

# COPYRIGHT BASICS

## STUDENTS: WHAT YOU NEED TO KNOW

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### WHAT IS COPYRIGHT?

Copyright is a form of protection provided by the laws of the United States to the authors of 'original works of authorship.' Copyright protection exists from the moment a work is fixed in a tangible form of expression, and gives the authors certain exclusive rights:

- 1 To make copies
- 2 To distribute copies
- 3 To prepare derivatives
- 4 To perform the work publicly
- 5 To display the work publicly

The library hosts a guide with more information on copyright and using copyrighted materials:

<http://guides.lib.usf.edu/copyright>

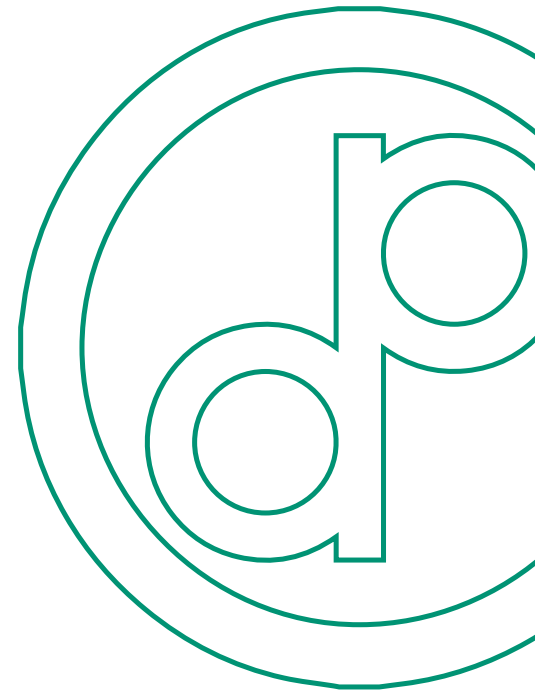
### PUBLIC DOMAIN

Copyright protection lasts for the life of the author plus 70 years. Due to changes in copyright law over time, only those materials published before 1923 are reliably in the Public Domain.

The Public Domain is a state of belonging to the public and not being protected by copyright law because of expired protection, protection being forfeit or inapplicable.

### HOW CAN I USE COPYRIGHTED WORK?

- 1 You can link to the material. Linking to an image or public website is not copying.
- 2 You can request permissions from the copyright owner.
- 3 Your use may fall under exceptions and limitations of copyright law like Fair Use
- 4 You can use the work in accordance with an existing license. For instance:
  - 1 The library negotiates licenses to online content that allow for classroom and reserves use.
  - 2 The work may be issued under a creative commons license where the creator has clearly established what others can do with his work.



## CREATIVE COMMONS

Many authors and artists are issuing their work with creative commons licensing. This is a license scheme designed to let creators advertise to their users what kind of uses they allow above and beyond copyright law.

The Library's Copyright Guide has a collection of resources you can search to obtain images and media that fit your needs and are free for you to use:

<http://guides.lib.usf.edu/c.php?g=5784&p=2753294>



## FAIR USE

Section 107 contains a list of the various purposes for which the reproduction of a particular work may be considered fair, such as criticism, comment, news reporting, teaching, scholarship, and research. It also sets out four factors to be considered in determining whether or not a particular use is fair:

### USF Fair Use Checklist:

The USF Tampa Library has created a worksheet that is offered as a tool to help you determine if your use of copyrighted content is likely to be considered to be a "fair use."

- 1 *The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes*
- 2 *The nature of the copyrighted work*
- 3 *The amount and substantiality of the portion used in relation to the copyrighted work as a whole*
- 4 *The effect of the use upon the potential market for, or value of, the copyrighted work*

