Find Your Digital Materials

Copyright for Creators // Wednesdays in the Workshop

Hillary Miller, Scholarly Communications Outreach Librarian
Disclaimer: I’m Not a Lawyer

VCU Libraries provides faculty, researchers, and students with informative resources that can help guide them in the responsible and confident use of copyrighted works. However, we do not provide legal advice. For legal advice, please consult the Office of University Counsel.
What is copyright?

Copyright is a form of legal protection granted to authors that gives them exclusive rights to their original works of authorship.
Copyright protects...

Writing
Choreography
Music
Visual art
Film
Architectural works
But doesn’t protect...

Ideas
Facts
Titles
Data
Useful articles (that’s patent
Copyright gives authors exclusive rights

- To reproduce the work
- To distribute the work
- To create derivative works
- To perform or display the work in public
- To authorize others to exercise any of these rights
Copyright is more like copyrights

Copyright is a bundle of rights. You can give away (or get) any of the exclusive rights:

- Individually
- On an exclusive or nonexclusive basis
- For a certain amount of time
- With other kinds of restrictions (noncommercial, educational use only, etc.)
Copyright Myths

Myth: A work is not copyrighted unless it’s officially registered.

Fact: Registration is not required.
Copyright Myths

Myth: A work is not copyrighted unless it has a copyright symbol.

Fact: Works are not required to be marked with a copyright symbol.
Copyright Myths

Myth: The work is already online, so the creator is okay with it being used and shared.

Fact: It may be online without their consent. Even with their consent, copyright still limits how you can use a work.
Copyright Myths

Myth: If I’m not making money on the work, my use is okay.

Fact: Whether your use is for profit or not for profit does not determine if it’s okay (but it can be one factor).
Copyright Myths

Myth: I’m not “publishing” something when I put it up online.

Fact: Under copyright law, putting a work online does count as “publishing” or “distribution,” which is an exclusive right of the copyright holder.
Copyright Myths

Myth: If I made it for class, I can put it online.

Fact: In the classroom versus on the open web are two different environments, and copyright has to be considered differently for each.
Copyright Myths

Myth: If I attribute the work to the creator, I’m not infringing on their copyright.

Fact: Attribution and copyright infringement are two different things. You can properly attribute a work and still infringe on the author’s copyright.
What is the work’s copyright status?

The work is copyrighted and is not available under any other terms:

Your use would need to fit into an existing copyright exception, or else you must rely on fair use or get permission.
What is the work’s copyright status?

The work is in the public domain:

The work’s copyright has expired or it was never copyrighted, and you do not need permission to use it.
What is the work’s copyright status?

The work is copyrighted but is made available under website terms and conditions:

You must look more closely to see if certain types of uses are permitted. Click-through licenses are legally enforceable.
What is the work’s copyright status?

The work is openly licensed:

There are many types available. See if your use matches up with permissions granted by the license.
Creative Commons licenses exist on a spectrum, from most open to least open.
Remember that as the creator of your new work, you are responsible for copyright concerns. You should make a reasonable effort to make sure that what you’re using is available under the terms you think it is.

You can do this by checking links back to the original image source, not using obviously infringing works, or using Google reverse image search.
Where to Find Digital Materials - Everything

Creative Commons Search

Google Advanced Search
Where to Find Digital Materials - Images

Library of Congress

NYPL

DPLA

Stockvault

Pixabay
Where to Find Digital Materials - Audio/Video

ccMixter

YouTube
Library Guides for Finding Images

Find Art & Design Images

Medical Images

Scientific Images
Future Workshops

Make Use of Fair Use
Friday, March 2, 2018, 1:00 to 2:00 p.m., James Branch Cabell Library, Room 205

Navigate the Permissions Process
Friday, March 23, 2018, 1:00 to 2:00 p.m., James Branch Cabell Library, Room 205
Questions?

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