Understanding copyright: Applying copyright requirements to your teaching resources

Why are you here today?

• Change in method for reporting copyright compliance
  – Audit of copies from print originals ----- digital resources and any remaining print items reported every semester from S1 2016, to Copyright Licensing NZ
  – Established the TEACHr project - using Equella software

• Transparency and best practice regarding Third Party copyright material in teaching resources

• LTL workshops to support you while making transition
  – Attribution
  – Copyright compliance and permissions
Workshop Contents

• What is copyright?
• Your rights and obligations as a user and creator
• Copyright and your teaching objects, but also applicable to research outputs
What is copyright?
What is Copyright?

• Right given to the **creator** of an original work – to control the use made of it – copying, performing, adapting etc.

• Copyright comes **automatically** when a work is completed – no registration is required

• Applies to **different** types of work including: books, images, sheet music, websites, DVDs, CDs, software, compilations
Copyright Act

• Copyright in New Zealand - Copyright Act 1994 and amendments

• While a work is under copyright, any use of that work must comply with:
  – the Act (3% or 3 pages)
  – a relevant copyright licence
  – a licence from a database aggregator
  – or written permission granted by the relevant rights holders
Copyright and Authors

- In New Zealand, authors hold copyright until **50 years** after their death.
- Publishers hold typographic copyright for **25 years** from the year of publication.
- If the copyright has **expired**, you can copy without limitation.
- Copyright law attempts to **balance** the rights of owners and users.
Copyright and the Crown

• Crown copyright lasts 100 years
  – Crown does not pursue copyright
  – Some government agencies specify a Creative Commons licence, e.g. MPI
  – Some government content sold to private publishers eg Topomaps

• You can make copies of Bills, Acts, and Commissions
Third Party Copyright

- Third party copyright is material to which another person or entity holds the rights, e.g.: images, maps, photographs, tables etc.
- Need to gain permission from the copyright holder to include that work, unless there is a licence that indicates reuse terms
- Provide attribution
Your rights and obligations as a user and creator
Right to use copyright material

Educational purposes:
• Lincoln University has licences to extend provisions already covered under the Act - includes multiple copies
  – [Copyright Licensing NZ](#) (print originals)
  – Screenrights (off air recording)
  – New Zealand Universities Music licence
Right to use copyright material

• Section 49, Things done for purposes of examination
  – copyright is not infringed by what is asked nor by what is given as an answer.
  – Provide Attribution

• Out of print works are still subject to copyright protection, unless copyright has expired
Your use of Third Party Copyright

• Respect other creators

• If the object or output belongs to another creator or author
  – Check the source for who asserts the copyright
  – Abide by the terms specified
  – Seek permission if reuse terms are unclear
  – Reuse if permission allows
  – Attribute object at point of use
  – Cite each object or output in the reference list

• Copyright holder has the moral right to be identified, and object to derogatory treatment.

• No modification (image, text, font etc.)
To modify or not to modify!

“In the process of advancing knowledge, staff and students may well develop their own original expression of an existing original work without infringing copyright. This would mean for example that you might copy a diagram from a published work saying, “X describes the process as follows” and ensure that the diagram is fully attributed. Then, consistent with the right to criticise or review a work, you could follow that with your interpretation of the diagram explaining why and how you have modified the original diagram. That way your rights and the rights of the creator of the original are respected.”

Source: Auckland University copyright document – used with permission.
Intellectual Property (IP)

• **Lincoln University Intellectual Property Policy**
  – Clauses for teaching (**4.3.2**)  
  – Clauses for research (**4.1**)  
  – See definitions (8)

• **Conventions** exist for asserting your IP
Sample Citation

Example of a Lincoln University assertion of Intellectual Property for a teaching resource:

Creator(s):
Jane Brown and Robert Smith.
Faculty of Agriculture and Life Sciences,
Lincoln University, 2016.
Creative Commons Licensing
Creative Commons licencing

- CC licences make it easy for copyright holders to allow reuse of their works by providing a range of permissions in advance
- Six licence types to choose from, plus CC zero
- Allows sharing, remixing and reuse legally
- CC licences, free to use, internationally known
Creative Commons licences

**ATTRIBUTION**

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Read the licence – Creative Commons website

Note that:

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- Use licence text, or copy and paste image, or CC-BY
Ivey Hall at Lincoln University
Attribution

Copyright and teaching objects
You as creator or author

Creating a teaching object
Check Third Party Copyright

• Paste a Creative Commons licence on your own work to assert the terms of reuse
  – Allows others to respect the conditions of reuse you have specified
  – Lincoln University supports the use of CC licences

• CC licence applies to your content in the work but not Third Party material because it’s not yours

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Camtasia

• Can record a lecture – e.g. Powerpoint
• Can load onto LEARN
• If Camtasia recording is made Open Access and it includes non-compliant third party copyright material or images – they need to be covered with a generic place holder image e.g.
Book chapters/Journal articles

• Electronic – link to source, if database licence allows
• PDF of print original – audited

• Books (print): 10% or 1 chapter (whichever is greater)
• Journal articles: one article per issue, unless a special issue

• Provide Attribution/Citation
Newspaper articles

• Electronic – link to source, if database licence allows
• PDF of print original
• Section 44 (3-4) of Copyright Act states 3% or 3 pages, so if article is 1 page, can reproduce entire article
• Provide Attribution/Citation
Images

• Use your own images if possible!
  – Attribute your name and select a suitable CC licence

If you are using Third Party Copyright material:
• Select from copyright compliant image collections e.g. via Creative Commons Search
• Establish who asserts the copyright
• Reuse if permission allows
• Seek permission if reuse terms are unclear
• Attribute object at point of use if possible
Creative Commons search

Selecting images from Third Party Copyright sources:

• Search image collections at: [https://search.creativecommons.org/](https://search.creativecommons.org/)
Search by image

- Using Google Images
- Upload image from your files

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Example:
• Search Creative Commons Search for “black sheep”
• Click Google Images.
• From results page, select image and click through till you reach image file with details of copyright licences author, etc.
PDFs from websites

Options:

• Under the Copyright Act – load 3%
• With written permission or a licence you can load the whole document
• Link to website where PDF is stored
• Provide Attribution/Citation
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Check terms of use -
Examples:
• MapToaster: Content is Crown copyright
• Google Maps
• Google Earth

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Facebook and YouTube

- Are you using these as teaching tools?

- Do you have copyright permission to load items that are not yours?

- What other sites are you using to assist your students learning?
Useful links

Lincoln University > Understanding Copyright
https://ltl.lincoln.ac.nz/advice/copyright/ or
http://library.lincoln.ac.nz/About/Copyright/

Creative Commons licences
http://creativecommons.org.nz/licences/licences-explained/

Copyright Licensing NZ
http://www.copyright.co.nz/Licensing/Education/

Creative Commons Search
https://search.creativecommons.org/
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