

A Course Creators' Presentation
Copyright© Safety



A Course Creators' Presentation

Copyright© Safety

A wooden gavel with a rounded head and a handle with three rings, resting on a white, textured surface. The gavel is positioned diagonally across the frame.

I May Copy It, Right?

Copyright

Explained



coursecreators
Causing Colorful Change

Our Mission
Is to make certain that our clients:

Get it!

Use it!

Become more successful because of it!

The slide features a background image of a woman and a man in a meeting. The woman is on the left, gesturing with her hands, and the man is on the right, also gesturing. Three circular icons are overlaid on the slide: 1. A paper airplane flying over a city skyline. 2. A paper airplane flying over a blue background. 3. A paper airplane flying over a white background with a blue arrow pointing upwards.

A Course Creators' Presentation
Copyright© Safety



Introducing

OVATION

**How To Present
Like a Pro**

The Reinvention of Adult
Education
By Len Elder & Theresa
Barnabei

With Commentary from
Nationally Recognized Leaders in
the Adult Education Profession

amazon.com

Hello. [Sign in](#) to get personalized recommendations

Your Amazon.com | Today's Deals

Shop All Departments

Search Books

Books

Advanced Search

Browse

Department

< Any Department

Books

Education & Reference (1)

Professional & Technical (1)

Language

English (1)

Avg. Customer Review

★★★★☆ & Up (1)

★★★★☆ & Up (1)

★★★★☆ & Up (1)

★★★★☆ & Up (1)

Condition

New (1)

Used (1)

Books > **"ovation len elder"**

Showing 1 Result

1.



Sponsored Links [\(What's this?\)](#)

1. [Ovation Glen](#)



LOST

CONFUSED

UNSURE

UNCLEAR

PERPLEXED

DISORIENTED

BEWILDERED

**Let's
Make It
This
Clear**

Right Decision



A wooden gavel with a dark handle and a light-colored head, resting on a stack of old, yellowed legal documents. The gavel is positioned diagonally across the frame, with the head pointing towards the bottom left. The background is a warm, golden-brown color, suggesting a desk or a table covered with papers.

Legal Disclaimer

Legal Advice

The Purpose of Copyright Law



*To promote the Progress of
Science and useful Arts, by
securing for a limited time
to the authors and
inventors the exclusive
right to their respective
writings and discoveries.”*

The Purpose of Copyright Law



- 1. Protect the commercial and monetary rights of the creator of certain permanently affixed works.**
- 2. Promote and encourage the free flow of information, not impede creativity**
- 3. Foster the creation of learning, education and the expansion of knowledge**

Sources of Copyright Law

- **The United States Constitution**
- **Copyright Act of 1976**
 - **Became law in 1978**
 - **Comprises Title 17 of the U.S. Code**
 - **Contains 1332 Sections**
- **1998 – Digital Millennium Copyright Act**
 - **Also referred to as the DMCA**
 - **Incorporated & Amended the 1976 law**

Copyright on YouTube

Lec 1 | MIT 6.912 Introduction to Copyright Law

MIT



Subscribe

1,929 videos



**Keith
Winstein
MIT
Professor**

Center for Social Media.Org



- **Materials for Teaching Copyright Principles**
- **Code of Best Practices**
- **Examples of Successful “Fair Use”**
- **Questions of the Day**



COPYRIGHT & FAIR USE
STANFORD UNIVERSITY LIBRARIES

FairUse. Stanford.Edu

- **Explanations of Copyright**
- **Recent Case Summaries**
- **Links to the Most Important Cases**
- **Tools & Information**



How Much Do We Really Know?



How Much Do We Really Know?

1. If an instructor, association or a real estate agent or firm posts a video to YouTube that uses music and images without the permission of the owner, YouTube may file a copyright infringement notice.



**YouTube is
NOT the
Owner**

How Much Do We Really Know?



**The Copyright
Office Doesn't
Handle
Violations**

2. When a copyright violation has occurred the brokerage and the agent will receive a "Notice of Copyright Infringement" from the U.S. Copyright Office and may be able to avoid litigation by paying the assessed fine set forth in the notice.

How Much Do We Really Know

3. Agents and brokerages should be cautioned to look for the © symbol when they are using and selecting photos and material for flyers, brochures, ads, websites and blogs. The symbol indicates that the material is copyrighted.



**As of 1998
Everything is
Copyrighted**

How Much Do We Really Know?



**Credit w/o
Permission
Solves
Nothing**

4. The best way to protect you and your firm from copyright infringement claims is to make certain that you give credit and provide the source of information and material that you are using.

The Myth of the Symbol



- **© A Moment of Creation**
- **Permanently Affixed Works**
- **No ideas, slogans, plan, process**



Role of the U.S. Copyright Office



- **Registration Required to File a Copyright Lawsuit**
- **Without prior registration recovery limited to actual damages**

About

News

Publications

Forms

Law

Licensing

Registration

Search Records

Hot Topics

Copyright Office
Reviews Fees,
Requests Comments

Register's Testimony:
"Stop Online Piracy
Act"

Register's Priorities
and Special Projects
for 2011-2013

What's New

1201 Notice of Inquiry
and Request for
Comments

Federal Copyright
Protection for
Pre-1972 Sound
Recordings Report

Mass Digitization
Discussion

Remedies for Small
Copyright Claims

Facilitating Access to
Copyrighted Works for
the Blind and Other
Persons with
Disabilities

About Copyright

- Copyright Basics (en Español)
- Frequently Asked Questions (FAQ)
- Current Fees
- Taking the Mystery Out of Copyright
(for students and teachers)

Search Copyright Records

- Registrations and Documents
- Search Request Estimate
- Notices of Restored Copyrights
- Online Service Providers
- Vessel Hull Designs

Publications

- Circulars and Brochures
- Forms
- Factsheets
- Reports and Studies

How to Register a Work

- eCO Login



Electronic
Copyright Office

How to Record a Document

- Record a Document

Law and Policy

- Copyright Law
- *Federal Register* Notices
- Legislative Developments
- Regulations
- Mandatory Deposit
- Rulemaking
- WIPO Copyright Issues
- More...

eCO Online System

File a copyright registration for your work through the Copyright Office online system.

Before using the service, we recommend you first read [eCO Acceptable File Types](#), [eCO Tips](#), [eCO FAQs](#), or [eCO Tutorial \(PowerPoint\)](#) [eCO Tutorial \(PDF\)](#). For recently added features, see [eCO Updates](#).

Advantages include:

- Lower filing fee of \$35 for a basic claim (for online filings only)
- Fastest processing time
- Online status tracking
- Secure payment by credit or debit card, electronic check, or Copyright Office deposit account
- The ability to upload certain categories of deposits directly into eCO as electronic files
- Available 24 hours a day, except for routine maintenance every Sunday from 12:00 midnight to 6:00 AM Eastern Time

Processing Time: The time the Copyright Office requires to process an application varies, depending on the number of applications the Office is receiving and clearing at the time of submission and the extent of questions associated with the application.

[Current Processing Times](#)

How Much Do We Really Know

5. Copyright means that another individual or entity legally owns the material, photo or information and that the information cannot be reproduced or copied without the express written consent of the owner.



**Copyright
Doesn't
Mean You
Can't Use It!**

The Myth of Non-Use



**Exceptions
to
Copyright
Protections**



Exceptions to Copyright Protections

- Satire, Comment, Parody & News
- Educational Exceptions
- Fair Use Exception
- Educational Exceptions
- Satire, Comment, Parody & news
- Transformative Uses



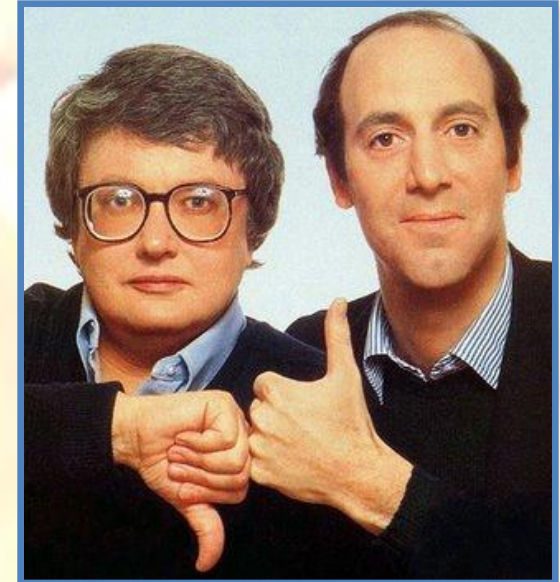
How Much Do We Really Know?



**Public
Domain is
Time Not
Exposure**

6. A real estate brokerage or company is allowed to reproduce local market news articles and news videos if these materials have already been exposed on public airways for general consumption because the information is then deemed to be in the public domain.

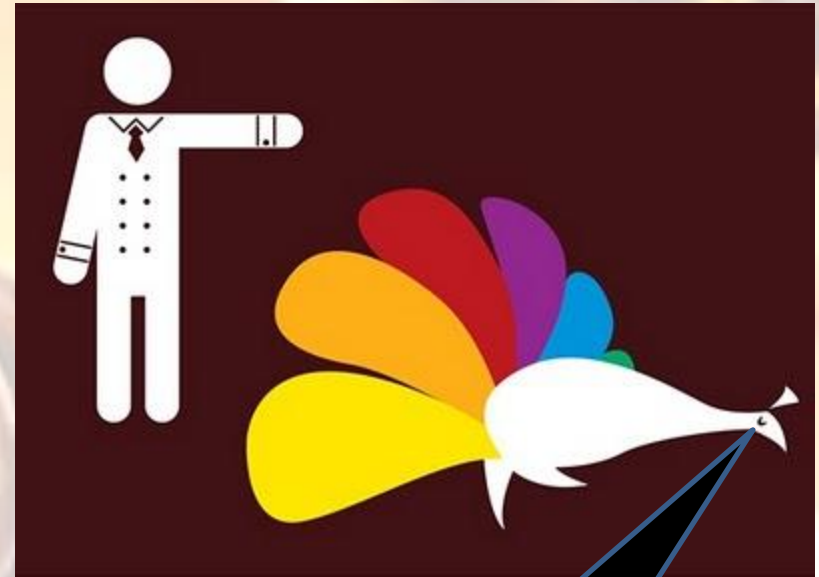
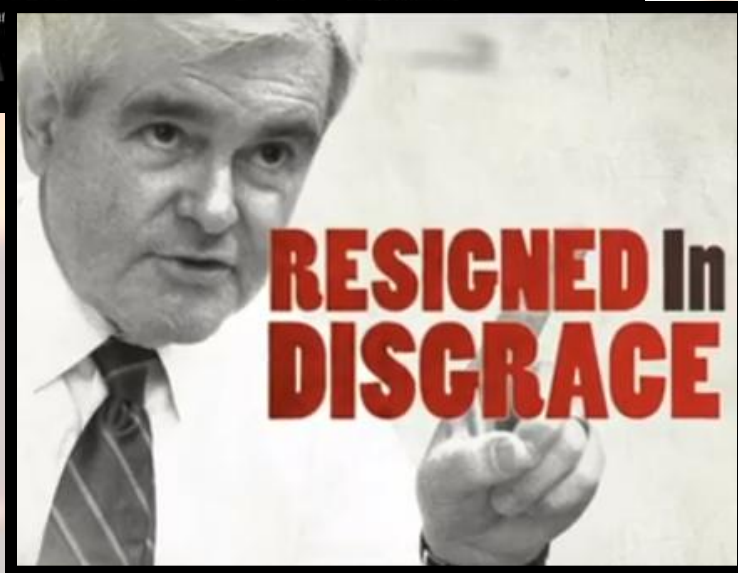
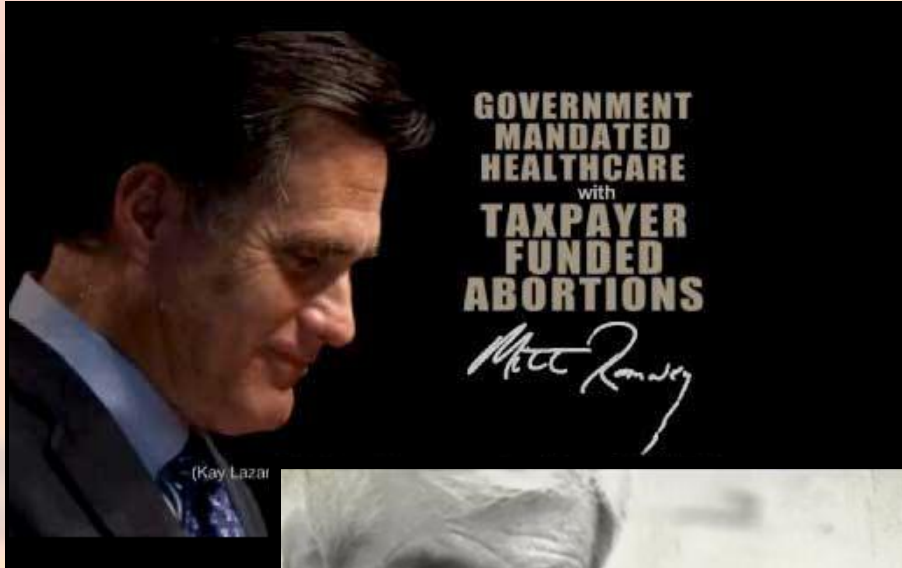
Satire, Parody, Comment, News



**Elsmere Music
vs. NBC
"I Love New York"**



Real World Example

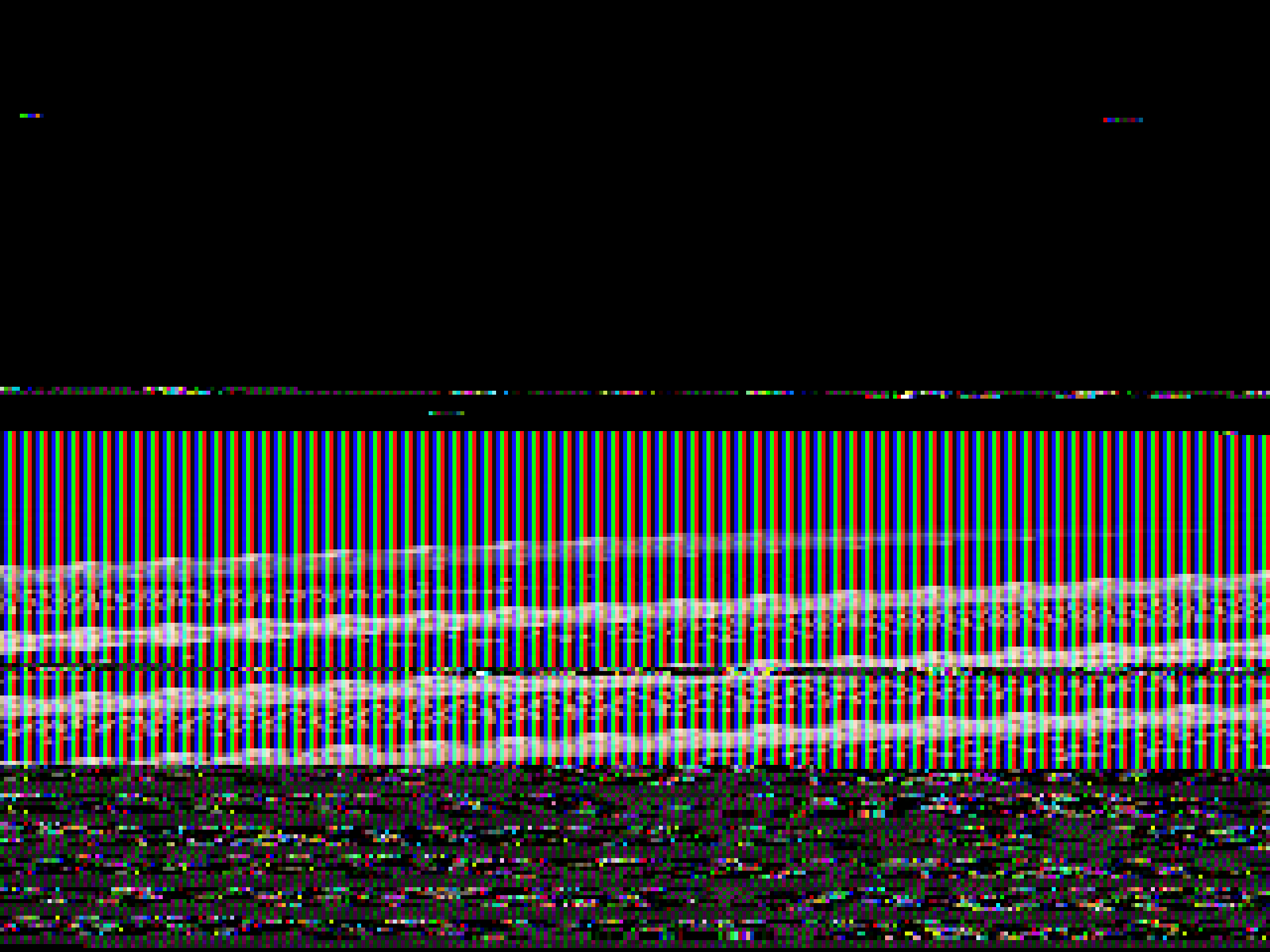


Come on,
pretty please!

The Man With the Golden Voice



BEST
You Tube
VIDEOS



Homeless Man, Golden Voice



Subscribe

52,291 videos

EARLY
EXCLUSIVE

WNCI 97.3

EARLY SHOW

LIVE EST

HOMELESS MAN, GOLDEN VOICE
FROM THE STREETS TO THE AIRWAVES



1:31 / 5:59



YouTube Browse Movies Upload Create Account Sign In

Write changing our privacy policy. This stuff matters. [Learn more](#) [Dismiss](#)

TheColumbusDispatch's channel 117 subscribers 210,813 video views

Featured Feed Videos Search Channel

Young trio sings the blues
by TheColumbusDispatch 1 day ago

0:00 / 2:37

About TheColumbusDispatch's channel
Videos from TheColumbusDispatch

[dispatch.com/](#)

Created by
TheColumbusDispatch

Latest Activity
Jan 21, 2012

Date Joined
Jan 7, 2011

About this user
Dispatch.com is Columbus, Ohio's top news source for local news, Ohio State sports, arts, classifieds and more from The Columbus Dispatch.

Home town
Columbus, OH

**210,000
channel
views vs.
19,000,000
video views**

Uploaded videos 14 of 215

Young trio sings the blues
TheColumbusDispatch 6 views
They may not seem like your typical blues band but the young musicians of RedCrown are serious about what they do. Brandon Redbird plays drums and bass, Julia Crow pla...

Tchoukball: a game for everyone
TheColumbusDispatch 41 views
Ever heard of tchoukball? The students at the Wellington School in Upper Arlington could teach you all about it.

St. Leo's organ restored
TheColumbusDispatch 116 views
Mike Wolphas spent more than three years working on refurbishing the pipe organ at St. Leo Catholic Church. Now that the work is complete, it'll be rededicated on Sunday...

'Golden Voice' homeless man finds job, home after viral video

RT Get more from RT 15,418 videos

Uploaded videos
by TheColumbusDispatch's channel

RT COURTESY: THE COLUMBUS DISPATCH

0:09 / 1:27

Like Share

19,264,020



Understanding The Public Domain

The Myth of the Public Domain



Public Domain is Based on Time (Copyright Time Expired)



- Anything Created Prior to 1923
- 1923 – 1978 = Protected for 95 Years
- 1978 – Today = Life of the Author + 70 Years

Example

The Beatles' Album



- Created 1964
- Protected for 95 Years
- Becomes Public Domain in 2059

Educational Exception



Educational Exception

- **§110 – Public performance and displays for educational purposes are exempted**
- **§110(1) – Live classroom presentations**
- **2002 TEACH Act – “Reasonable and limited portions typically displayed in a live classroom setting also exempted for distance and internet education**

How Much Do We Really Know?



**The Doctrine of
Fair Use Protects
The Free Flow of
Information**

7. It is never permissible to use photos, videos and other material unless you have the express written permission of the copyright owner.

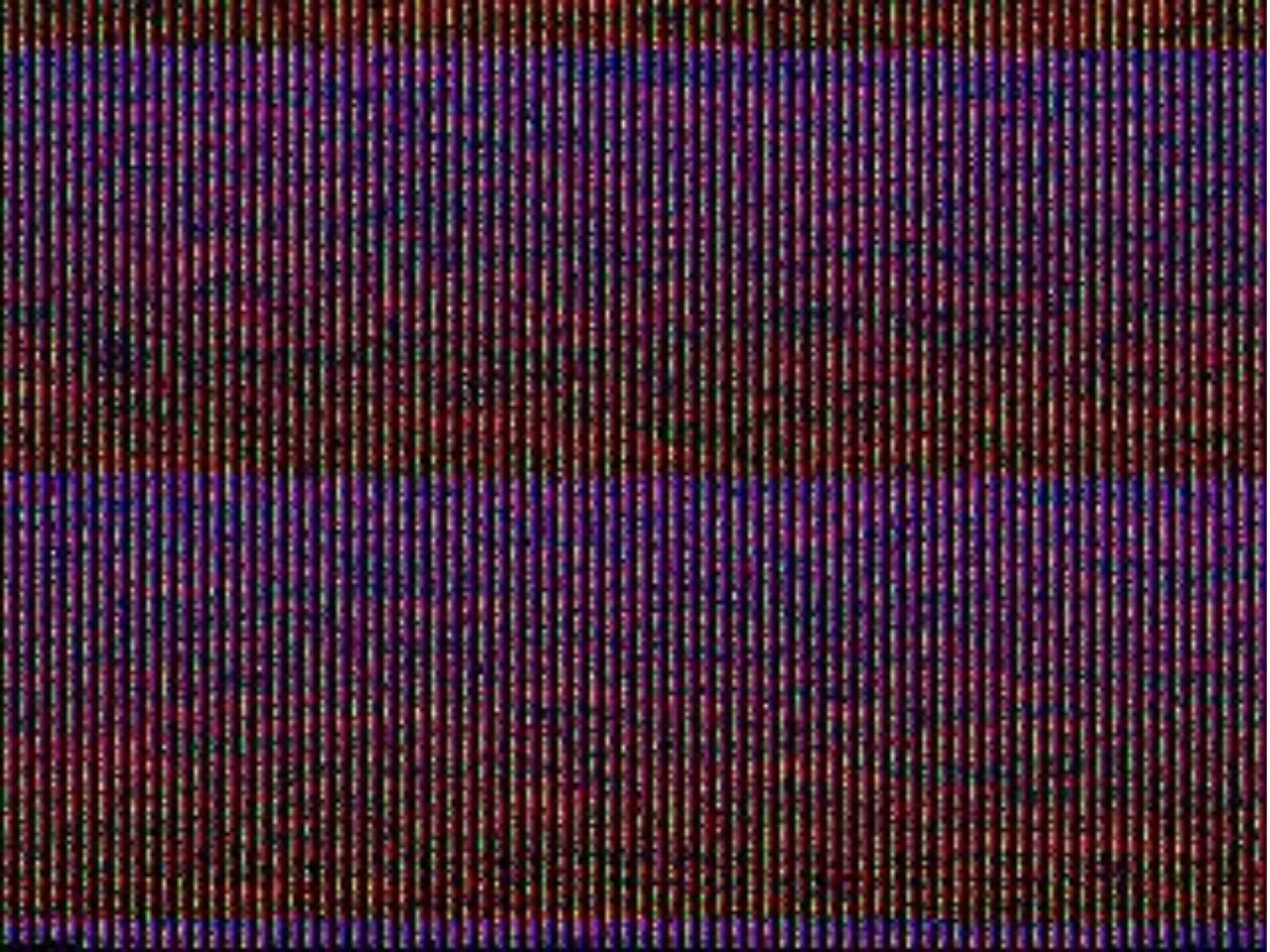
An Overview of Fair Use

MEDIA EDUCATION
FOUNDATION **mef**
CHALLENGING MEDIA

PRESENTS



A Fair(y) Use Tale
a short film by Eric Faden



Keys to Fair Use

- Folsom vs. Marsh
(Massachusetts Supreme Court 1871) involving Quotations
- A Portion of an Original Work
- Used in a different context
- Doesn't affect the owner's royalties



Fair Use and Section 107 Factors

- The purpose and character of the use
- Nature of the copyrighted work
- Amount and substantiality of the use
- The effect on the potential market value of the work



Perfect 10 vs. Amazon & Google

508 F.3d 1146 (9th Cir. 2007)

Perfect 10 Images
Not Displayed

Due to
Professionalism
Not Copyright
Concerns

amazon.com[®]





city of tucson



Search

About 1,950,000 results (0.1 seconds)



**TRANSFORMATIVE
USE**



Page 2



EDUCATION

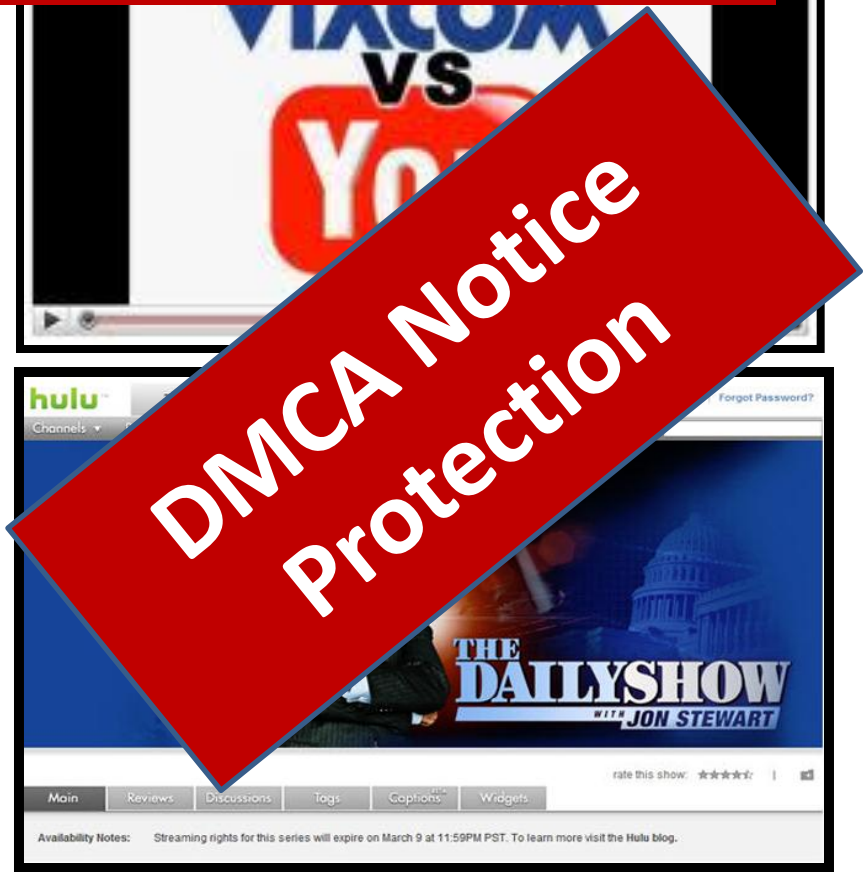


Viacom vs. YouTube

Viacom Loses \$1 Billion Lawsuit Against YouTube

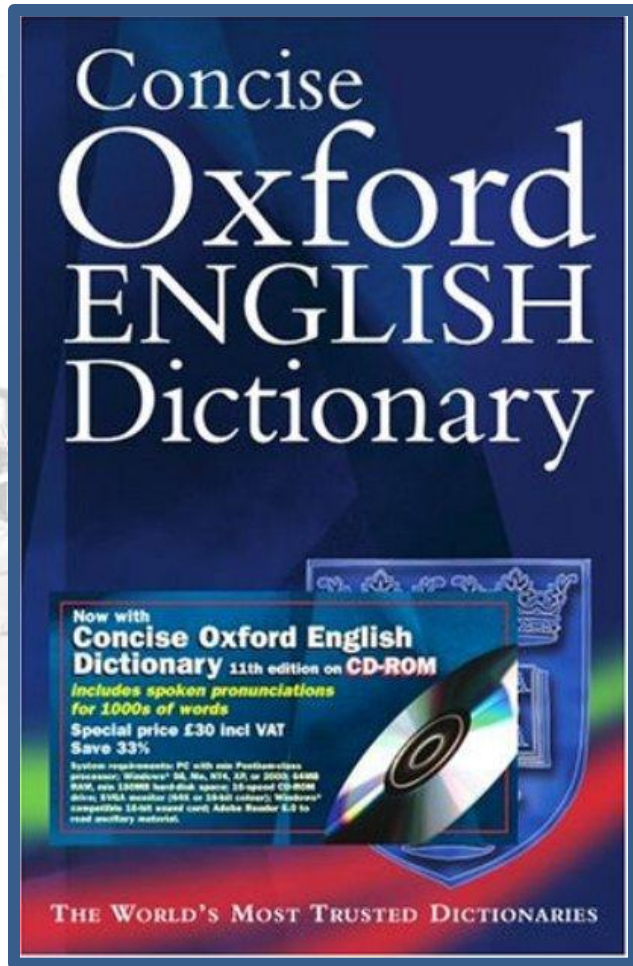


FAIR USE



DMCA Notice
Protection

Transformative Use

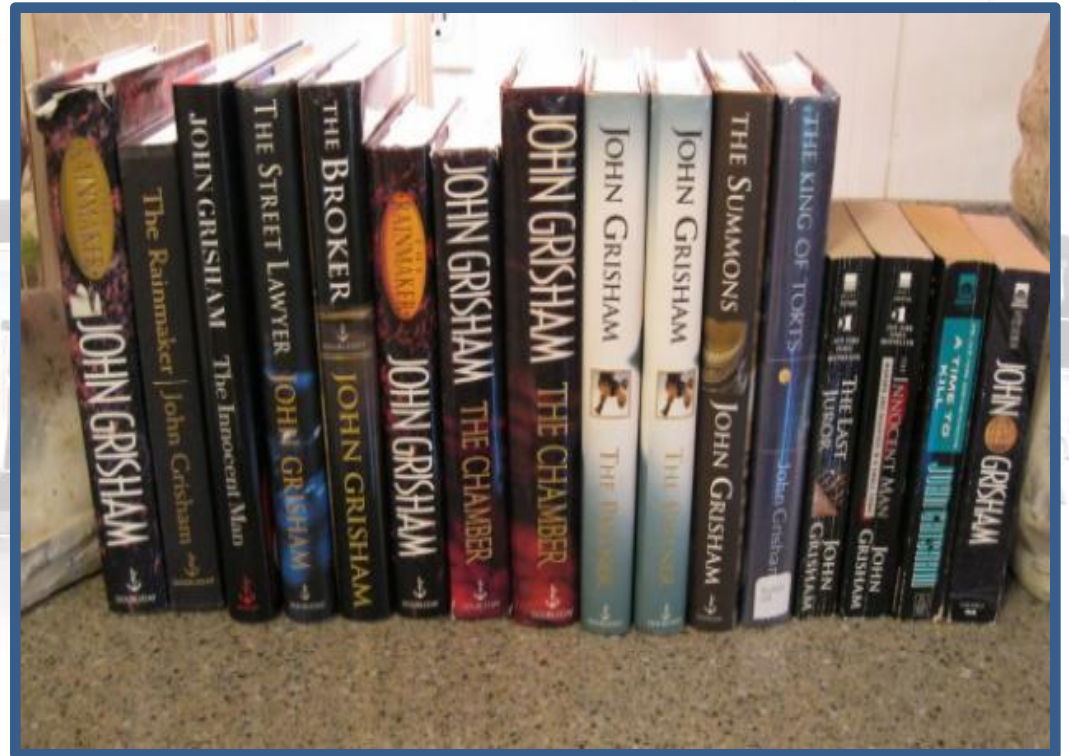


Concise
Oxford
ENGLISH
Dictionary

Now with
Concise Oxford English Dictionary 11th edition on **CD-ROM**
Includes spoken pronunciations
for 1000s of words
Special price £30 Incl VAT
Save 33%

System requirements: PC with min Pentium-class processor; Windows 95, 98, ME, NT4, EA or 2000; 64MB RAM; min 100MB hard disk space; 15-speed CD-ROM drive; SVGA monitor (640 or 800x600 colour); Windows-compatible 16-bit sound card; Adobe Reader 6.0 to read auxiliary material.

THE WORLD'S MOST TRUSTED DICTIONARIES



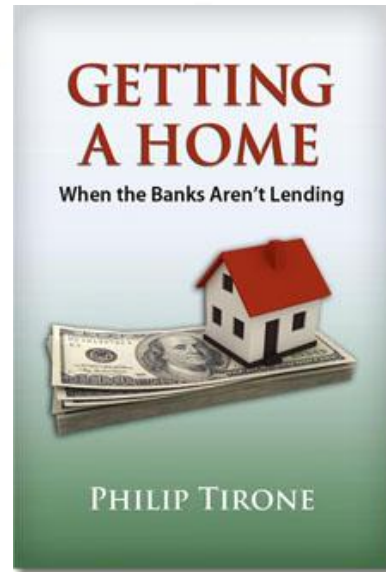
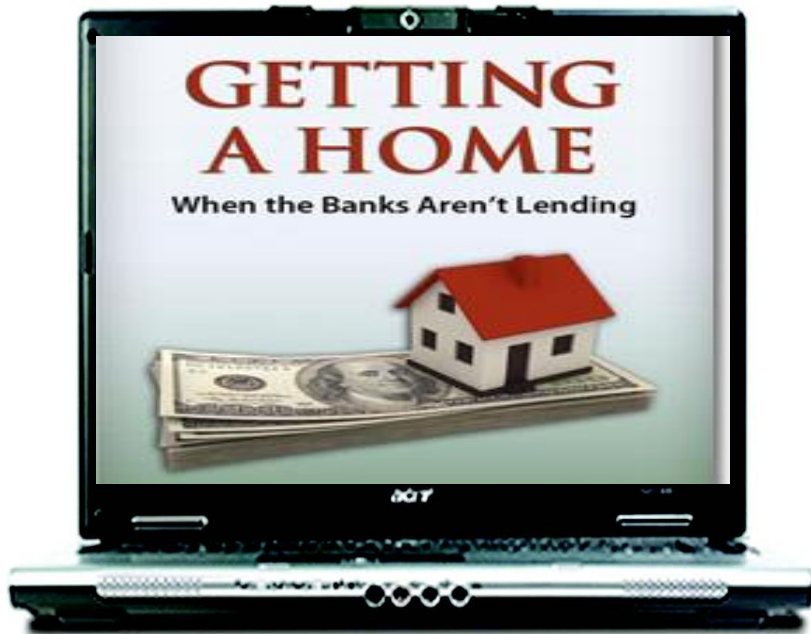
Transformative Use

- **Has the material you have taken from the original work been transformed by adding new expression or meaning?**
- **Was value added to the original by creating new information, new aesthetics, new insights, and understandings?**

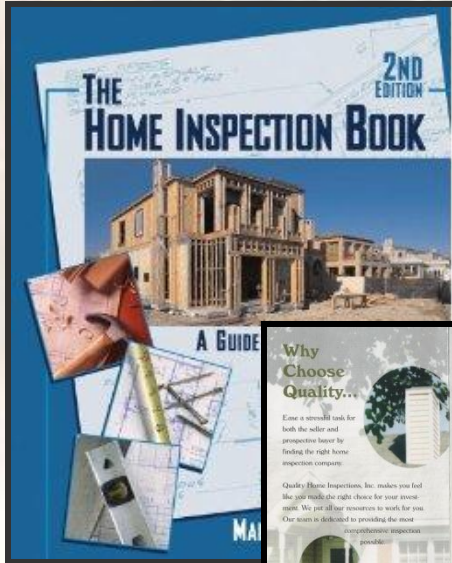
Encyclopaedia Britannica v. Crooks 58 F. Supp. 1247 (1983)



Application to the Real World



What Home Inspections Mean To You



Why Choose Quality...

Emer is a essential tool for both the seller and prospective buyer by finding the right home inspection company.

Quality Home Inspections, Inc. makes you feel like you made the right choice for your investment. We put all our resources to work for you. Our team is dedicated to providing the most comprehensive inspection possible.

Specialized Inspections...

Because each home is different Quality Home Inspections, Inc. offers a variety of additional specialized inspections that give you more information about specific areas:

- Moisture and leak tracing
- Mold testing
- Lead testing
- Carbon monoxide testing
- Radon gas testing
- Water analysis
- Energy assessment
- Termite inspection
- Pool and spa inspection
- Circuit tracing
- Electrical panel load labeling
- Exterior contractor return and documentation
- Commercial inspection
- EPB

Members of:
BBB, VPAR, WAAR

2004 VPAR Affiliate Of The Year
2004 WAAR Affiliate Of The Year

QUALITY HOME INSPECTIONS
25 Plaza Maria Drive
Newport News, VA 23606
594-1449

CLASS A - LICENSED - INSURED

QUALITY HOME INSPECTIONS

THE NATIONAL ASSOCIATION OF REALTORS®
GUIDE TO
HomeBuying

Insider Tips for Home Buying MADE EASY

- Proven advice on using the Internet for an easier search
- Detailed information on the latest financing options
- Critical financial data for getting your financing in order
- Checklists for selecting the home of your dreams

WITH **Blanche Evans**

NATIONAL ASSOCIATION OF REALTORS®
The Place for Real Estate



And More

Nuñez v. Caribbean International News, Corp., 235 F.3d 18 (1st Cir. 2000).

Newspaper photos that are newsworthy, used in good faith, already disseminated and then reproduced are fair use

Bill Graham Archives v. Dorling Kindersley Ltd., 448 F.3d 605 (2d Cir. 2006).

Publishing a book of Grateful Dead posters with commentary is both transformative and fair use

And There's More

Higgins v. Detroit Educational Television Foundation, 4 F.Supp. 2d 701 (E.D. Mich. 1998).

Use of music is fair use when used for background, used in portions or used in venues the artist is not marketing

NXIVM Corp. v. The Ross Institute, 364 F.3d 471 (2d Cir. 2004).

Use of portions and excerpts of seminar materials is fair use

And Even More

**Warren Publishing Co. v. Spurlock, 2009 WL 2412542
(E.D. Pa. 2009).**

Use of magazine cover artwork in a different forum
as illustration is fair use

**Sundeman v. The Seajay Society, Inc., 142 F.3d 194
(4th Cir. 1998).**

Reproducing unpublished and published material for
research and scholarly works is fair use

A Pledge to Ethical & Moral Standards



How Much Do We Really Know?



7. So long as I take my photos from stock and royalty free sites I am safe.

There is no such thing as a FREE LUNCH.

Typical “Royalty Free” Restrictions

- 1. Use of the information is for your own personal use and may not be publicly distributed**
- 2. Subsequent use must credit the original author in a specific manner**
- 3. The subsequent use of the material must comply with the Fair Use Exception to Copyright Law contained in the U.S. Code**
- 4. You may not sell any derivative product or profit in any way from the use of the material**



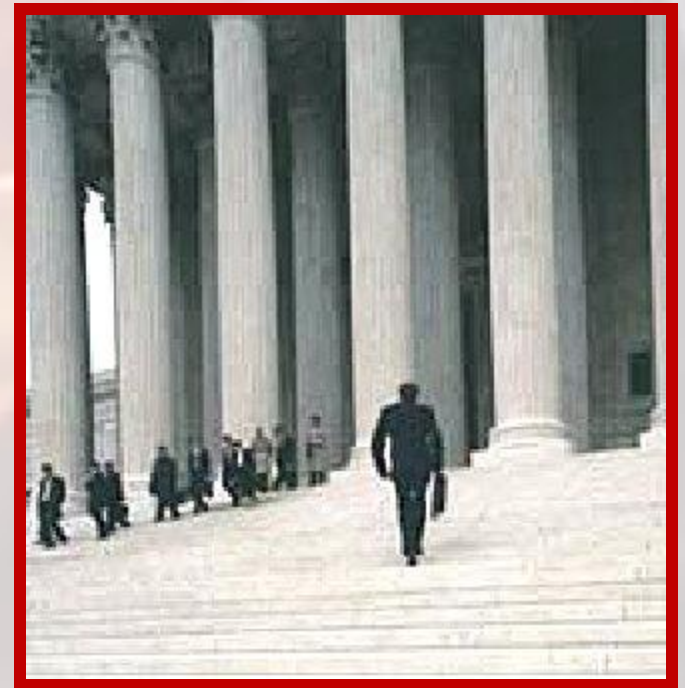
The Practical Side of Violations

**Protecting
Yourself in
the Real
World**



The Legal Side of Violations

- **Owner Must Pursue**
- **Must Send DMCA Notice**
- **Must Register w/ Copyright Office**
- **Federal District Court**
- **Must Prove Damages**
- **Can't Recover Costs or Fees Unless Previously Registered with the U.S. Copyright Office**



NOTICE

**You Failed to
STOP for the Red
Light
Please Send Us
\$1,000**

No one is above the law.*
*Unless otherwise specified.

Propaganda Times®



dreamstime.com

Beware the Gettys



[How to avoid legal demands and trouble with Getty Images](http://www.zyra.info/getstu.htm)

www.zyra.info/getstu.htm

In the words of some people who send out the Nigeria **Scam** "this letter may come as a surprise". Well, if you've stolen a photo from the **Getty Images** Photograph ...

[Getty Image Settlement Demand Letter: Scam or For Real?](http://womeninbusiness.about.com/.../getty-image-settlement-demand-letter...)

womeninbusiness.about.com/.../getty-image-settlement-demand-letter...

Aug 23, 2011 – **Getty Images Scam**, Hoax or Real? This is not a hoax, but it is a scam. Getty Images does send out (outrageous) settlement demand letters; ...

[Getty Images Settlement Demand Letter: Reporting on the Extortion ...](http://www.extortionletterinfo.com/)

www.extortionletterinfo.com/

Apr 4, 2011 – **Getty Images** Settlement Demand Letter: Reporting on the Extortion Letter ... Clearly, ELI is not endorsed or authorized by **Getty Images** or any ...

[Stop Using Stock Photos & Boycott ... - Subscriber Only Content](#)

[Getty Images | Ripoff Report Directory | Complaints Reviews Scams ...](http://www.ripoffreport.com/directory/Getty-Images.aspx)

www.ripoffreport.com/directory/Getty-Images.aspx

Nov 09, 2014 – **Getty Images** Directory: These Ripoff Reports include scams, frauds



Has TinEye been useful to you? If so, please [donate!](#)

Upload new image

Browse...

or enter new URL

Search



GIF, 231x189, 3.1 KB

3 Results

Searched over **2.0757 billion** images in 11.626 seconds.

for file: reea.gif

These results expire in 72 hours. [Why?](#)

[Share a success story!](#)

TinEye is **free** to use for non-commercial purposes.

[Add](#) your images to the TinEye index. For stock photography, illustrations, archival and creative commons collections only.



Site Policies Are NOT Copyright Violations



[help](#)
[center](#)
[| e-mail](#)
[options](#)

Dear TheHidalgoGrainCo:

We have disabled the following material as a result of a third-party notification from Bob Jones University claiming that this material is infringing:

Better than Ever - S. Jones - BJIII - BJIV interview.wmv
http://www.youtube.com/watch?v=Z4b_Q1eYGOI


We have disabled the following material as a result of a third-party notification from Bob Jones University claiming that this material is infringing:

Better than Ever - part 1.wmv
<http://www.youtube.com/watch?v=e9ZNObMaC90>

We have disabled the following material as a result of a third-party notification from Bob Jones University claiming that this material is infringing:

Better than Ever - part 2.wmv
<http://www.youtube.com/watch?v=FtHJSKS48gk>

Ohh...the leading U.S. Copyright Defendant said you violated Copyright...

 YouTube - Videos from this email



[← Reply](#) [→ Forward](#)

A close-up photograph of a hand in a dark blue suit jacket holding a wooden gavel. The gavel is positioned over a stack of several dark, thick books. The background is a dark wood panel. The text is overlaid on the image in a bold, white, sans-serif font.

What To Do?

**An Easy Step
By Step
Guide**

A close-up photograph of a woman with long dark hair and wide, shocked eyes. Her mouth is completely covered by a piece of white tape. The background is a plain, light-colored wall.

**SPEAK OUT NOW ON
COPYRIGHT**

**Freedom to
Think, Speak,
Comment**

**CLICK HERE
TO SPEAK
OUT**

