

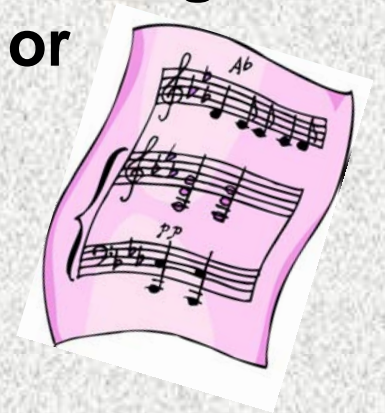
Rights?
Responsibilities?
Copyright?

What **Every** Teacher and Student Should Know about
Intellectual Property Laws!

What is intellectual property?

From Wikipedia:

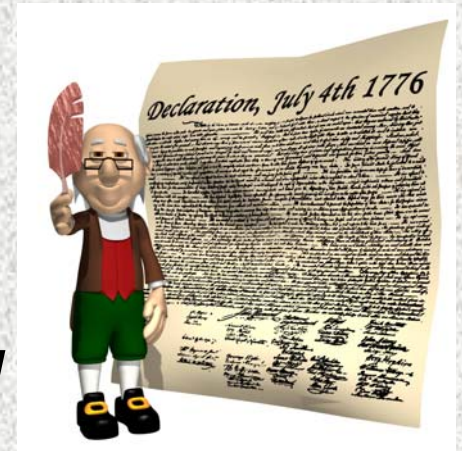
Intellectual property is a legal field that refers to creations of the mind such as musical, literary, and artistic works; inventions; and symbols, names, images, and designs used in commerce, including copyrights, patents and trademarks. Under intellectual property law, the holder of one these abstract "properties" has certain exclusive rights to the creative work, commercial symbol, or invention which is covered by it.



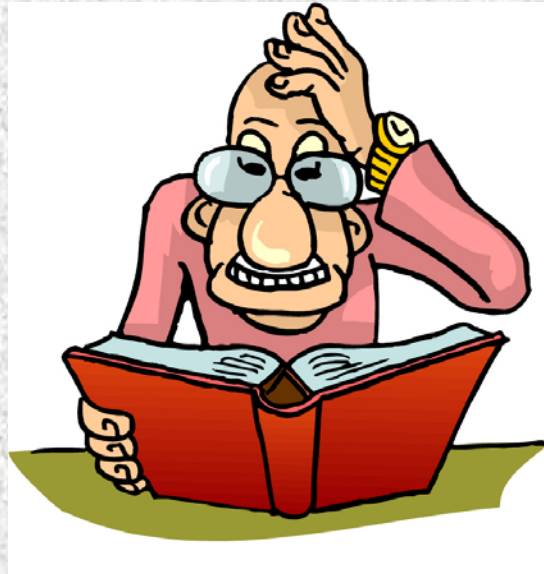
**What does intellectual
law have to do with
our *rights*?**

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

...Life, Liberty and Property.



*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;*



....nor shall private property be taken for public use without just compensation.

Copyright Laws Are Ancient History

- As early as 1421, the Republic of Florence passed a patent law so that inventors would share important secrets.
- The invention of the printing press inspired copyrights laws as early as 1496.
- Most colonies had patent and copyright laws—usual time 14 years.
- Congress passed the first copyright law in 1790—term now 70 years.

The Old Days Were Easier to Figure Out!

- If you quoted somebody, you used quotation marks or italics.
- If you cited a book, magazine or other publication, you used a footnote at the bottom of the page and a bibliography at the end of the document.
- “Cut and paste” was a kindergarten activity.

Quiz on Copyright Law

Based on *10 Big Myths about copyright explained*

From <http://www.templetons.com>

Author: Brad Templeton

1. **“If it doesn't have a copyright notice, it's not copyrighted.”**
2. **"If I don't charge for it, it's not a violation."**
3. **"If it's posted to Usenet it's in the public domain."**
4. **"My posting was just fair use!"**

Quiz--continued

5. **"If I make up my own stories, but base them on another work, my new work belongs to me."**
6. **"Oh, so copyright violation isn't a crime or anything?"**
7. **"It doesn't hurt anybody -- in fact it's free advertising."**

Quiz--continued

8. **"They e-mailed me a copy, so I can post it."**
9. **"So I can't ever reproduce anything?"**

However, it must be remembered that copyright has two main purposes, namely the protection of the author's right to obtain commercial benefit from valuable work, and more recently the protection of the author's general right to control how a work is used. (Underlining added.)

10 Big Myths about copyright explained

<http://www.templetons.com/brad/copymyths.html>

Another excellent website is

http://www.csusa.org/caw/caw_2006_teachers_articles_basics.htm

Fair Use Doctrine

The University of Missouri Policy

- **Copying which is Permitted Under the Fair Use Doctrine**
- According to Section 107 of the Copyright Act of 1976, when considering whether or not the reproduction of copyrighted materials would be considered fair use, four factors must be considered:
 - the purpose and character of the use, including whether such use is of a commercial nature or is for **nonprofit educational purposes**;
 - the **nature** of the copyrighted work (e.g., fiction vs. non-fiction, published vs. non-published, etc.);
 - the **amount and substantiality** of the portion used in relation to the copyrighted work as a whole; and
 - the **effect of the use** upon the potential market for or value of the copyrighted work
- Special Collections follows the “Guidelines for Classroom Copying” as set forth in Executive Guideline No. 23, 11-1-84, Revised 2-15-05. This means that staff may make the following types of copies of copyrighted material for patrons' **personal, non-commercial use**:
 - One chapter from a book
 - One article from a journal, periodical, or newspaper
 - One short story, poem or essay from a collection
 - One chart, graph, diagram or picture in any work
 - One page less than half of any work whose text is not divided into chapters
 - One poem or excerpt from a poem of less than 250 words
 - An excerpt comprising not more than two of the published pages of a special work (works combining text and images such as children's books, cartoons, comics, and artist's books) and containing not more than 10% of the words found in the text thereof

How do we begin to explain copyright law to our students?

- Celebrate Copyright Awareness week March 6-10.
- Teach lessons about copyrights
- Be a model.



Discussion Points for Students

- Have you ever had someone take your homework paper, erase your name and put his or her name on it?
- Have you ever told someone a good idea for a story and they use for their own homework assignment?
- How does your school feel about you copying someone else's homework? Someone else's test answers?

Websites with lesson plans about copyrighting

- http://www.csusa.org/caw/caw_2006_teachers_elementary.htm
- http://www.readwritethink.org/lessons/lesson_view.asp?id=1075
- <http://www.copyrightalliance.org/foreducators/lessonplans>

Websites (continued)

- http://www.cybersmartcurriculum.org/lesson_plans/68_09.asp
- <http://www.cybercitizenship.org/index.html>

Rights and Responsibilities

What is a right?



What do we mean about using that right responsibly?

Your rights end when they begin to interfere with my right to life, liberty and the pursuit of happiness.

Lesson Plan from *Cyber Smart*

Objectives

- Give examples of copying original works that involve the Internet.
- Explain that the right to earn a living is protected by copyright laws but that fair uses are allowed for students.
- Describe basic rules for avoiding plagiarism
- Define hacking and identify as illegal

