

# **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 not 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 finally 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Created (unpublished) before 1978 & first published before January 1, 2003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

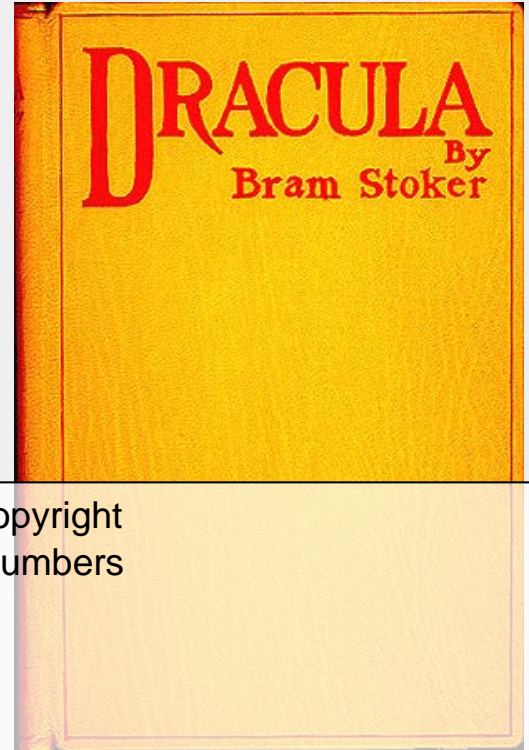
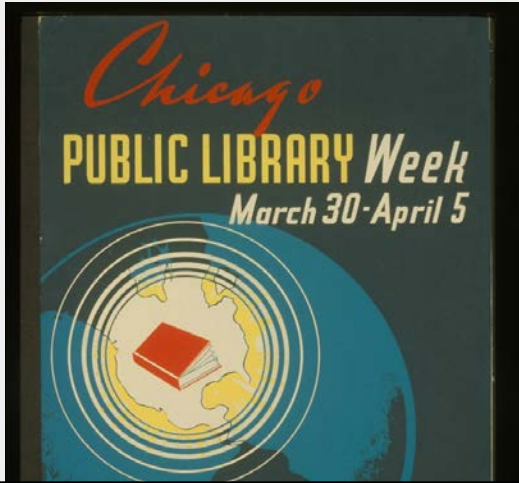
Public Domain can be complicated by term extensions, individual vs. joint authors, corporate authorship. Tools like the Digital Copyright Slider can be helpful guides.

<http://librarycopyright.net/resources/digitalslider/index.html>



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# Three categories of works in the public domain

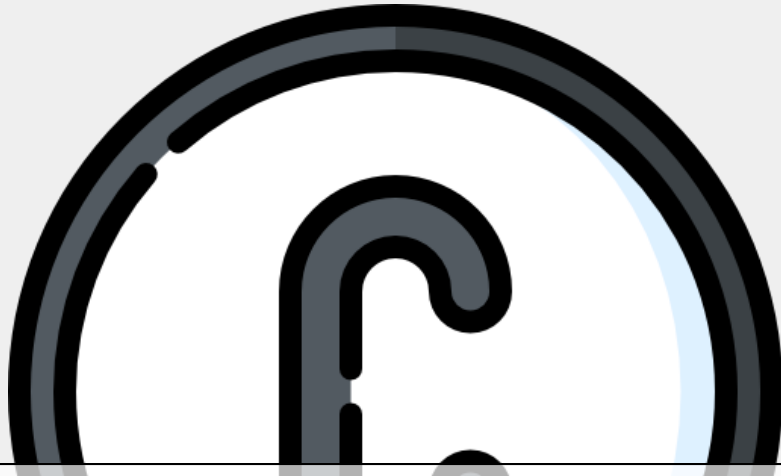


1. Works automatically in the PD because they are not protected by copyright
  - a. Titles, names, short phrases and slogans, familiar symbols, numbers
  - b. Ideas and facts (e.g., the date of the Gettysburg Address)
  - c. Processes and systems
  - d. Government works and documents
2. Works assigned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

[www.loc.gov/pictures/collecton/wpapos/item/98513471](http://www.loc.gov/pictures/collecton/wpapos/item/98513471)

<https://commons.wikimedia.org/wiki/File:Dracula1st.jpeg>

# 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

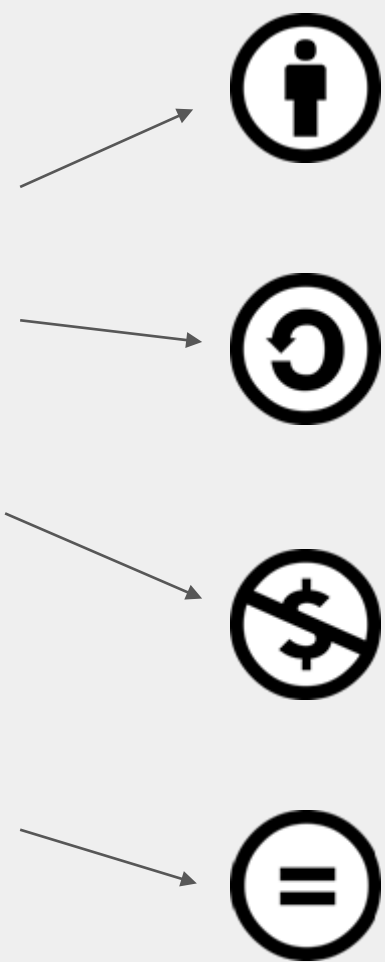
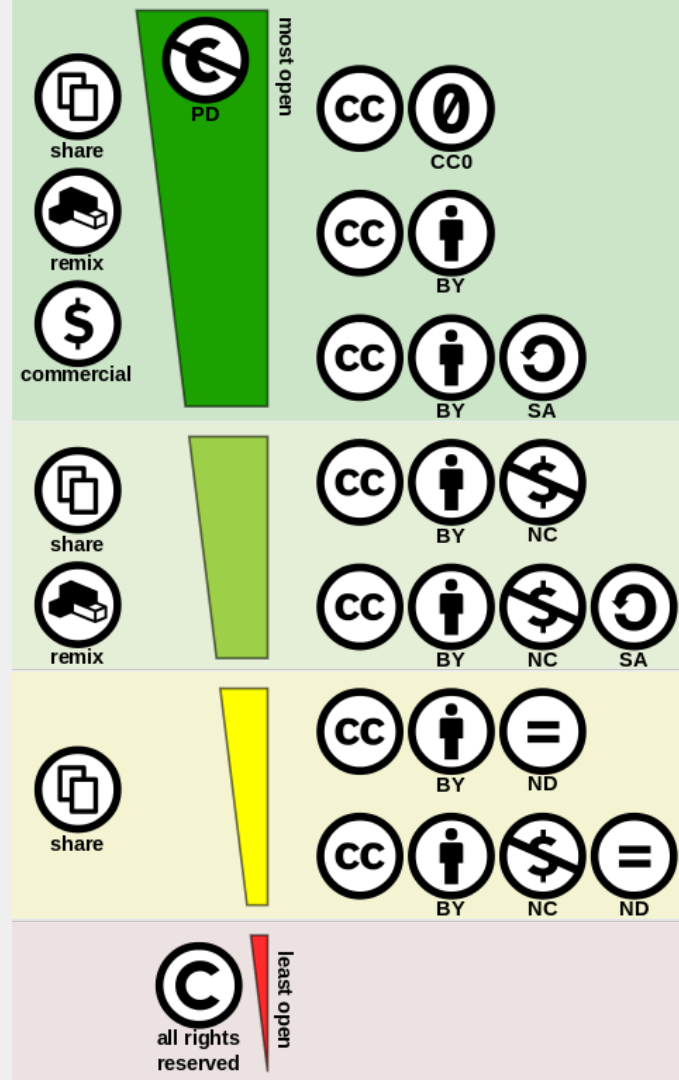
From [Creative Commons: What We Do](#)

“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](#)



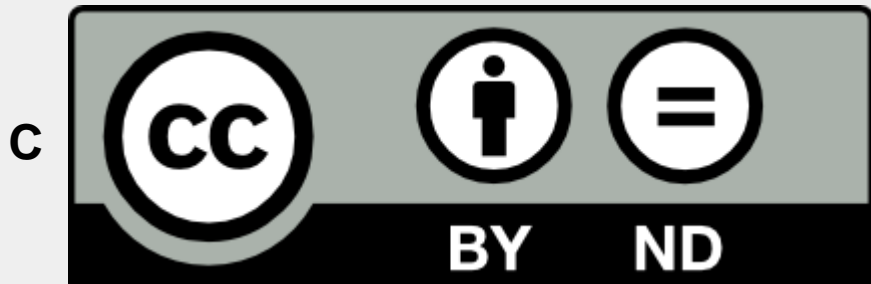
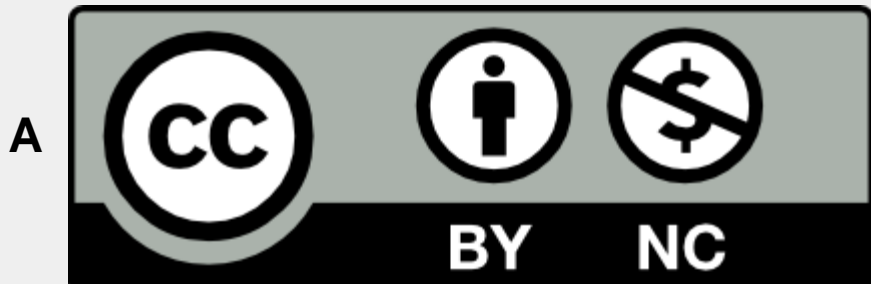
Attribution

Share alike

Non-commercial

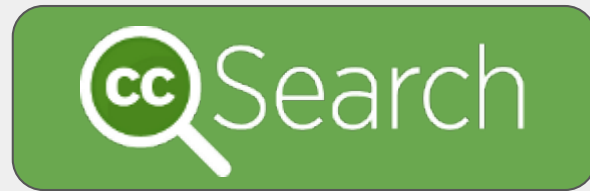
No derivatives

# Which license is gives you the most freedom?



The answer is B – The Attribution license, CC-BY

# Finding CC-licensed works



CC Search <https://search.creativecommons.org/>

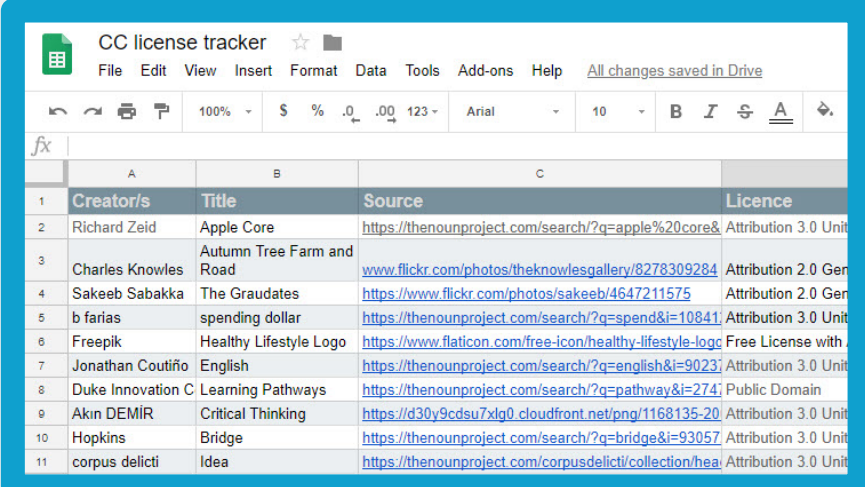
- **Google Images** - Tools → Usage rights
- **Pixabay**
- **Wikimedia Commons**
- **Soundcloud**
- **ccMixter**
- **Jamendo**
- **Google** (limit search to cc-licensed sources)

# 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



The screenshot shows a Google Sheets spreadsheet titled "CC license tracker". The spreadsheet has four columns: "Creator/s", "Title", "Source", and "Licence". The data is as follows:

	A	B	C	
1	Creator/s	Title	Source	Licence
2	Richard Zeid	Apple Core	<a href="https://thenounproject.com/search/?q=apple%20core&amp;">https://thenounproject.com/search/?q=apple%20core&amp;</a>	Attribution 3.0 Unit
3	Charles Knowles	Autumn Tree Farm and Road	<a href="http://www.flickr.com/photos/theknowledgery/8278309284">www.flickr.com/photos/theknowledgery/8278309284</a>	Attribution 2.0 Gen
4	Sakeeb Sabakka	The Graudates	<a href="https://www.flickr.com/photos/sakeeb/4647211575">https://www.flickr.com/photos/sakeeb/4647211575</a>	Attribution 2.0 Gen
5	b farias	spending dollar	<a href="https://thenounproject.com/search/?q=spend&amp;i=10841">https://thenounproject.com/search/?q=spend&amp;i=10841</a>	Attribution 3.0 Unit
6	Freepik	Healthy Lifestyle Logo	<a href="https://www.flaticon.com/free-icon/healthy-lifestyle-logo">https://www.flaticon.com/free-icon/healthy-lifestyle-logo</a>	Free License with
7	Jonathan Coutiño	English	<a href="https://thenounproject.com/search/?q=english&amp;i=9023">https://thenounproject.com/search/?q=english&amp;i=9023</a>	Attribution 3.0 Unit
8	Duke Innovation C	Learning Pathways	<a href="https://thenounproject.com/search/?q=pathway&amp;i=274">https://thenounproject.com/search/?q=pathway&amp;i=274</a>	Public Domain
9	Akin DEMIR	Critical Thinking	<a href="https://d30y9cdsu7xlq0.cloudfront.net/png/1168135-20">https://d30y9cdsu7xlq0.cloudfront.net/png/1168135-20</a>	Attribution 3.0 Unit
10	Hopkins	Bridge	<a href="https://thenounproject.com/search/?q=bridge&amp;i=93057">https://thenounproject.com/search/?q=bridge&amp;i=93057</a>	Attribution 3.0 Unit
11	corpus delicti	Idea	<a href="https://thenounproject.com/corpusdelicti/collection/hea">https://thenounproject.com/corpusdelicti/collection/hea</a>	Attribution 3.0 Unit

flickr

bandcamp

WIKIPEDIA

YouTube

500

INTERNET ARCHIVE  


vimeo


  
WIKIMEDIA  
COMMONS

FMA

SKILLS COMMONS  
open for learning

  
BOUNDLESS

 europeana  
think culture

 Tribe of Noise

jamendo

MIT OPEN COURSEWARE  
MASSACHUSETTS INSTITUTE OF TECHNOLOGY

 PLOS

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