COPYRIGHT COMPLIANCE AT CLEVELAND COMMUNITY COLLEGE

Using Copyrighted Works for Education and Research
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I. Introduction
The purpose of this manual is help employees of Cleveland Community College comply with United States copyright laws while taking full advantage of the exemption provided by the “fair use” doctrine. The primary goal is to educate all employees to respect copyright and to practice responsible use of copyrighted works. The manual addresses uses of copyrighted print, audio, video, multimedia, and software for purposes of teaching, research, web publishing, and distance education.

Copyright is a very complex topic, and this document is only intended as an introduction to the use of copyrighted information in educational settings. As you read you will probably develop more questions than are answered. Don’t be concerned; experts in the field don’t agree on all the answers. While this manual only skims the surface, it should get you started asking the right questions about your educational use of copyrighted material.

This document is accessible by all faculty and staff of the College, and it is each employee’s responsibility to become familiar with the material provided here. Any questions regarding copyright compliance as it relates to educational uses of information at Cleveland Community College can be referred to the Dean of Learning Resources.

A. Statement of Values
Cleveland Community College recognizes and respects the rights of intellectual property owners to govern the dissemination and use of their creations, and we are thus committed to fulfilling our moral and legal obligations with respect to our use of copyright-protected works. We likewise acknowledge the critical role of faculty in teaching students similar respect by modeling legally, socially, and ethically responsible behavior in the use of intellectual property. With these values in mind we are still acutely aware of the need to find an appropriate balance, as does the law, between these rights and our need to use information quickly and efficiently in our teaching, learning, and scholarship.

B. United States Copyright Law
Article I of the U.S. Constitution authorizes Congress to pass legislation “to promote the Progress of Science and useful Arts by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.” On the basis of the Constitution, Congress has enacted the Copyright Act found at Title 17 of the U.S. Code.

C. Cleveland Community College Copyright Policy Statement
Section 1.31 of the Cleveland Community College Policies and Procedures Manual contains the College Policy on copyright compliance as follows:

Cleveland Community College requires all faculty, staff, and students to respect the rights of copyright owners by refraining from actions that constitute an infringement of federal Copyright Law. As stated in, but not limited to, Title 17, U.S.C., Section 101 and following, Copyright Law governs the reproduction, distribution, and use of all copyrighted materials which includes both print and electronic versions of books, periodicals, audio recordings, video recordings, computer programs, CD-ROMs and laserdiscs. Faculty, staff, and students are responsible for adhering to Copyright Law
while using College supplies and equipment and in all production and distribution of educational materials and presentations for the College.

A Copyright Manual has been developed to assist faculty, staff, and students with copyright compliance as they use information owned by others in the course of teaching, learning, research, or administration of the College. Faculty and staff are responsible for knowing the content of the Copyright Manual, for acting with careful consideration of the requirements, and for seeking assistance whenever necessary and as directed. The Copyright Manual is on the CCC website.

Any student violation of Copyright Law will be treated as a violation of the Student Code of Conduct. Any employee violation will result in an official reprimand and/or termination of employment. Willful disregard of Copyright Law by faculty and staff may result in personal liability in the event legal action is taken against them. Further, the College may refuse to defend an employee named in a court suit. The employee may be personally liable for any damages incurred as a result of the copyright violation.

II. Copyright and Fair Use
As stated by Justice Sandra Day O’Connor, “The primary objective of copyright is not to reward the labor of authors, but ‘[t]o promote the Progress of Science and useful Arts.’ To this end, copyright assures authors the right to their original expression, but encourages others to build freely upon the ideas and information conveyed by a work. This result is neither unfair nor unfortunate. It is the means by which copyright advances the progress of science and art” (Feist Publications, Inc. v. Rural Telephone Service Co., 499 US 340, 349 (1991)).

A. Understanding Copyright
Title 17 of the U.S. Code gives exclusive rights to the creators of “original works of authorship.” This copyright protection applies to published and unpublished works, and extends to literary, dramatic, musical, artistic, and other intellectual creations. Copyright law gives to the copyright holder all rights regarding the work’s reproduction in copies or recordings; the preparation of derivative copies based on the work; the distribution of copies or recordings for sale, lease, or rental; public performance, display, or broadcast. Copyright protection is granted on the creation of the work, regardless of whether the creator applies for copyright or whether the work contains a copyright notice.

Owning a book, manuscript, painting, or any other copy or recording does not give the possessor any rights. Copyright for a work is not transferred with the ownership of a material object that is an embodiment of the work. In other words, just owning a book, video, or compact disc does not give the owner any rights to copy, display, perform, or distribute the work. All such rights are reserved for the copyright owner.

Copyright law protects all works that are in a tangible form. This includes:

- Literary works
- Musical works, along with any lyrics
- Dramatic works, with any accompanying music
- Pantomimes and choreographic works
- Pictorial, graphic and sculptural works
- Motion pictures and all other audiovisual works
Sound recordings
Architectural works, including drawings, blueprints and the final structure

If everything is copyrighted, where does that leave researchers, teachers, librarians, and students who need to use copyrighted materials in their educational pursuits? First, everything is not copyrighted. For example, there are public domain items which include

Most federal publications and the publications of some states
Works for which the creator or copyright owner has given up rights
Things that cannot legally be copyrighted, (names, short phrases, titles, ideas, facts)
Works published in 1923 or before
Works with expired copyrights

Before making any type of reproduction of an original work, changing the format of any work, or putting the work on a website or in an online course you must determine if the material you wish to use in your project is copyrighted. Remember, almost everything is. Works created after March 1, 1989 are not required to contain a copyright notice, so the absence of a notice means nothing. This may sound difficult but a number of useful tools have been developed to assist you. You can use Dr. Laura Gassaway’s chart "When U.S. Works Pass into the Public Domain" to make determinations about when certain items will become part of the public domain. The American Library Association Office for Information Technology Policy (ALAOITP) has developed the “Copyright Slider” and “Consult the Copyright Genie” to help you determine if an item is protected by copyright and document your decision.

Just because something is protected by copyright does not mean it is off limits for educational purposes. Exceptions to the copyright law are found in U.S. Code Title 17, Section 107 - Fair Use. Copyright law provides for the “fair use” of copyrighted material within the academic community, with restrictions. In simple terms, “fair use” gives educators the right – in some circumstances – to use copyrighted material without permission or payment. The intent of “fair use” is to balance the rights of the creator and/or copyright holder with the needs of society. The doctrine of fair use is intended for purposes of criticism, comment, news reporting, teaching, scholarship, and research.

If you determine that the item you wish to use is copyrighted you must apply the “Criteria for Determining ‘Fair Use.”’ Do not assume that any and all educational uses are “fair.” They are not. Whether or not a use is truly “fair use” depends on the individual circumstances of the given situation.

B. Criteria for Determining “Fair Use”

**Purpose of the use** -- Is the use strictly for an educational purpose? Will use be in a traditional classroom environment? Is the material to be used in the same format it was purchased in? Is this the first time you have copied the material? Did you find and decide to use the material on the spur of the moment? If you can answer yes to these questions, you are probably within the guidelines for “fair use.”

**Nature of the copyrighted work** – Is the work fact-based? Is it out of print? If so, this weighs the use toward being “fair.” Is it fiction? Is it poetry? Is it consumable, as in a workbook? Is it a pattern to be used to construct something? If so, the use is probably not a
“fair use.”

**Amount used** – Are you copying the entire work? (One journal or magazine article is considered an entire work, by the way.) The larger the percentage of the whole that you copy, the greater the chance that you are not protected by “fair use.”

**Effect of the copying on the potential market for or value of the original work** – Are you copying to avoid purchasing the work? Has the material been marketed specifically for your needs? If so, “fair use” probably does not apply here either.

As you examine a project in light of the four factors of “fair use” keep in mind that all factors do not have to lean in one direction. If most factors lean in favor of fair use, the activity is probably allowed; if most lean against fair use then the use is probably not protected by the fair-use exception. If this is the case you probably should get permission from the copyright owner to be safe. Remember, to make copies that are not within “fair use” guidelines is to violate copyright law.

Because there are no hard and fast rules some excellent tools are available to help with application of the four fair use factors. The American Library Association Office for Information Technology Policy (ALAOITP) developed the “Fair Use Evaluator” to guide educators through the determination of whether a use of material is “fair” and to document the process. This tool will lead you through the process of asking the right questions and help you produce a PDF file of your answers for documentation. You can also use a simple Checklist for Fair Use. This form can be completed and saved each time you claim fair use of copyrighted material for an educational use.

After applying the Four Factors, if you have any doubt that your intended use may not be covered by the fair use exception you should seek permission from the copyright owner.

### III. Practical Assistance

#### A. Best Practices

To assist in determining when and how you might best use copyrighted materials in your teaching, research, and other creative endeavors while taking full advantage of “fair use” various entities have developed “Best Practices for Fair Use” documents. Such “Best Practices” have been developed to support college faculty and librarians, media educators, online course developers, documentary filmmakers, and creators and users of video. Many best practice documents with supporting information can be found on the Center for Social Media website.

#### B. Best Practices at CCC

**Use material that is not protected by copyright**

To enhance your online classes and presentations try searching for material that is in the public domain. This includes items for which copyright has expired, been given up, or is not applicable. To get you started the website Public Domain Sherpa has links to great sources for books, maps, photos, sheet music, and sound recordings that are in the public domain.

Most works produced by the U.S. government are not eligible for copyright. Try USA.gov’s Government Photos and Images for links to graphic materials on a wide variety of topics. You’ll
find some great sources of materials, like GRIN: Great Images in NASA.

Public Domain Sherpa also has links to some excellent sources of public domain recordings, including the sound recording collections in the Library of Congress (LOC) American Memory Project. The LOC also maintains National Jukebox with over 10,000 historical sound recordings made freely available. A source for public domain video is Openflix, a collection of movies that are commonly thought to be in the public domain or for which the copyright holder gives permission for use.

Not everything on all these sites is in the public domain so be sure to read any fine print. In some cases the creator of the work just wants you to include a citation to give them credit. That’s a small price to pay for great material, and you are setting an excellent example for your students.

Use Direct Links
If you want your students to read or view something that is already on the internet just create a link to the material. This saves time, and if you are only providing a link you are not violating copyright. As an example, I’m providing a link to a copyrighted page titled "Know Your Copy Rights" which I can legally do. This document provides some valuable information about using material without seeking permission or paying a fee.

There has been some concern about the practice of “deep linking” or creating a link deep into a website and avoiding the main page. This issue applies primarily to commercial sites because you might be avoiding advertisements on the main page. If you want to point your students deep into a commercial website you should get permission from the webmaster of that page.

The drawback to providing links rather than making copies is that you will need to check regularly to make sure your links are still valid, particularly if you provide the links in Blackboard or on your website. Sometimes websites are moved or removed.

Don’t post copyrighted items on the Web
When using the “Fair Use” exemption with materials you are providing in your traditional or online class it is important that you limit access to only the students in the class for which the material is used to meet your objectives. This basically means you should not post copyrighted items on a public website. Provide access through Blackboard so only the students in your class will have access to the material.

Limited amounts of copyrighted video material can be provided to your students through the CCC video server. See the “Request to Stream Copyrighted Material” form for more details.

Use material that is specifically licensed for you by the College
The Library maintains licenses to a wide variety of databases and online resources that you can use to complement and enhance the teaching/learning experience. While the licenses do not generally allow you to make copies of articles and reference materials to post in your classes, most provide the ability for you to create direct links which you can provide to your students. For more information about creating links to material located in subscription databases or
collections contact the Instruction/Reference Librarian in the Rose Library.

The Rose Library provides access to several excellent photo collections that are royalty free for educational, non-commercial uses as well as to several databases with video material that can be used in traditional classes or linked to for online students. To find out more about these subscriptions and how the images and videos can be used see one of the College librarians.

**Use material from the NCLOR**
The North Carolina Learning Object Repository (NCLOR) provides access to a wide array of digital learning resources such as documents, audio/video files, simulations, and assessments that can be used in traditional and online classes. The Repository is managed by the NCCCS, and as stated on their website, “the mission of the NCLOR is to provide a centralized location for the acquisition, collection, sharing, and management of quality learning resources for all teachers in North Carolina.” *(North Carolina Learning Object Repository. Raleigh, NC: NCCCS. Web. 29 Apr. 2013.)*

Most of the items included in the NCLOR are published with Creative Commons licensing and can be modified to meet your particular instructional needs.

**Use Creative Commons**
Creative Commons is a non-profit organization that promotes sharing of creative endeavors. The various licenses that Creative Commons has developed allow creators to maintain their copyright while allowing others to make various uses of their creations. Works that are covered by Creative Commons licensing can be used in the way the license for that item permits. In fact, the “Fair Use Evaluator” recommended above was published through a Creative Commons license, and that is why we were allowed to modify it for use at our College. To learn more about Creative Commons licensing visit the Creative Commons website.

All the audio clips on the collaborative website www.Freesound.org have Creative Commons licensing so they can be downloaded for use in your projects.

**Create your own learning resources**
With a little time, some imagination, and various tools provided by the College you can create learning resources tailored to the learning outcomes you hope to achieve. Take photos. Record lectures for your online classes. Create videos, slide shows, and other learning objects. And when you have created something special think about sharing it with others through Creative Commons licensing.

**C. Frequently Asked Questions**
The textbook for my class is on backorder. Can I copy the first few chapters for my students until the book comes in?
The answer is probably yes if the copying is for instructional purposes, is not a significant amount of the book, is only done for this situation, does not result in any financial benefit from the copying, and is not done as a substitute for purchase.
If you use Blackboard, it would be permissible to scan the pages you need and post them in your course until the textbook is available. This way only your students have access, you can destroy the copy once the students have their textbooks, you have not made print copies that are still in existence, and you have saved money. You could not, however, post the pages on a website that is not restricted to the students in the class. Just remember that this is not permissible as a substitute for the book for the entire semester; this can only be justified until the students have access to their copies of the textbook.

I have a study guide that goes well with the class I am teaching. Is it permissible to make copies from it for my students?
No. If you intend to use more than a small amount of the guide then the students should purchase a copy for themselves.

What if the study guide is no longer available for purchase?
Because an item is no longer available for purchase does not mean the copyright has expired. If you must use the item with your students then you will need to get permission from the copyright owner. In cases like this it might be simpler to find a new study guide that can be purchased by your students.

A book I want to use is out of print but a colleague has a copy of it. Is it permissible to make copies of it?
Not necessarily, as there are sources that produce and market out of print material. Sometimes an out of print item might still be available. Out of print does not mean out of copyright protection. You should make every reasonable effort to purchase an additional copy if you want permanent access.

Can I make copies of print material for my own research?
Yes, making one copy for scholarship and your own use is permissible.

Can I make multiple copies of printed material for distribution to my students?
In some cases this is acceptable. Follow the “fair use” guidelines above. “Fair use” may apply if your decision to distribute the copies is spontaneous. For example, you find a journal article that would complement your lecture and benefit your students, but your class meets tomorrow and there is no time to obtain permission from the copyright owner. In this case, you may make and distribute copies, as long as you follow these guidelines:

- Distribute only one copy for each student in the class.
- Do not distribute the same photocopied material again in another semester.
- Include a copyright notice on the first page of the portion of material photocopied.
- Do not assess any fee beyond the actual cost of the photocopying to your students.

Keep in mind that many print articles are now available online. If this is the case your best option is to provide your students with a link to it. If there is a copy of the material in one of the Library’s online subscription databases, you can refer your students to the article or give them a link to it. This avoids any copyright violations and saves on printing costs. The College Librarians can help you determine if a particular article is available online or help you find something similar to meet your need.

Can I place multiple copies of an article on reserve for my students?
In some cases this is possible. Once again, the answer lies in whether you can justify the use
as fair use by using the “Fair Use Evaluator.”

**Can I make copies of the same article for my students every semester since it supplements a certain portion of what I teach every semester?**

No. You can make and distribute a copy of something that you find at the last moment, but you must get permission from the copyright owner for making copies for successive semesters. In some cases you might have to pay royalties for this use. The best practice is to find the article or something similar online, and provide your students with a link.

**What if I don’t make copies of an article but post the article in my Blackboard course every semester?**

This would still be a copyright violation. You need to get permission for use beyond the first semester. The best way is to provide a link for an online version of the article if this is available. If you are not sure, check with the Library. If the article is in one of our online databases you can create a link directly to it for your students.

**Is it a copyright violation to place a work in the classroom or on reserve and request that students make copies?**

Yes, this is known as “top down” copying and is prohibited. Requiring students to make copies is the same as making the copies yourself in the copyright world. You need to seek permission to make the copies, have each student purchase the work (not the same as purchase the copies), or place the work on reserve and have the students use it in the Library. Be sure to check with the Library about appropriate reserve procedures to avoid copyright violations. Works placed on reserve must be legally acquired copies owned by the College or the instructor. The Library will not place items on reserve if it is judged that the nature, scope, or extent of copying violates the limits of fair use.

**If I find something on the Internet that does not have a copyright statement, is it safe to assume that I can make copies of it for my students?**

There does not have to be a copyright statement to secure copyright. The act of publishing in any form insures copyright protection. You should assume that everything is copyrighted unless you see a statement to the contrary. In this case the best way is to use the internet to share the material in class or to create a link in your Blackboard course site to the online version.

**Can I post a copy of a magazine or journal article on my website?**

Just because it is technologically possible to do something does not make it legal. While the technology exists to scan a printed work, save it as a file, and post it on a web page, this is a copyright violation. You must obtain written permission from the copyright holder before publishing – this includes posting on a website or into an email -- anything that is not your original work.

**What about posting material electronically for my online students?**

Fair use allows for electronic posting of copyrighted materials for online classes, with these restrictions:

- The instructor must post the material in such a way that only those students currently enrolled in the class can access it. For example, if only students who can log into your Blackboard course have access, then you are probably not violating copyright.
- The amount of material posted must be reasonable in relation to the entire document. In other words, you cannot copy and post entire chapters from a textbook.
The materials must be erased at the end of the semester.
Each reserve posting must carry the copyright notice.
Copyright clearance must be obtained in order to use the material in any subsequent semester.

Can I convert my videos to DVD format?
No, it is a copyright violation to change an item from one format to another. This is only allowed if the original format is obsolete and equipment to play it is not available for purchase. (An example of this would be ¾ inch videocassettes. It is acceptable to transfer material from ¾ inch to another medium.) While VHS appears to be a dying format, videocassette players are still available, so you can’t transfer VHS into another format. If you make a copy rather than purchasing the new format you are affecting the market for the item.

Can I show a rented movie to my class?
Yes, as long as it is for educational purposes related to the curriculum and the lesson at hand. Also, be sure that this use is not prohibited by the rental provider.

Can I make a recording to change a work from one format to another?
In most cases, the answer is no. It is also a copyright violation to make a recording by narrating a print work onto tape. Even though the medium is different, the material is still copyrighted.

Can I record a television program and show it to my class?
The answer is a qualified yes. Any program that you record for educational use can be used only once with each class, must be used within ten days of recording, and must be erased after 45 days. And since “fair use” guidelines apply here, the classroom use must be directly related to course objectives -- not for entertainment.

Can I make a copy of an audiocassette, videocassette, CD, or DVD to keep as a backup?
No. It is a mistake to think that you can make a copy of anything for backup purposes. You can only do this if the rights were granted in writing with the original purchase, and this is not the usual case.

There are a number of videos and DVDs that I used with my traditional classes, but now I teach these classes online through Blackboard. How do I get his material to my students?
There has been considerable discussion, and much disagreement, about this. The Technology, Education, and Copyright Harmonization (TEACH) Act was legislated to address the issue of how to provide the materials in online classes that were considered “fair use” in the traditional classroom. But the TEACH Act is more restrictive than fair use. For example, fair use allows instructors to show an entire video in the traditional classroom, as long as this is needed to meet an educational objective of the course. The TEACH Act does not allow the same instructor to have the same video streamed for students in the online version of the same course.

If it is fair use show the video in the seated classes, the instructor is probably within fair use rights to have the material streamed for the online students, provided only students in the class have viewing privileges. Use the “Fair Use Evaluator” to make a definite assessment.

For additional copyright questions and answers see “Uses in the Traditional Face-to-Face Classroom” and “Uses in the Online Classroom / Course Management System”
D. Copyrighted Material and Online Instruction

“Fair Use” is not just applicable to classroom teaching materials. This exemption can also be used for the display of materials in online instruction. To see how the four factors can be applied to materials posted in a course management system such as Blackboard look at the examples provided by the Copyright Management Center at IUPUI: Common Scenarios of Fair Use Issues: Posting Materials on Course Management Systems.

As noted in the Frequently Asked Questions section of this manual, the TEACH Act, a 2002 revision of Section 110 of the Copyright Act, addresses how materials and particularly audio-visuals can be used in online classes. TEACH is more restrictive regarding what you might provide to your classroom students than “fair use.” As related to videos, in brief, it allows you to provide only "reasonable and limited" portions of any video work (other than nondramatic literary or musical work). And this is only if you meet a list of other requirements that must be satisfied by the institution and the course.

The material used must be

- lawfully acquired
- integral to the curriculum and the lesson at hand
- the same amount that would be used in the physical classroom
- limited to only that portion necessary
- available to enrolled students only under instructor supervision
- material not normally purchased by students
- clearly labeled with the copyright notice

The TEACH Act exemption does not apply to any copyrighted work that was produced or marketed primarily for performance or display as part of “mediated instructional activities.” In other words, you cannot include materials in your course that were created specifically for use in online classes unless you purchase the rights. Some materials – specifically workbooks, worksheets, and other consumable materials -- can never be posted on a course site, even when the site is password protected, as with Blackboard.

Because it is easier to violate copyright laws with digital materials, Congress has stipulated that digital works must be more stringently controlled. Thus, to use the TEACH Act exemption, the College is required to inform our educational community about copyright law and employ technology to limit the infringement possibilities. Keep in mind that the TEACH Act does not replace “fair use.” If you determine that the use of a work is a “fair use” based on the four factors, then you do not have to meet the requirements of the TEACH Act.

While the TEACH Act may be useful in some cases, “fair use” is often a better option for defending your use of copyrighted material. For additional guidance with the use of copyrighted materials in traditional and online courses you can find very good information in the Association of Research Libraries’ “Know Your Copy Rights” document.

E. The Copyright Notice

Most resources have a copyright notice. This notice should be copied and attached to any copies made of the resource. So if you make copies of a journal article and distribute them to
your class each copy should have the copyright notice included. If there is no notice on the original then the notice used on the copy should state that the material might be protected by copyright, i.e. “Notice: This material may be protected by copyright law (Title 17 U.S. Code)” along with the author’s name, the title of the publication and the date of copyright, if known. The library has a stamp with the appropriate wording to identify copyrighted material if you cannot find the copyright notice on the original. The original or similar notice should also be included conspicuously in each blackboard course and with each copyrighted resource you include in the course.

V. Using Copyrighted Material Appropriately

A. Copyright and the Library
In regard to interlibrary loan and copyright, the Jim and Patsy Rose Library follows the Commission on New Technological Uses of Copyrighted Works (CONTU) Guidelines, established over thirty years ago but still acceptable for determining appropriate practices with print materials. The Guidelines do not apply to loaning or borrowing materials that are available digitally through subscription databases.

The Library does not make extensive use of electronic reserves, but recognizes the contributions of ALA in providing guidance in this area as indicated in their online document “Fair Use and Electronic Reserves.”

B. Final Determination
To make a final determination about how to proceed with the use of material created by someone else you might want to use the “Can I Use It” chart. Developed by the University of Minnesota Libraries, this flowchart is covered by a Creative Commons Attribution-NonCommercial license. Through this license the creators have given others the right to build on this work as long as the use is not commercial and credit is given for the original creation.
C. Obtaining Permission

If you determine the work you want to use is protected by copyright and your project cannot be judged as “fair use” you are required to obtain permission from the copyright holder in order to use the work. This three step process can take some time so it is important to begin well before you will need to use the work.

**Step 1. Identify the copyright owner(s).**
Start by examining the work to locate a copyright notice ("copyright by . . . ., ©") and/or the author or publisher. Keep in mind that this method is not always accurate as copyright ownership is sometimes transferred after publication. Also, don’t forget that the absence of a notice does not mean the item is not protected by copyright. For additional assistance try “U.S Copyright Office’s Circular 3: Copyright Notice.”

An internet search for a title, author, publisher, segment of text, lyrics, etc. might help you determine the copyright owner. There are also online organizations that can assist with this, and some of them will also contact the copyright owner or give permission on their behalf. For additional assistance try the University of Texas webpage “Building on Others’ Creative Expression: Getting Permission” or talk to one of the College librarians or the Dean of Learning.
There is a record of all submitted copyright registrations at the U.S. Copyright Office. While this can be useful, keep in mind that not all owners complete the registration process and not all transfers are recorded. You can search these records at “Obtaining Access to and Copies of Copyright Office Records and Deposits.”

**Step 2. Contact the copyright owner(s).**

Once you have determined the copyright owner you should contact them for permission to use the work. For print items, the best place to begin is the Copyright Clearance Center. You can also send a letter directly to the copyright owner requesting permission for use of their work in your project. This written communication should include the following information: author name, title, edition and volume number of book or journal, numbers of exact pages and illustrations, publication year, publisher name, ISBN number for books, ISSN number for journals, College name, course name and number, semester and year in which material will be used, number of photocopies to be reproduced, how material will be reproduced (i.e., photocopying, scanning), instructor name, and contact information. You can use our “Copyright Permission Letter Template” to guide you in crafting this letter.

Or, you can check the publisher’s website for procedures for contacting the copyright owner or the permissions department. Again, you can also contact the Library assistance.

**Step 3. Secure and document permission.**

Collective rights services, such as the Copyright Clearance Center, can grant permission for the use of many works. This is the method preferred by many copyright holders who do not wish to be contacted directly. Be aware that while some permissions are granted others are not, and there is often a fee. A requisition for copyright fees, based on a quote from the copyright holder or agent, should be submitted though established College channels before any agreement is made. If you are not sure about this process contact the Library.

If you request permission using a letter to the copyright owner do not assume permission has been granted. If you do not get a response the answer is no.

Keep detailed records of all permissions and correspondences related to your project. This is important because you may need to refer to this later to determine your rights, it is proof that you have permission, and you may need to obtain permission from the same copyright holder or service in the future. Information to retain includes the citation and name of the work, the author or creator, the type of media, the type of use and or number of copies permitted, the copyright owner and contact person, contact information, the dates permission was requested and granted, any fees required and payment schedule, and the expiration of permission.

**V. Additional Resources**

**A. Selected Bibliography**

These items were used in the preparation of this document and are available in the Jim and Patsy Rose Library.


**B. Useful websites**
The following list includes websites referenced in this document and other useful online resources.

The Copyright Act is Title 17 of the U.S. Code - [http://lcweb.loc.gov/copyright/title17](http://lcweb.loc.gov/copyright/title17)


Copyright Advisory Network - [http://librarycopyright.net](http://librarycopyright.net)

Stanford University’s Summaries of Fair Use Cases -  

Copyright Office Basics - [http://www.copyright.gov/circs/circ01.pdf](http://www.copyright.gov/circs/circ01.pdf)

Fair Use in the Electronic Age -  


Center for the Study of the Public Domain - [http://www.law.duke.edu/pd/](http://www.law.duke.edu/pd/)


Crash Course - [http://www4.law.cornell.edu/uscode/17/](http://www4.law.cornell.edu/uscode/17/)

The Cost of Copyright Confusion for Media Literacy –  