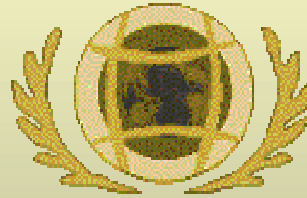


Copyright Law and Education

Information You Should Know

History of Copyright Law



The Congress shall have Power . . . To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries . . .

Article I, Section 8, U.S. Constitution

History of Copyright Law

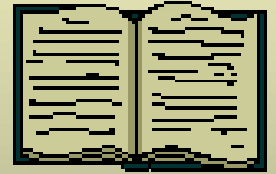
- August 18, 1787 , James Madison submitted to the framers of the Constitution a provision "to secure to literary authors their copyrights for a limited time."
- June 9, 1790, First copyright entry, *The Philadelphia Spelling Book* by John Barry, registered in the U.S. District Court of Pennsylvania.
- April 29, 1802, Prints added to protected works.
- February 3, 1831, First general revision of the copyright law. Music added to works protected against unauthorized printing and vending. First term of copyright extended to 28 years with privilege of renewal for term of 14 years.

History of Copyright Law

- August 18, 1856, Dramatic compositions added to protected works.
- March 3, 1865, Photographs added to protected works.
- July 8, 1870, Second general revision of the copyright law. Copyright activities, including deposit and registration, centralized in the Library of Congress. Works of art added to protected works. Act reserved to authors the right to create certain derivative works including translations and dramatizations. Indexing of the record of registrations began.

History of Copyright Law

- August 24, 1912, Motion pictures, previously registered as photographs, added to classes of protected works.
- January 1, 1953, Recording and performing rights extended to non-dramatic literary works.
- January 1, 1978, Effective date of principal provisions of the 1976 copyright law. The term of protection for works created on or after this date consists of the life of the author and 50 years after the author's death. Numerous other provisions modernized the law.



History of Copyright Law

- December 12, 1980, Copyright law amended regarding computer programs.
- May 24, 1982, Section 506(a) amended to provide that persons who infringe copyright willfully and for purposes of commercial advantage or private financial gain shall be punished as provided in Section 2319 of Title 18 of the United States Code, "Crimes and Criminal Procedure."

Copyright Law

- Copyright is a form of protection provided by the laws of the United States (title 17, U.S. Code)
- It protects authors of “original works of authorship,” including literary, dramatic, musical, artistic, and certain other intellectual works.
- Protection is available to both published and unpublished works.

Copyright Law

- Section 106 of the 1976 Copyright Act generally gives the owner of copyright the exclusive right to do and to authorize others to do the following:



Copyright Law

To reproduce the work in copies

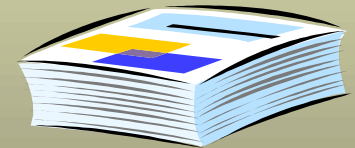
To prepare derivative works based upon the work

To distribute copies of the work to the public by sale or other transfer of ownership

To perform the work publicly

To display the copyrighted work publicly

In the case of sound recordings, to perform the work publicly by means of a digital audio transmission.



Fair Use Policy



- ◆ Teaching
- ◆ Comment
- ◆ Reporting
- ◆ Scholarship
- ◆ Research
- ◆ Criticism

Fair Use Policy

Things to Consider:



- ◆ Education or profit?
- ◆ Was it designed to be purchased?
- ◆ Does it prohibit a sale?
- ◆ Quantity of material you are using
- ◆ (The smaller the portion the safer the use)
- ◆ (No material may be used for entertainment)

Fair Use Policy

Concerns in Education:

- ◆ Video Taping
- ◆ Computer Software
- ◆ Internet Sites
- ◆ Dailey Classroom Activities



Fair Use Policy

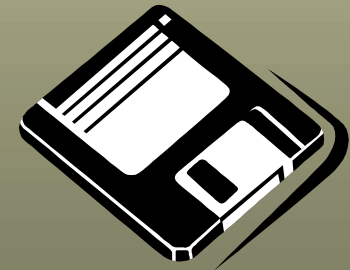
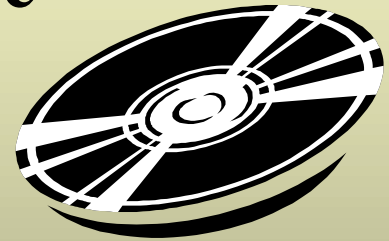
Video Taping

- ◆ You may tape a broadcast and hold it for up to 10 days
- ◆ You may retain a copy of a program for up to 45 days
- ◆ You may archive one copy of a video you purchased
- ◆ Media specialists can record only when requested
- ◆ Television programs may be taped for personal viewing
- ◆ All premium (pay) channels require permission to record
- ◆ All tapings may only be used for educational purposes only

Fair Use Policy

General Use of Software

- ◆ You may make one copy for backup
- ◆ You may install one copy on your hard drive
- ◆ You may adapt one copy into another language
- ◆ You may NOT copy for educational use
- ◆ You may NOT copy for use on a network
- ◆ Every application must have a license



Fair Use Policy

Internet Resources



- ◆ Everything on the internet is copyrighted
- ◆ Publishing a page is similar to published literary work
- ◆ You may use a site if it is strictly used for education
- ◆ You may use items from a page if you obtain permission
- ◆ You may use “royalty free” clip art from sites
- ◆ Be careful! Not all clip art is “royalty free”

Fair Use Policy

Classroom Activities

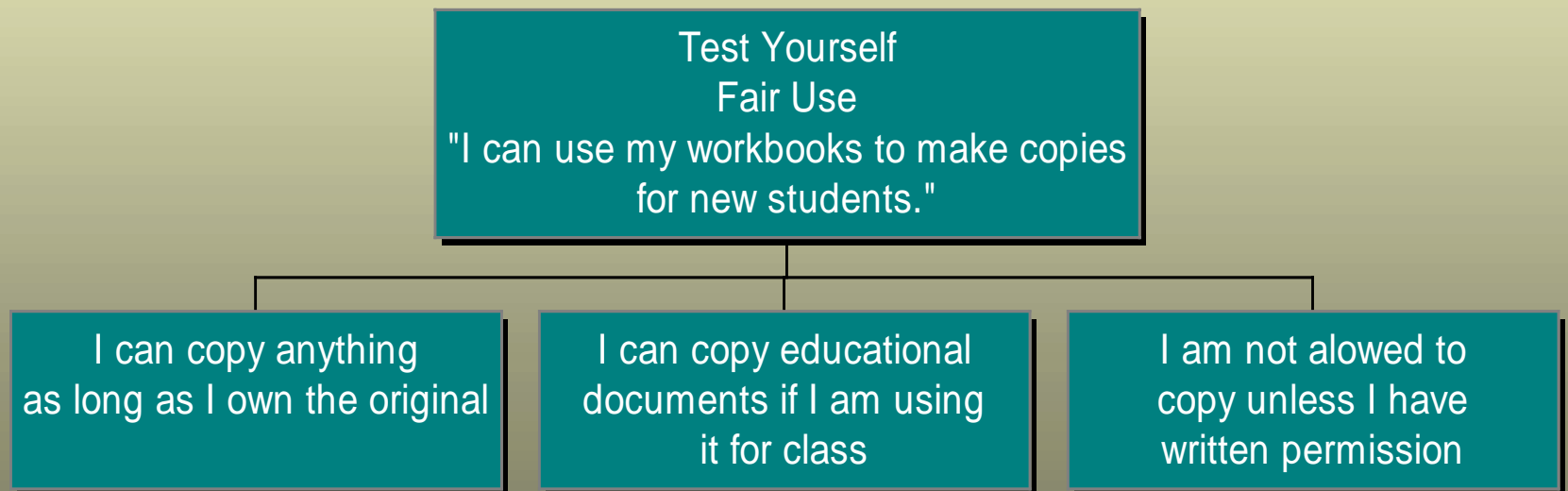
- ◆ All copyright laws apply to education
- ◆ You may use portions of materials for the sole purpose of education
- ◆ The amount you use will also determine copyright infringement (less is better)
- ◆ Properly documenting, crediting, and annotating will allow you to use copyrighted material for research or critical writings (Give credit where credit is due.)
- ◆ Everyone's work is copyrighted, even children's work

Do you know the law?

Group Activity

Do you know the law?

Group Activity



Do you know the law?

Group Activity

Test Yourself
Fair Use
in class to better explain the symphony.

I am allowed to record
anything for my class
as long as I relate it to
something

I am allowed to show any
videos in my room
that I own or rent

I only have a short window
to show the video and it
must be related to my lesson

Do you know the law?

Group Activity

Test Yourself
Fair use
I am having students cut out words for
an art collage.

My students are allowed
to take words from a paper
as long as they do not use
more than a phrase

My students artwork will
be original. Using words
from the paper and rearranging
them isn't breaking the law

There is no need to credit the
paper used for this project
because no one will know

Test your knowledge

Copyright

Copyright Quiz

1. You can tape a movie off Showtime.
 - a. If you use it for educational purposes.
 - b. Only if you have written permission from the company.
 - c. So that it may be archived.
 - d. To use as an entertainment for your great students.

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Copyright Quiz

2. You may photocopy parts of the encyclopedia:
 - a. If it is for your use only.
 - b. Only if your copy is of the subject you are researching.
 - c. If you don't have a copy at home.
 - d. To pass out to all your students.

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 - c. If you don't have a copy at home.
 - d. To pass out to all your students.

Copyright Quiz

3. You may record a local symphony concert to share with your class:
 - a. As long as you don't sell tickets to hear it.
 - b. As long as you use it at a listening center in your room.
 - c. If you relate it to your lessons.
 - d. You may not record a public performance of any kind.

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Copyright Quiz

4. You may make a copy of a computer program:
 - a. If you are giving it to a friend.
 - b. As long as you purchased it and are using it for a back-up copy.
 - c. As long as you downloaded it from the internet.
 - d. You may not copy software.

Copyright Quiz

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Copyright Quiz

5. You may use any image from the internet or clip art software:
- a. If you know that no-one will know.
 - b. If you save it as an “image” and give it a new name.
 - c. As long as it is confirmed to be “royalty free”.
 - d. You can not copy any photograph, artwork, or image without permission.

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Copyright Awareness

Elementary Lesson Plans and
Modeling

Student Activity

Objectives:

1. Students will be able to recognize individuality and the importance of copyright by participating in a short activity.
2. Students will be able make decisions about future school work by a guided discussion given by the instructor.

Student Activity

Materials:

- ▣ Drawing paper (any size)
- ▣ Pencils
- ▣ Crayons

Preparation:

- ▣ Have student create a piece of artwork (or written work) according to your directions. You may want to do it ahead of time.
- ▣ Make sure students have working space and supplies.
- ▣ Have a large bin for finished work

Student Activity

Instructions:

1. Give students instructions to draw a picture of anything that means a lot to them: pets, family, activities, or things.
2. If there is time, have them use color and ask them to be creative by adding a lot of detail. (This step can be done ahead of time.)
3. Do NOT have them put their names on the artwork.
4. Collect all of their artwork and put it into a basket.
5. Have students choose another students work randomly.

Student Activity

Instructions:

6. Have each student talk about the artwork as though they created it. Tell them to include a story about how or why they made it.
7. Discuss how they felt when someone was making up stories about THEIR work. Did they like it? Would they like it if it happened to them over and over again?
8. Explain that there are laws to protect people from stealing ideas and creations.
9. As a class, brainstorm why there are laws for copyrights. How would you borrow someone's idea, thought, or design?

Student Activity

Follow up activities:

1. Have students try another medium such as recording, writing, or designing a game.
2. Relate copyright to taking a test and compare it to cheating.
3. In a community circle, express the importance of individual ideas and expression and what the world would be like if we just copied.

Copyright is our responsibility!



Ethically



Legally



To Model



To Protect

Further Information:

Visit these web sites:

1. *<http://www.loc.gov/copyright/>*
2. *<http://www4.law.cornell.edu/uscode/17/index.text.html>*
3. *<http://www.templetons.com/brad/copymyths.html>*
4. *<http://www.cyberbee.com/copyrt.html>*