

Copyright and Fair Use Information for the BRIDGE

BRIDGE Guidelines

- It is acceptable to submit a **link** to the website.
- Before **copying and pasting** information into the BRIDGE, however, you must get permission from a website's authors. Most websites provide contact information, and are usually willing to share as long as they understand the project and know they will be properly credited.
- You must have releases from any identifiable persons in **video or photographs** that you submit to the BRIDGE. If minor students are identifiable, you also need parental permission.
- Remember that access to most resources on the BRIDGE will be available to the general public, so permission must be obtained **if you are not the original author** of a work.
- On the BRIDGE **submission form**, you may indicate whether you have obtained permission, are in the process of obtaining permission, or if permission needs to be obtained. Note that not obtaining permission yourself will cause a delay in the availability of the resource.
- If you cannot get permission but find an excellent resource, consider writing a review of the resource and explaining where people can find it. This will work especially well for books and articles, but also for video, etc. You may also quote from material as you would in a research article. If you do so, follow APA guidelines (<http://www.apastyle.org/>).



What is copyright?

Copyright is a protection that covers published and unpublished literary, scientific and artistic works that are fixed in a tangible or material form. Some examples of this are essays, plays, songs, designs, photographs, and images. Copyright laws give the creator the exclusive right to reproduce, prepare derivative works, distribute, perform and display the work publicly.

Rights of copyright holders are essentially marketing rights. The copyright owners have the right to sell their works, and users are not permitted to interfere with that right by diminishing the available market for a work. Copyright law expressly provides for fair use of copyrighted materials, especially for education and research.

A work is copyrighted from the time of creation for the life of the author plus 70 years. (Exceptions apply; for more details, see <http://www.unc.edu/~unc/ncg/public-d.htm>).

What is fair use?

Fair use allows limited duplication and use of copyrighted works without the permission of the owner for certain teaching and research purposes. The 1976 Copyright Act grants the "fair use" of copyrighted materials for a variety of purposes, for the creation of new works, for educational use, and for personal use.

Fair use applies to all copyrighted works regardless of the media in which they are fixed: print, electronic, or multimedia. Fair use normally entails copying and is of three kinds:

- Creative fair use by authors who copy from other works to create their own work.
- Personal fair use by individuals who copy from works for their own learning or entertainment.
- Educational fair use by teachers, scholars, and students who copy for teaching, scholarship, or learning.

Fair use is determined on a case-by-case basis. To determine if a use is fair, consider the following:

- Is the proposed use non-commercial? Commercial uses are not fair use and require permission from the copyright holder.
- Is the work original to the author, or is itself a compilation of other works? If it is a compilation, fair use must be determined for each original work separately.
- How much of the work are you planning to use? The greater the amount of the work used, the more likely permission will be required. It is not permissible to copy entire books or articles without permission, since the more of a given work you use, the more you affect the market for it.
- What is the effect of your use on the market for the work? The greater the market effect, the less likely fair use will apply.

Other factors that may be relevant are: the availability of the work, the ability to determine whether the work is under copyright, and the ability to locate the copyright holder.

What is Public Domain?

A work of authorship is in the "public domain" if it is no longer under copyright protection or if it failed to meet the requirements for copyright protection. Works in the public domain may be used freely without the permission of the former copyright owner. Being available freely on the Internet or World Wide Web **does not** place a work in the public domain. It is, however, acceptable to submit a link to a website without permission from the author(s). For more details about public domain, see <http://www.unc.edu/~unclng/public-d.htm>.

Resources

<http://www.usg.edu/admin/legal/copyright/>

The Guide to Copyright and Fair Use was written by the University System Committee on Copyright. The guide provides illustrative examples of Fair Use and the legal background of copyright law. The purpose of this guide is to provide faculty, employees, and students of the

University System of Georgia with a basic understanding of copyright and fair use. In case of discrepancies between sources, please follow these guidelines for submission to the BRIDGE.

<http://www.whatiscopyright.org/>

This page covers the basic definitions regarding copyrights. It has been written using the Berne Union for the Protection of Literary and Artistic Property (Berne Convention) as the main bibliographical source.

<http://www.copyright.gov/>

This is the official website of the U.S. government's Copyright Office, and includes copyright guidelines and definitions.

<http://www.apastyle.org/>

This is the official APA web site. The American Psychological Association's style manual is the one most often used in education publications and on the BRIDGE. See especially their section on citing electronic publications.