

Copyright and Fair Use: Resources for Faculty

January 28, 2011

ACA FELR Workshop

Tusculum College

Instructional Support Committee

**Will Lewis, Chair, Jack Smith, Library Director, Allen Archer, IS
Director, B.J. Roberts, Instructional Technologist, Anne Osborne,
Asst. Library Director for DL**

COPYRIGHT ON CAMPUS

<http://learn.copyright.com/copyrightoncampus/>



Source: <http://www.coursecreators.com>

Alive and Well in East Tennessee

**Lawsuit scuttles sale of Tyrannosaurus rex skeleton to
Kingsport group February 21, 2011**

<http://www.timesnews.net/article.php?id=9030018>

Fair Use: What you need to know

(Section 107 of U.S. Copyright Act)

- Fair use is a defense to a claim of copyright infringement, **not** an exception.
- Not all educational uses of copyright-protected materials are considered fair use.
- Copyright law provides **specific** exceptions for reproductions made by libraries and archives.
- Copyright law provides **specific** exceptions for performance and display in the classroom.

Four Factors of 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; **published, factual**
3. **amount and substantiality** of the portion used in relation to the copyrighted work as a whole; **non essential, small**
4. the **effect** of the use upon the potential **market** for or value of the copyrighted work. **Doesn't prevent owner from making money**

Sample Copyright Notice

SAKAI course site

The materials on this course Web site are only for the use of students enrolled in this course for purposes associated with this course and may not be retained or further disseminated.

Courtesy of North Carolina State University Provost's Office

<http://www.provost.ncsu.edu/copyright/toolkit/implementation.php>

Sample Database License Agreement

- http://www.proquest.com/en-US/site/terms_conditions.shtml
- Sample durable link:
<http://proquest.umi.com/pqdweb?did=2207247631&sid=2&Fmt=6&clientId=51504&RQT=309&VName=PQD>

Publicly Accessible Databases

- **ERIC Copyright Guidelines:**
http://www.eric.ed.gov/ERICWebPortal/resources/html/submission/content_providers_copyright.html
- **ERIC Copyright Policy:**
http://www.eric.ed.gov/ERICWebPortal/resources/html/about/copyright_policy.html
- **ERIC Linking Policy:**
<http://www.eric.ed.gov/ERICWebPortal/resources/html/about/linking.html>
- **Bureau of Labor Statistics Linking and Copyright Info:**
<http://www.bls.gov/bls/linksite.htm>

Additional Resources

- Garland Library Copyright Guide:
<http://library.tusculum.edu/links/copyright.htm>
- Tusculum College Appropriate Use Policy:
<http://www.tusculum.edu/is/labresources.html>
- Tusculum College HR Policy 5.06 Intellectual Property:
[http://www.tusculum.edu/internal/pdf/Faculty Handbook revised Dec 2010.pdf](http://www.tusculum.edu/internal/pdf/Faculty%20Handbook%20revised%20Dec%202010.pdf)
- Digital Copyright Slider:
<http://www.librarycopyright.net/digitalslider/>
- USING COURSE MANAGEMENT SYSTEMS: Guidelines and Best Practices for Copyright Compliance:
<http://www.copyright.com/media/pdfs/Using-Course-Management-Systems.pdf>