Creative Commons & Public Domain

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Copyright Liaison

Copyright Basics

What do you know about Creative Commons?

What do you know about public domain?

Public Domain Primer

- [Purpose of copyright](): "to promote the Progress of Science and useful Arts, by securing for a limited Time to Authors and Inventors the exclusive Right to their respective Writings and Discoveries"

- [Public domain]() contributes to the cultural commons - creative works owned by the public

- [Copyright Act of 1978]() retroactively extended duration of copyright to life of the author +70 years

Which are <u>not</u> in the public domain?

A. Works created by the U.S. government

B. Works published in the U.S. before 1923

C. Works published after 1922 & Before 1964

D. Works published after 1922 & Before 1964 without a ©

E. Works labeled CC0

Answer is C - but Good News! These works will <u>finally</u> enter the public domain next year - the first works to expire into the PD since 1977

Directions:
- Set arrow at correct date
- Read information in windows
- Mouse-over any [notes] or asterisks [*] for clarifying information

Is it Protected by Copyright?

For works first published in the U.S.A.*

No Permission Needed?

Copyright Status/Term **In Public Domain**

Date of First Publication

Before 1923

After 1922 & Before 1978
If published without © notice

After 1922 & Before 1964
If published with © notice, but not renewed after 28 years

After 1922 & Before 1964
If published with © notice & renewed after 28 years

After 1963 & Before 1978
If published with © notice

After 1977 & Before 2003
Created (unpublished) before 1978 & first published before January 1, 2003

After 1977 & Before March 1, 1989
If published without © notice & without subsequent registration

After 1977 & Before March 1, 1989
If published without © notice but registered within 5 years; or published with © notice

On or after March 1, 1989
Published with or without © notice

Published after 2002
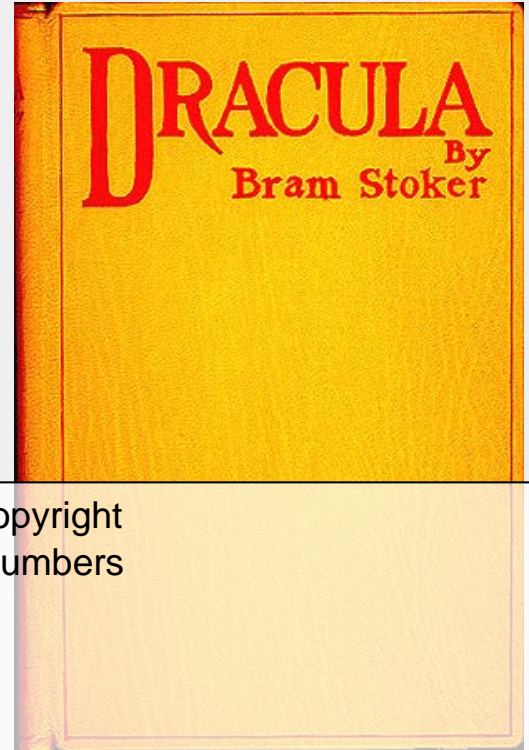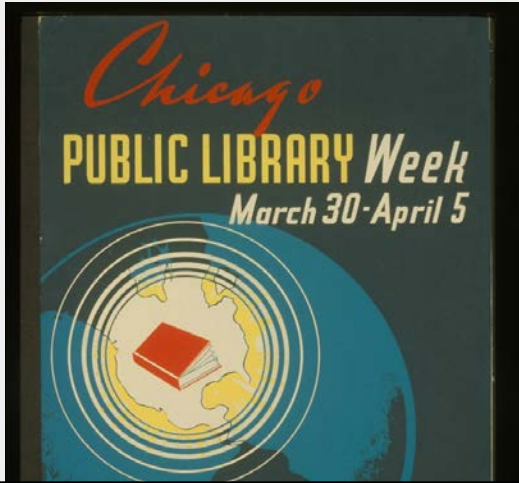Created before 1978 and author died more than 70 years ago

Public Domain can be complicated by term extensions, individual vs. joint authors, corporate authorship. Tools like the Digital Copyright Slider can be helpful guides.
http://librarycopyright.net/resources/digitalslider/index.html

Three categories of works in the public domain

1. Works automatically in the PD because they are not protected by copyright
   a. Titles, names, short phrases and slogans, familiar symbols, numbers
   b. Ideas and facts (e.g., the date of the Gettysburg Address)
   c. Processes and systems
   d. Government works and documents
2. Works assigned to the PD by their creators - CC0 = "no rights reserved"
3. Works that have entered the PD because copyright has expired

Quick Clarification: Copyright vs. Trademark
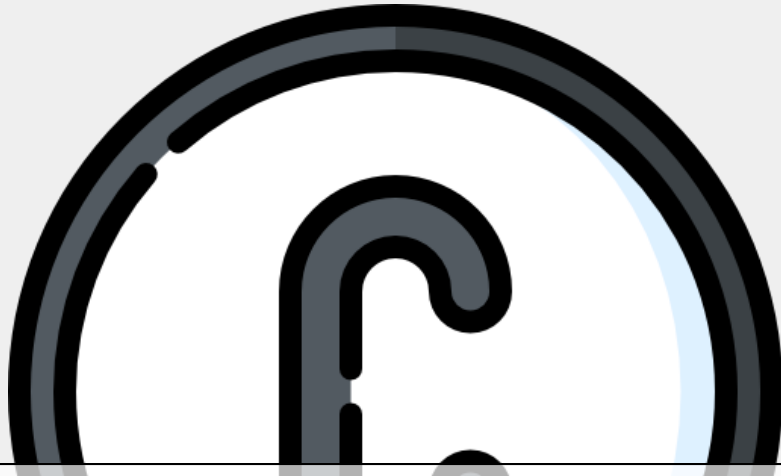
Works not protected by copyright could still be protected by other intellectual property laws such as trademark, patent or trade secret

    a.   Recipes are not protected by copyright but the recipe for Coca-Cola is a trade secret

    b.   The phrase "Let's Get Ready to Rumble" is not protected by copyright but is a registered trademark

    c.   Systems, methods and processes are not protected, but IBM has a patent for a newsroom fact checking system.

Expired works in the public domain

All works published in the U.S. before 1923

All works published with a copyright notice from 1923 through 1963 without copyright renewal

All works published without a copyright notice from 1923 through 1977

All works published without a copyright notice from 1978 through March 1, 1989, and without subsequent registration within 5 years

Confused? Visit the Digital Copyright Slider
http://librarycopyright.net/resources/digitalslider/index.html

What can you do with public domain works?

A. Republish commercially

B. Create derivative works

C. Use in the classroom

D. All of the above

E. None of the above

All of the above - works that are in the public domain are owned by everyone and have absolutely no protection from copyright.

Resources for public domain works

Smithsonian Institution Archives, diaries, letters and photographs

New York Public Library Digital Collections 180,000 items with hi-res downloads

Project Gutenberg, a collection of public domain electronic books

Librivox, public domain audio books

Prelinger Archives, a vast collection of advertising, educational, industrial, and amateur films.

Internet Archive, digital library of books, film and music

Wikimedia Commons, Wikipedia's media repository

Library of Congress, print, pictorial and audio-visual material

Flickr: The Commons, contributed photos and images (usu. "No known copyright restrictions")

The Public Domain Review, online journal & not-for-profit project dedicated to public domain works

Creative Commons

From Creative Commons: What We Do

"What is Creative Commons?
Creative Commons helps you legally share your knowledge and creativity to build a more equitable, accessible, and innovative world. We unlock the full potential of the internet to drive a new era of development, growth and productivity.

With a network of staff, board, and affiliates around the world, Creative Commons provides free, easy-to-use copyright licenses to make a simple and standardized way to give the public permission to share and use your creative work–on conditions of your choice."

Content from Creative Commons is licensed CC-BY 4.0
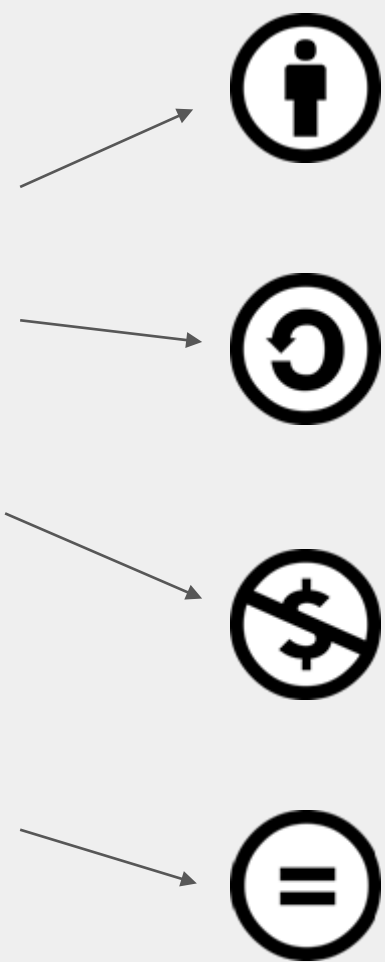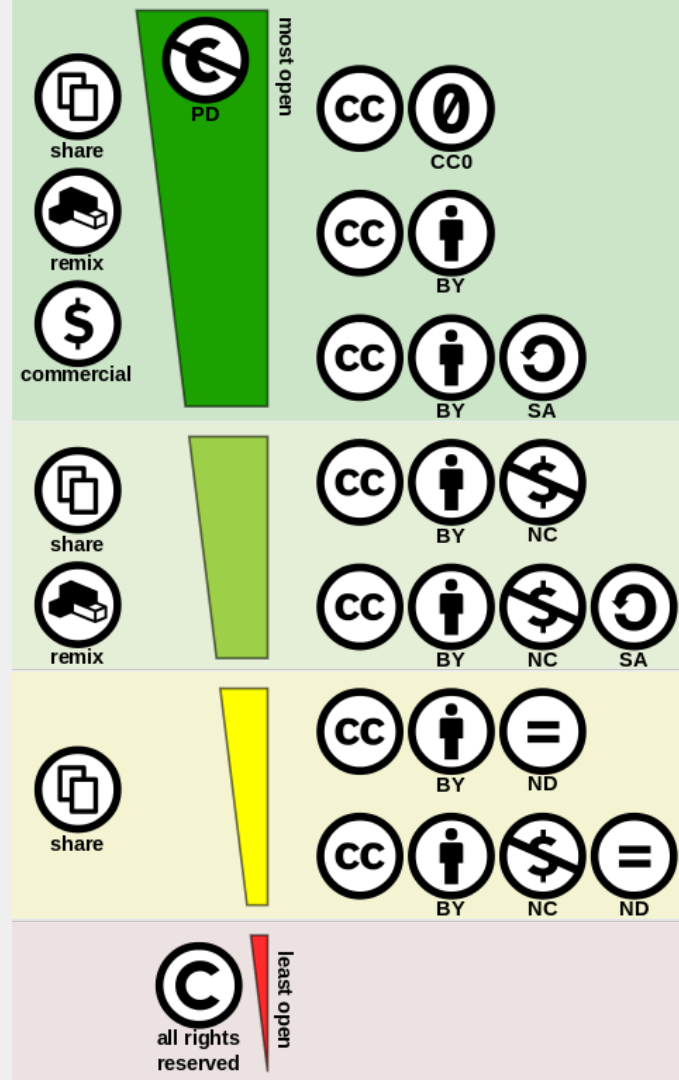
Attribution

Share alike

Non-commercial

No derivatives

Which license is gives you the most freedom?

A CC BY NC

B CC BY

C CC BY ND

D CC BY NC ND
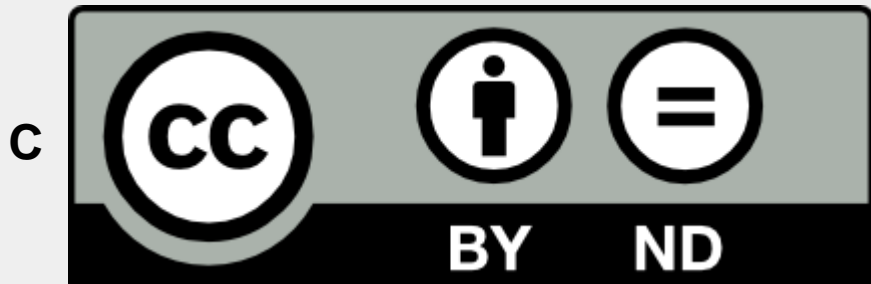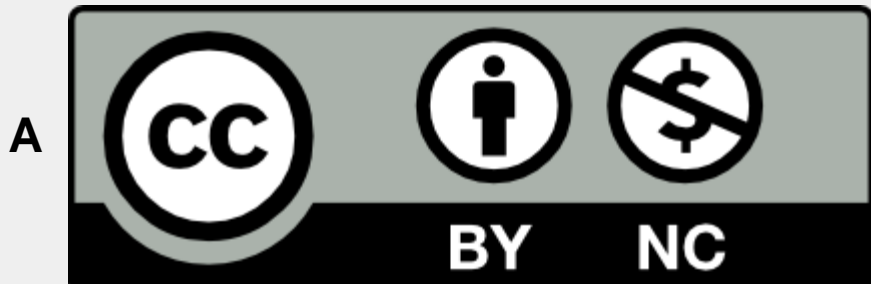
The answer is B – The Attribution license, CC-BY

Finding CC-licensed works

CC Search https://search.creativecommons.org/
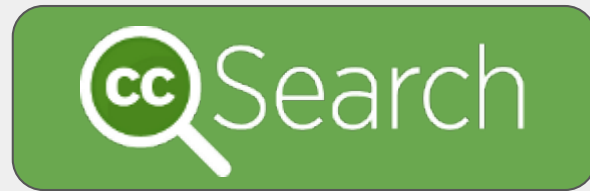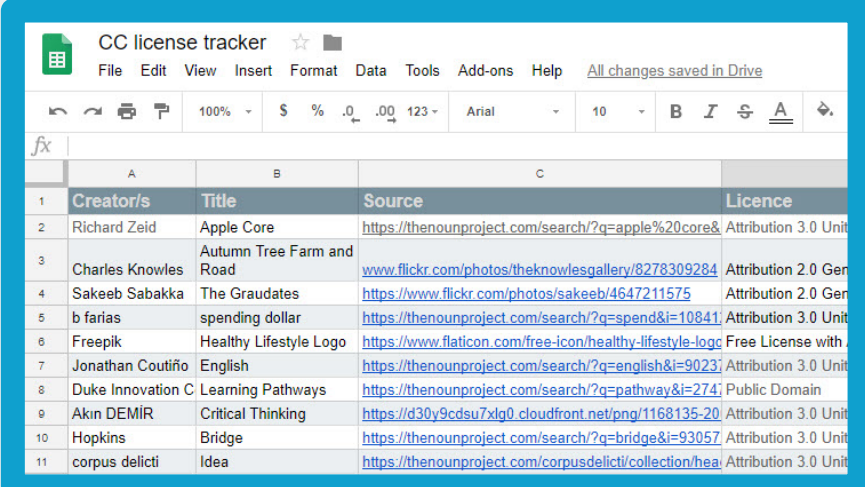
- **Google Images** - Tools → Usage rights
- **Pixabay**
- **Wikimedia Commons**
- **Soundcloud**
- **ccMixter**
- **Jamendo**
- **Google** (limit search to cc-licensed sources)

Best practices with Creative Commons

- Use TASL attributions - Title, Author, Source, License

  [Undercover Vampire Policeman](#) by [Chris Zabriskie](#), available under a [Creative Commons Attribution 4.0 License](#)

- Check licenses before using

- Keep track of your uses

Some of the many organizations that use CC licenses to share works

Upcoming Copyright Webinars - Spring 2018

Copyright Basics for Online Teaching

   Thurs. April 5

All sessions:

- 12-1pm
- Online via Blackboard Collaborate
- Recordings will be posted online at http://www.codlrc.org/copyright
- Registration is encouraged http://libcal.cod.edu/calendar/sos

   Receive a reminder with session URL

   prior to event