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Copyright and Creative Commons

The basics you need to know

Jennie Tobler-Gaston, Institutional Repository Coordinator
Criss Library

February 21, 2024
Presentation Objectives

- Purpose of Copyright
- What is and is not copyrightable
- How a person receives copyright protection
- Public Domain
- Exceptions to copyright
- Background on Creative Commons
- Each Creative Commons License
General Information on Copyright

• Copyright is the set of exclusive rights granted to copyright holders
• Life of the Creator + 70 years
• Copyright holders not always who you think
• Copyright – where you physically are
Purpose of Copyright

• Protect creators’ rights to the work they create

• Utilitarian – incentive creators via social benefits

• Author’s Rights – recognize and protect the connection authors have with their works

• Moral Rights and Economic Rights
What is copyrightable?

- Nearly anything original in tangible form

How do you get a copyright?

- Literary work
  - Automatic
  - Tangible form
  - Registration optional

- Dramatic Works
  - Audiovisual Works

- Musical Works

- Collections of Literary/Artistic Works

- Visual Art

- Software

- Databases

- Adaptations, Translations, Arrangements
Copyright vs. Other Intellectual Property Protections

• Patent Law – inventions and designs

• Trademark Law – Logos, Symbols, Sounds, etc.

• Trade Secrets

• Geographical Indications
Public Domain

• Works that are not subject to copyright

• Works enter when:
  • Copyright expires
  • Never entitled to copyright
  • Copyright holder dedicates the work to the public domain
  • Copyright holder failed to comply with formalities to acquire/maintain copyright
Exceptions to Copyright

- Exceptions
  - Criticism
  - Parody
  - Access for a disability
- Fair Use
  - Purpose & character of use
  - Nature of the copyrighted work
  - Amount used
  - Effect of use on the potential market
Creative Commons

- 2001 Creative Commons organization established
- 2002 Creative Commons Licenses roll out
- Creative Commons Licenses = Copyright Licenses
- Six different Licenses
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Questions?

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