

Copyright Law

What teachers need to know.

The Basics

US Copyright laws extend legal protection to the creators of intellectual property. Intellectual property can be books, plays, music, art, poetry, computer software, and architecture. It doesn't matter if the work has been published or not. Copyright laws do not apply to facts, ideas, or systems of operation, just the specific expression thereof.

“Fair Use” Defense

“Fair Use” limits copyright laws by providing certain exemptions. The exemptions include teaching, reporting in the academic or media, comments or professional critiques. However, there are guidelines for claiming “Fair Use”. To find out more go to www.copyright.gov.

The Teach Act

This piece of legislation was written in 2002 to address emerging issues regarding copyright laws and the digital world. Specifically it allows teachers the freedom to teach students via long distance learning (not in a traditional classroom). It also allows access to more, previously copyrighted, works. The law still requires the content to only be distributed to registered students and only to be used by accredited institutions.

The Digital Millennium Copyright Act

The DMCA is divided into five sections or titles. *Title I* is an international agreement of protection for other countries works. *Title II* protects Internet service providers from subscribers who might commit copyright violations. *Title III* allows computer software to be copied by paying owners who are copying it for the purpose of maintaining or repairing a personal computer. *Title IV* allows playlists for radio broadcasts, distance education, and nonprofit libraries and archives use of copyrighted works. Title V protects some original designs like you might find on a boat hull. This is because some designs make “articles” distinctive.

Additional Resources

For any additional information check out these websites:

<http://www.copyright.gov/> -official government site

<http://www.benedict.com/> - jargon free explanation of media copyright and more!

<http://users.mhc.edu/facultystaff/awalter/brim%20site/>

-copyright information for teachers (made in NC).

<http://www.teachingcopyright.org/> -curriculum for teachers looking to educate their students.

Ask yourself...

Did I give credit to the author?

How much am I using?

Is my use taking away potential earnings of the author?

Am I making money off of the use?

Sources:

Copyright Clearance Center (n.d.). *The Teach Act: New Roles, Rules and Responsibilities for Academic Institutions*.

Retrieved June 4, 2013, from <http://www.copyright.com/media/pdfs/CR-Teach-Act.pdf>

US Copyright Office (2006, July 12). *U.S. Copyright Office - Copyright in General (FAQ)*. Retrieved from <http://www.copyright.gov/help/faq/faq-general.html#protect>

US Copyright Office (1998, December). *The Digital Millennium Copyright*

