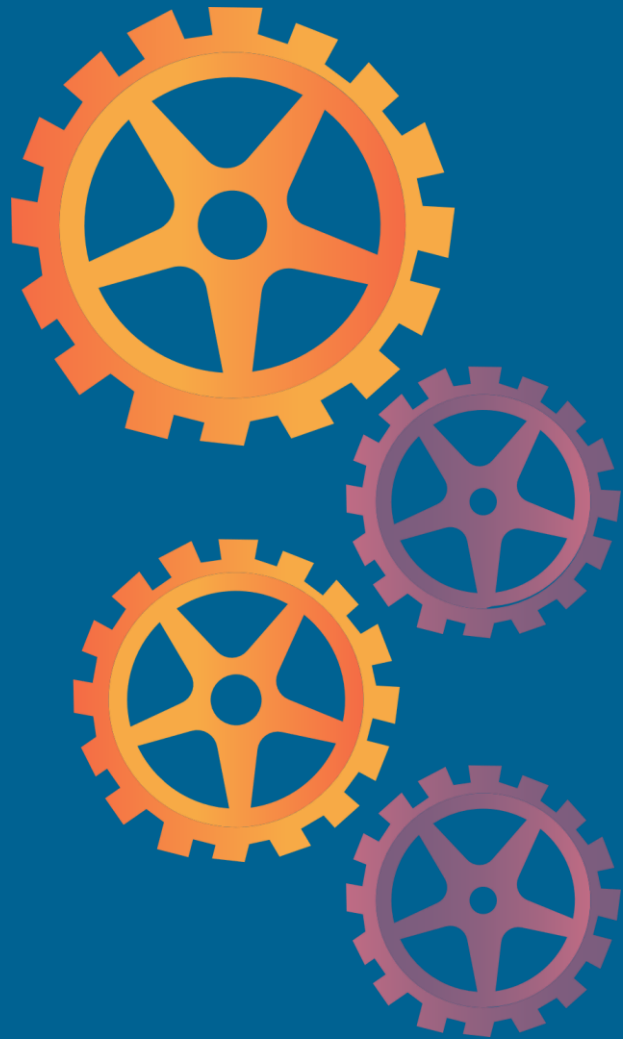


Digital Content Creation

Copyright and licensing issues

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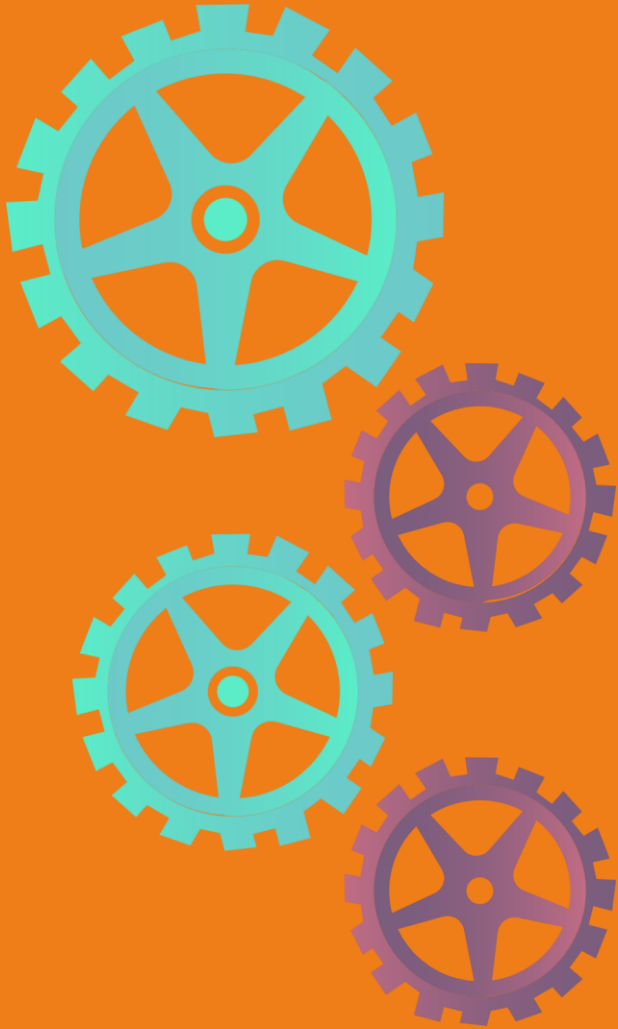


Contents

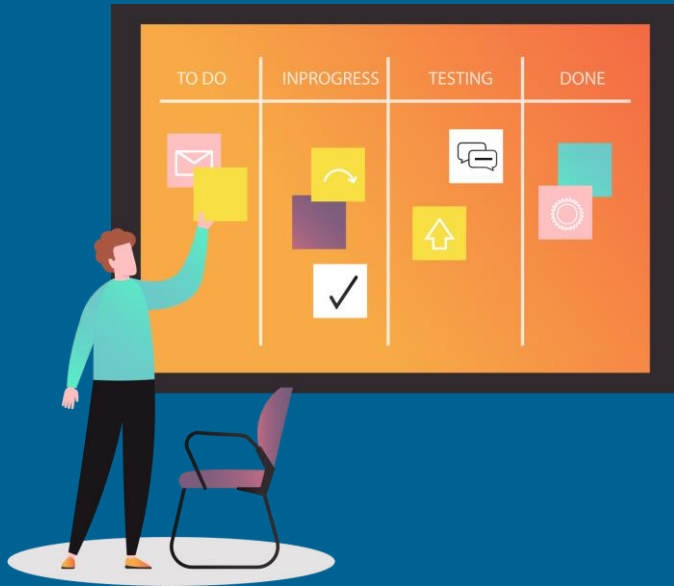
- Intellectual property
 - Intellectual property forms of protection
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- Fair Use
- Other sources of (non-copyrighted) material
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Copyright and fair use issues

- When developing digital content, more than often, creators resolve to internet searches to source images, videos, documents and other types/forms of files, in order to get inspiration and guidance or even use “as is” in their content
- Having all this vast amount of information literally under our fingertips, it is very easy to “rush in” and, knowing or not, not take into account that these files might be subject to copyright restrictions
- It is thus very important to have a clear understanding of “what” we can use and under which circumstances
- In this unit, we will discuss about these concepts and try to clear things out



Definitions



Intellectual property

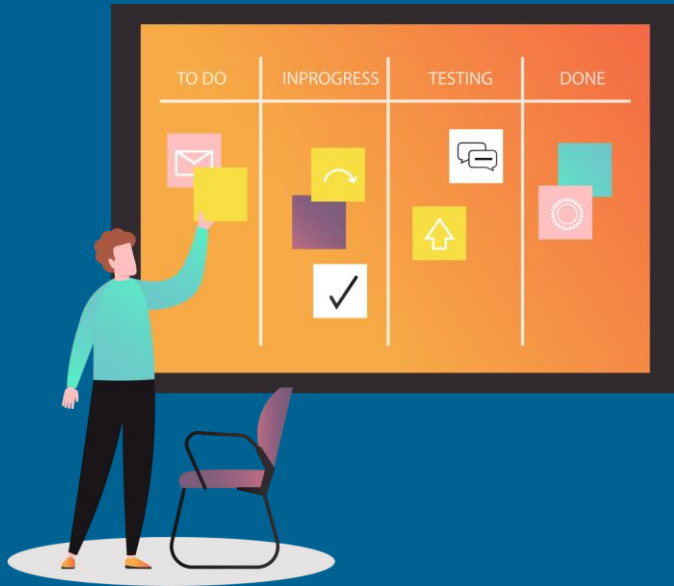
- Intellectual property (IP) rights are legal protections for creations of the mind, such as inventions, literary and artistic works, symbols, names, images and designs used in commerce
- These rights allow creators to control how their works are used and to prevent others from using them without permission
- With the boom of digital technology and the internet, IP rights have become increasingly important for creators of digital content, such as videos, music, software, and images

Intellectual property forms of protection



- **Copyright;** gives creators of original works the exclusive right to reproduce, distribute, and display their works. It applies to both physical copies of a work and digital copies, such as those found on the internet
- **Trademark;** is a symbol, name, or design that is used to identify and distinguish the goods or services of one person or organization from those of others
- **Patent;** give inventors the exclusive right to make, use, and sell their inventions for a certain period of time. This includes any process or machine, as well as any improvement

Definitions



Copyright

- Copyright is a legal concept that grants the creator of an original work exclusive rights to use, reproduce and distribute that work
 - NOTE: **you are not allowed** to copy, distribute copies, display or perform someone's work publicly or create derivatives of such material/work! If done so, this is called copyright infringement and has legal consequences!
- Copyright covers both published and unpublished works that are tangible in format (i.e. blog post, music score, artwork of all kind, a piece of software, an architectural design etc.)



Copyright

- Non-tangible works, like ideas or facts, are not protect by copyright
- It also goes that any original, tangible material that you produce as a teacher/digital content creator, is also protected by copyright!

Therefore, indiscriminately using digital resources is something that can get us in trouble and hence needs our full attention!



Fair Use

- Consequently, having establishing that we cannot use copyrighted material when developing digital content (unless of course we get a permission from the copyright owner) the following questions arise;
 - “Have I been braking the law all this time by using book excerpts, images, videos, songs when conducting teaching activities? Isn’t true that us *teachers can use any material available, if we do so for educational purposes?*”
- These statements can be answered both with a yes and a no. This is where the concept of “fair use” arises, dealing with the exemptions in using copyrighted material under specific rules and conditions



Fair Use

- The fair use doctrine is a legal principle that allows for limited use of copyrighted material without the need for permission from the copyright holder
- This principle is intended to promote free expression and the dissemination of information by allowing for the use of copyrighted material in certain circumstances
- Fair use allows for the use of copyrighted material for purposes such as criticism, commentary, news reporting, teaching or research

Fair Use

- Factors that are considered in determining whether a particular use is considered fair use include
 - the purpose and character of the use,
 - the nature of the copyrighted work,
 - the amount and substantiality of the portion used,
 - the effect of the use on the potential market for or value of the copyrighted work
- In other words, we can use copyrighted material for teaching purposes but under specific rules and conditions





Fair Use

You can find the ‘fair use’ rules for your country in the links below. Please read them carefully!

Greece

- https://euipo.europa.eu/ohimportal/el/web/observatory/faq-teachers-el#faqanchor_EL

Italy

- https://euipo.europa.eu/ohimportal/it/web/observatory/faq-teachers-it#faqanchor_IT

Germany

- https://euipo.europa.eu/ohimportal/de/web/observatory/faq-teachers-de#faqanchor_DE

Czech Republic

- https://euipo.europa.eu/ohimportal/cs/web/observatory/faq-teachers-cs#faqanchor_CS

Rest of Europe

- <https://euipo.europa.eu/ohimportal/en/web/observatory/faq-for-teachers>



Other sources of (non-copyrighted) material

- As you might already have concluded, using copyrighted material, even under fair use rules, can be daunting and stressful
- An alternative approach to follow as a digital content creator is that of sourcing material
 - from the public domain or
 - material that are provided under Creative Commons licenses



Public domain material

- The public domain (PD) consists of all the creative work to which no exclusive intellectual property rights apply
- Those rights may have expired, forfeited, expressly or waived
- Because no one holds the exclusive rights, anyone can legally use or reference those works without prior permission or payment
 - for example the works of Shakespeare or Arthur Conan Doyle, the music of Ludwig van Beethoven, the work and designs of Leonardo da Vinci are in the public domain



Public domain material / sources

- **Project Gutenberg** (<https://www.gutenberg.org/>): This is a volunteer-run website that offers over 60,000 free e-books. The books are available in a variety of formats, including plain text, HTML, and e-book formats
- **Librivox** (<https://librivox.org/>): This is a volunteer-run website that offers free audio recordings of books. The recordings are read by volunteer narrators and are available in a variety of formats, including MP3 and OGG
- **The Internet Archive** (<https://archive.org/>): This is a non-profit organization that offers a wide variety of public domain resources, including books, videos, music, and images. The Internet Archive also offers a variety of services, such as the Wayback Machine, which allows users to view archived versions of websites

Public domain material / sources

- **The Public Domain Review** (<https://publicdomainreview.org/>): This is a website that curates and presents a selection of interesting and unusual works that have entered the public domain, including books, images, and films
- **Wikimedia Commons** (<https://commons.wikimedia.org/>) : This is a database of over 55 million freely usable media files, including images, videos, and music
- **The British Library** (<https://www.bl.uk/>): It offers a vast collection of historical documents and books that have entered the public domain, including manuscripts, maps, and newspapers
- **The Library of Congress** (<https://www.loc.gov/>): Offers a wide range of public domain resources, including books, photos, maps, and manuscripts





Public domain material / sources

- **The New York Public Library** (<https://www.nypl.org/>): It offers a wide range of public domain resources, including books, photos, and manuscripts
- **The National Archives** (<https://www.nationalarchives.gov.uk/>): Offer a wide range of public domain resources, including government documents, photos, and maps
- **Europeana** (<https://www.europeana.eu/>): Is a digital platform that offers access to over 50 million books, paintings, films, museum objects and archival records that have entered the public domain



Creative Commons licenses

- **Creative Commons (CC)** is a non-profit organization that provides a set of copyright licenses and tools that creators can use to share their work with the public
- These licenses allow creators to specify how their work can be used and shared, while also granting certain rights to users, without having each user to individually contact the creator for licensing purposes
- Creative Commons licenses are designed to be flexible, allowing creators to choose the level of control they want to have over how their work is used, while also providing a simple and easy-to-understand way for users to understand how they can use a work

Creative Commons licenses

There are **six** different license types, listed from most to least permissive;

1. **CC BY:** Allows reusers to distribute, remix, adapt, and build upon the material in any medium or format, so long as attribution is given to the creator. The license allows for commercial use



2. **CC BY-SA:** Allows reusers to distribute, remix, adapt, and build upon the material in any medium or format, so long as attribution is given to the creator. The license allows for commercial use. *If you remix, adapt, or build upon the material, you must license the modified material under identical terms*



3. **CC BY-NC:** Allows reusers to distribute, remix, adapt, and build upon the material in any medium or format for *noncommercial purposes only*, and only so long as attribution is given to the creator



Creative Commons licenses

There are **six** different license types, listed from most to least permissive;

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5. **CC BY-ND:** Allows reusers to copy and distribute the material in any medium or format in *unadapted* form only, and only so long as attribution is given to the creator. The license allows for *commercial* use



6. **CC BY-NC-ND:** Allows reusers to copy and distribute the material in any medium or format in *unadapted* form only, for *noncommercial* purposes only, and only so long as attribution is given to the creator



Creative Commons licenses

Additional to the preceding 6 licenses, there is also the “Creative Commons Public Domain Dedication” or CC0 (aka CC Zero)

- **CC0** (aka CC Zero) is a public dedication tool, which allows creators to give up their copyright and put their works into the worldwide public domain. CC0 allows reusers to distribute, remix, adapt, and build upon the material in any medium or format, with *no conditions*



POINTS to NOTE

- The licenses and CC0 cannot be revoked; once you apply a CC license to your material, anyone who receives it may rely on that license, even if you later stop distributing it
- You must own or control copyright in the work to be licensed. Only the copyright holder or someone with express permission from the copyright holder can apply a CC license or CC0 to a copyrighted work



Creative Commons licenses



CREATIVE COMMONS LICENSES OVERVIEW FOR STUDENTS AND TEACHERS



ATTRIBUTION REQUIRED



BY

You can use the work and do whatever you like with it as long as you give attribution.



BY-SA

If you add to or change the work, you must share it with the same BY-SA license.



BY-NC

You can use the work as long as you don't change it in any way.



BY-NC-SA

You can use the work and add to it or change it but you can't make money from it.



BY-NC-ND

If you change the work, you must share it with the same license and you can't make money from it.



BY-NC-ND

You can use and share the work but you can't change it or sell it.

Least restrictive

Most restrictive

ATTRIBUTION FREE OPTIONS



PUBLIC DOMAIN

You can use the work however you like without permission or attribution; the copyright has expired.



CREATIVE COMMONS ZERO

You can use the work however you like without permission or attribution; the creator has released it to the public.



Creative Commons licensed material/ sources

- **Flickr** (<https://www.flickr.com/>): A popular photo-sharing website that allows users to search for and download CC licensed images
- **Pixabay** (<https://pixabay.com/>): Offers a large collection of free to use images, videos, and illustrations
- **Unsplash** (<https://unsplash.com/>): Offers a large collection of high-resolution images that are free to use under the CC0 license
- **Wikimedia Commons** (<https://commons.wikimedia.org/>): A database of over 55 million freely usable media files, including images, videos, and music



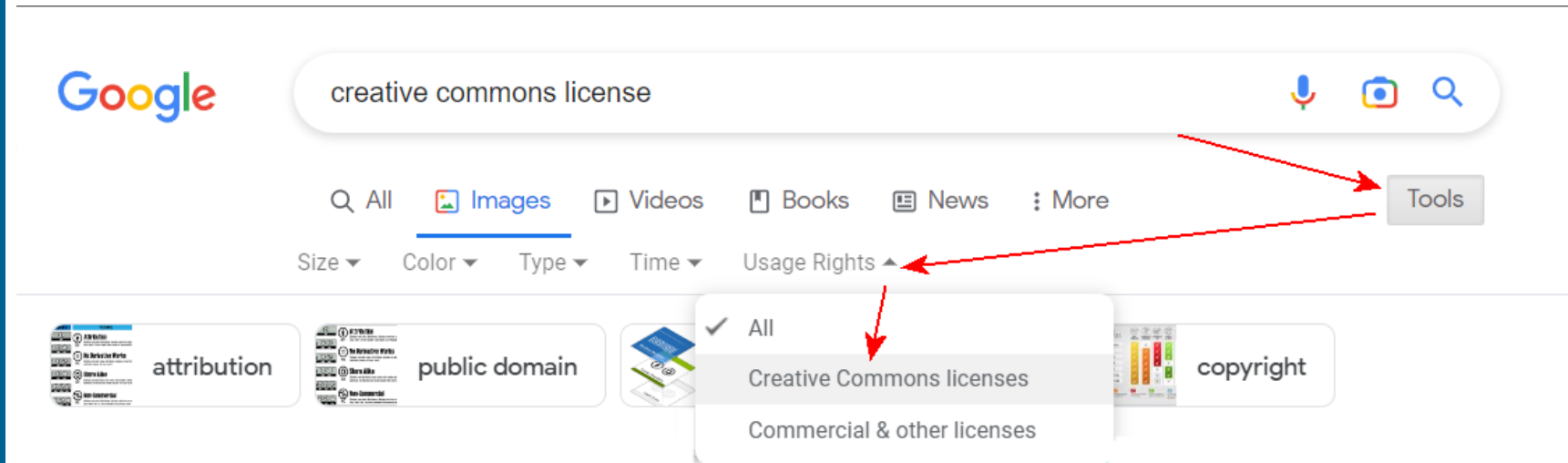
Creative Commons licensed material/ sources

- **The Noun Project** (<https://thenounproject.com/>): Offers a large collection of icons and illustrations that are available under various CC licenses
- **Vimeo** (<https://vimeo.com/creativecommons>): A video sharing website that allows users to search for and download videos
- **Jamendo** (<https://www.jamendo.com/>) and Dig CC Mixer (<http://dig.ccmixer.org/>): Offer a large collection of music
- **Open Library** (<https://openlibrary.org/>): Offers a collection of free e-books
- **SoundCloud** (<https://soundcloud.com/creativecommons>) : Offers a collection of audio tracks



Creative Commons licensed / sources

- Search engine search, following the steps below;



- If in doubt about the licensing status of a file sourced this way, either ask for permission or do not use it!

Things to remember when dealing with digital content

Comprehend copyright laws and the concept of fair use

- Before using any digital content, it is important to understand the laws and regulations surrounding its use. Fair use is a legal principle that allows for limited use of copyrighted material without the need for permission from the copyright holder

Look for Creative Commons licensed content

- Creative Commons is a non-profit organization that provides a set of licenses that creators can use to indicate how their work can be used. These licenses make it easy to find and use content that has been made available for reuse

Give credit to the original creator

- When using digital content, it is important to always give credit to the original creator. This includes linking back to the original source and including the creator's name or handle



Things to remember when dealing with digital content

Be aware of the terms of service

- Many websites and platforms have their own terms of service that outline how their content can be used. Be sure to read and understand these terms before using any content

Be aware of the legal implications of using digital content

- Depending on the type of content and how it is used, there may be legal implications for using it

When in doubt, ask for permission

- If you're unsure whether a certain use of digital content is allowed, it is always best to reach out to the copyright holder and ask for permission

Be aware of the difference between personal and commercial use and also of the different types of licenses available

- Some licenses only allow personal use of the content but not commercial use
- Different types of licenses have different restrictions, some are more restrictive than others, be aware of the type of license you are using



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