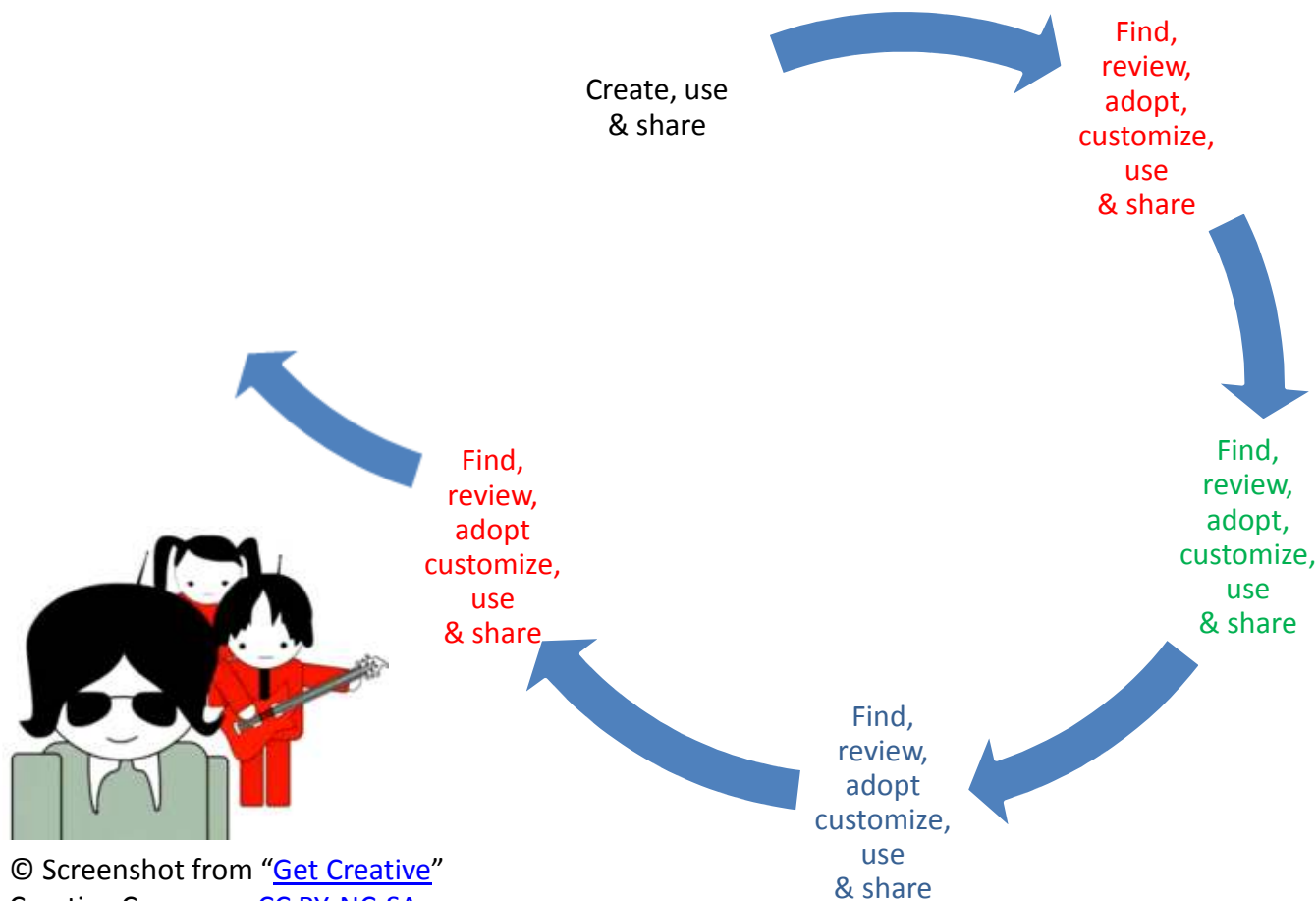
~Assessment, Open Education and Online

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# Open Educational Resources (OERs) ...

- are “teaching, learning, and research resources that reside in the **public domain** or have been released under an intellectual property license that permits their **free use and re-purposing by others.**”
- include “**full courses, course materials, modules, textbooks, streaming videos, tests, software,** and any other tools, materials, or techniques used to support access to knowledge.”

... an alternative way for authors to share and for users to save time & money





# How and why to openly license?

**THINGS YOU SHOULD KNOW ABOUT...  
OPEN EDUCATIONAL  
RESOURCES**

**Scenario**

Dr. Bartlett is at the factory floor at a small, private institution, when his analytics work focuses on U.S. labor relations and the civil rights movement. For several years he has cultivated his interest in the labor movement in the United States, and he has been aware of students that they would like to take a course on that topic. Unsure whether he has the time or expertise to put together a curriculum on such a course, Bartlett turns to educational resources online. Among the materials that he finds is a full course on labor relations that actually looks like everything he will need to teach the course at his university. It is available for free. It includes readings, a bibliography of supporting sources, assessments, and sample projects, and it comes from a respected institution.

As he digs deeper into the materials and thinks about the specifics of the course he wants to teach, he starts to see gaps in the resources from the open course. He begins to add related resources and begins to search through collections in related disciplines. Of course, materials from history programs are important, but Bartlett also discovers free educational resources from political science, economics, and sociology departments that fill out the outline of the course as he develops it. Much of the historical context for the labor movement parallels that of the civil rights movement, but Bartlett starts seeing his own specialty from a somewhat different perspective, based on the research he does for his new course.

In a relatively short time, and at no cost other than his time, Bartlett not only constructs a syllabus and coursework for the course on labor, he also incorporates some of the open resources that he came across into his course on race. Some of the resources he finds allow users to modify them and repost them online, and Bartlett takes advantage of this option for some of the materials he uses. The students who take his new course on labor relations tell him how much they like the course, and he also hears compliments about the new materials included in his civil rights class.

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**EDUCAUSE | LEARNING INITIATIVE**

**COMMONWEALTH OF LEARNING**

The Commonwealth of Learning (COL) is an intergovernmental organization created by Commonwealth Heads of Government to encourage the development and sharing of open learning and distance education knowledge, resources and technologies.

**COMMONWEALTH OF LEARNING AND ATHABASCA UNIVERSITY, 2013**

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**PERSPECTIVES ON OPEN AND DISTANCE LEARNING: Open Educational Resources: Innovation, Research and Practice**

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**COMMONWEALTH OF LEARNING**  
1058 West Hastings, Suite 1200  
Vancouver, British Columbia  
Canada V6S 2S3  
Telephone: +1 604 775 4200  
Fax: +1 604 775 8210  
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Edmonton, Alberta  
Canada T6J 3S8  
Telephone: +1 855 607-2756  
perkins@athabasca.ca  
+1 780 225-5901  
perkins@athabasca.ca  
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- Your discipline's sharing networks

- How do you already share?



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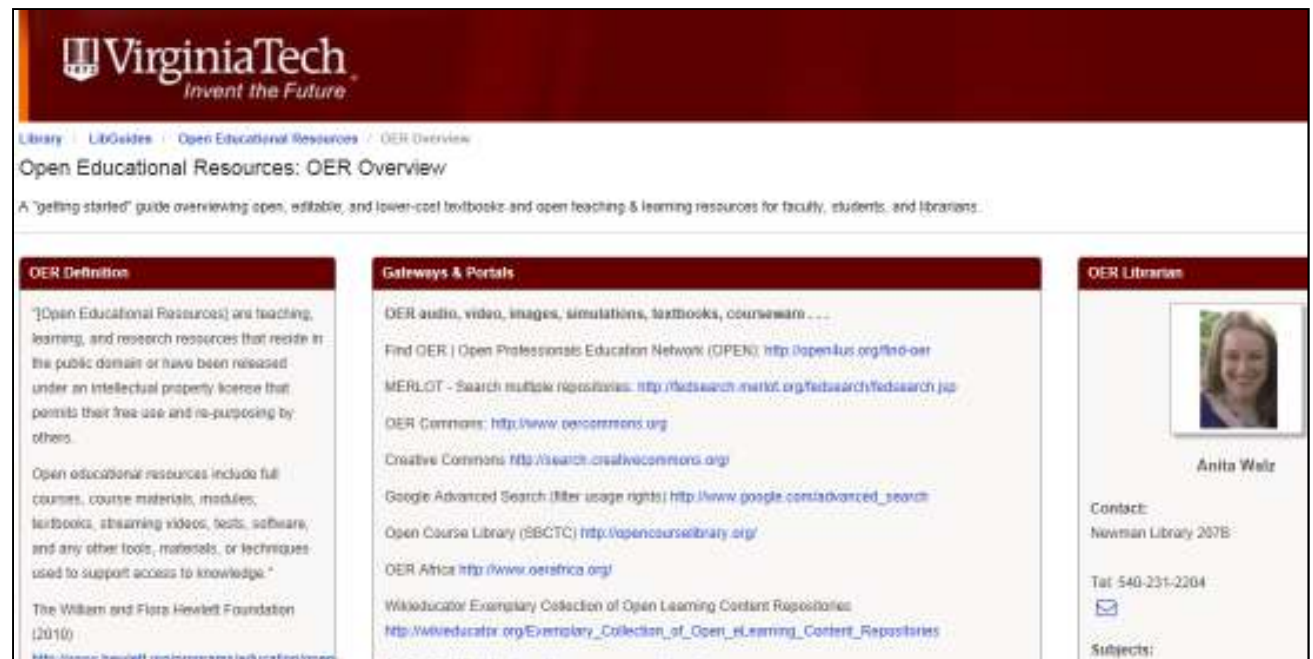
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# Questions? Looking for something specific?

We can help you!

Anita Walz  
Newman Library #207B  
[arwalz@vt.edu](mailto:arwalz@vt.edu)  
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