

The logo features a stylized copyright symbol (©) in yellow, with the 'C' being a thick, curved line. To its right, the word 'Copyright' is written in a white, sans-serif font, and 'Commons' is written below it in a larger, white, sans-serif font. Below 'Commons', the text 'AT SOUTHERN MISS' is written in a bold, yellow, sans-serif font.

Copyright
Commons
AT SOUTHERN MISS

Copyright and Instruction:
What Faculty Need to Know



THE UNIVERSITY OF
SOUTHERN MISSISSIPPI[®]

UNIVERSITY LIBRARIES

Introductions



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Roadmap

- What is Copyright?
- Audio Recordings
- Public Domain
- Creative Commons Licenses
- Library Resources
- Fair Use
- Library Digital Course Reserves
- Case Studies
- Additional Resources



Types of Materials/Topics

- Text
- Images
- Audio
- Visual
- Multimedia
- Public Domain
- Creative Commons
- Copyrighted works



What is Copyright?

Set of rights protecting “original works of authorship that are fixed in a tangible form of expression.”

Title 17, U.S. Code



Author's Basic 5 Rights

1. Right to reproduce
2. Right to prepare derivative works
3. Right to distribute
4. Right to display publicly
5. Right to perform publicly

Copyright is automatic.



© Elizabeth La Beaud



How long does copyright last?

It Depends...

Life of the author + 70 years

What happens for that 70 years? Your estate or heirs inherit your rights.

If the author or death date is unknown, 120 years from date of creation.



Audio Recordings

- **Two separate components of a single recording of music**
 - composition
 - sound recording

Musical composition includes

- music and any accompanying words or lyrics.
- Can be in the form of a notated copy or sound recording.
- Author would be the composer and lyricist.

Sound recording is the fixation of series of musical, spoken or other sounds into a medium that can be played back.

- Author is the performer(s) whose performance is fixed and the producer/engineer processing and “fixing” the sounds.



Audio Recordings

- Copyright of sound recording not the same as, or a substitute for, copyright of underlying musical composition.
- In most cases permission must be obtained from both the owner of the musical work and the owner of the sound recording before a sound recording of the musical work may be used.



Public Domain

- Works not under copyright protection
- Anyone can use, no one can own
- Can be modified, copied, or adapted
- Should still be cited if not the author's original work
 - PD works aren't subject to copyright infringement, but they can still be plagiarized!
- Individual items in PD aren't copyright protected, but some collections of PD items as a whole can be copyrighted.

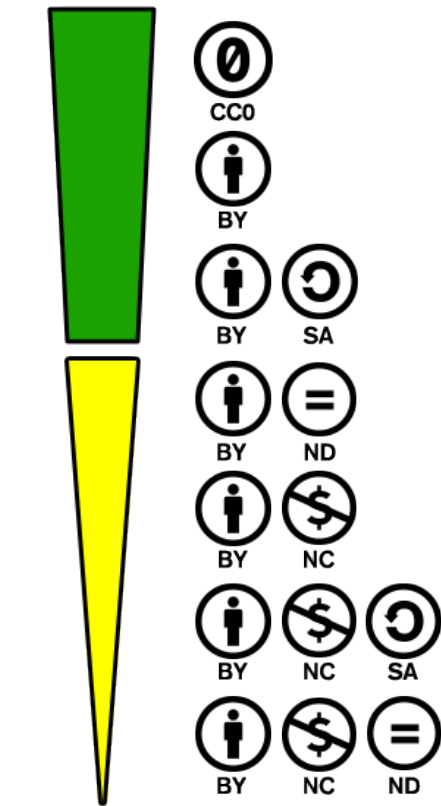


Mathias Appel, "Red Panda." Public Domain. Accessed from <https://www.flickr.com/photos/mathiasappel/24479644035/in/pool-publicdomain/>

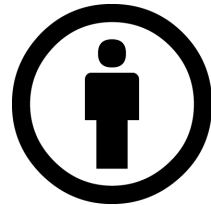


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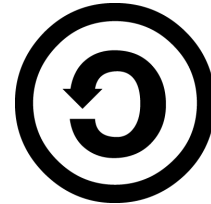
MOST OPEN



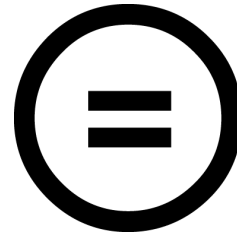
LEAST OPEN



- Attribution Only



- ShareAlike



- No Derivatives



- Non-Commercial



Using your own materials

- Published works
 - Check publication agreement
 - Was copyright transferred?
- Obtaining permission
 - How you use it matters!
- If you own the rights
 - Use it as you see fit!

Revised 01 March 2012

McCain Library and Archives
The University of Southern Mississippi

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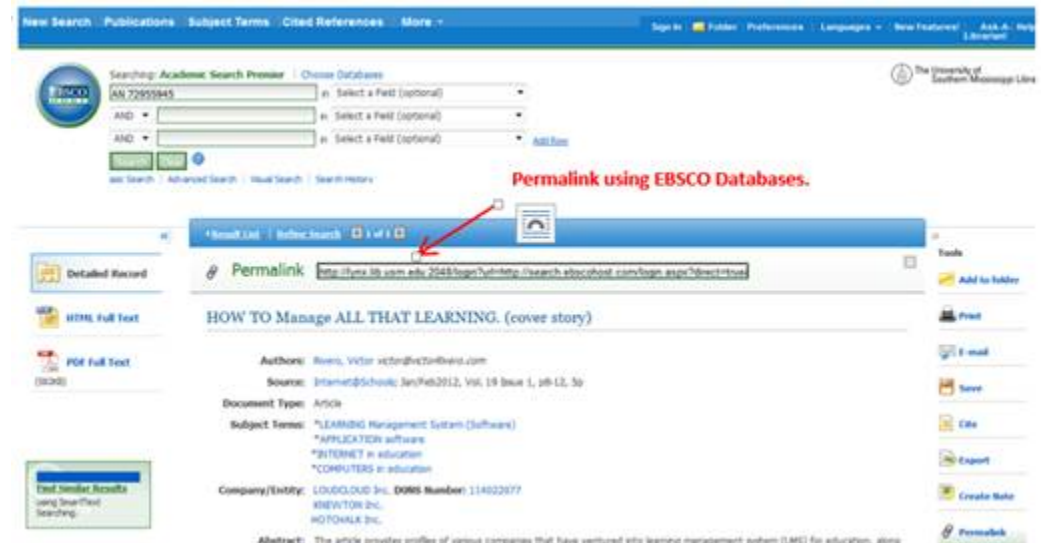
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Library Resources

- Many University Libraries' Licensed Resources (e.g. journal articles, books and book chapters, streaming media, etc.) allow faculty to insert or share a persistent or durable link in Canvas. Durable links are hyperlinks to the online resources.
- For many of the databases, when viewing an individual record, from the section labeled "Tools," click on "Permalink." The record's permalink will then be displayed above the article's title. These permalinks can be inserted into Canvas.



The screenshot shows the EBSCO Academic Search Premier interface. At the top, there is a search bar with the text "Searching: Academic Search Premier" and a search button. Below the search bar, there are several search filters and options. A red arrow points to the "Permalink" button in the "Tools" section on the right side of the page. The permalink is displayed as a long URL: <https://era.lib.southernmiss.edu/2025/02/12/140222077>. The article title is "HOW TO Manage ALL THAT LEARNING. (cover story)". The author is "Rivers, Victor victor@vtc900.com". The source is "Internet@Schools; Jan/Feb2012, Vol. 19 Issue 1, pp 12, 5p". The document type is "Article". The subject terms are "LEARNING Management System (Software)", "APPLICATION software", "INTERNET in education", and "COMPUTERS in education". The company/entity is "LOUDLOUD Inc. DUNS Number: 114022077 NEWTON INC. HOTOVALK INC.". The abstract is "The article provides profiles of various companies that have ventured into learning management system (LMS) for education, along with their respective strengths and weaknesses." The "Tools" section on the right includes buttons for "Add to folder", "Print", "E-mail", "Save", "Cite", "Export", "Create Note", and "Permalink".



Library Resources

- Other databases may only have an option for a “Stable URL” and you will need to add University Libraries proxy URL to the front of this in order to provide off-campus access to your students.
 - <http://lynx.lib.usm.edu/login?url=>
- Please note, many of the electronic resources available through University Libraries provide unlimited users access, however some resources permit a fixed number of concurrent users. To ensure adequate access for your students, please check with your subject librarian.



The screenshot shows the JSTOR website interface. At the top, there is a navigation bar with links for 'JSTOR HOME', 'SEARCH', 'BROWSE', and 'MyJSTOR'. Below this is a search bar with the text 'Search: This issue' and a search button. The main content area displays the title 'Behaviour' and 'Human Laughter, Social Play, and Play Vocalizations of Non-Human Primates: An Evolutionary Approach'. A red arrow points to the 'Stable URL' link, which is highlighted in red. The URL is 'http://www.jstor.org/stable/4536240'. To the right of the URL, there is a list of options: 'View PDF', 'View Citation', 'Email Citation', 'Export Citation', 'Save Citation', and 'Track Citation'. At the bottom of the page, there is a section for 'Page Scan', 'Summary', and 'Page Thumbnails'. The text below this section reads: 'Your search term(s) occur 151 time(s) in this item. View list of pages with search term(s)'. The title 'Human Laughter, Social Play, and Play Vocalizations of Non-Human Primates: An Evolutionary Approach' is repeated, followed by the authors 'Julia Votin and Dietmar Todt' and the page number 'Page 217 of 217-240'.



Fair Use

1. The purpose and character of the use
2. The nature of the copyrighted work
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole
4. The potential market effect on the copyrighted work

This is not a checklist. Only courts can legally decide fair use.

Section 107



Making Fair Use Decisions

- Be consistent
- Recognize that reasonable people can disagree
- Remember that Fair Use is interpretative, and is the same process used by the court system.
- There is no immediate answer for whether an item is covered under the Fair Use Act. All factors must be considered in making a decision.



Fair Use Cont.

- If your use **IS** fair use, you do not have to seek permission to use copyrighted materials, and you do not have to pay a fee or sign a license.
- The Doctrine of Fair Use is included in the Copyright Act of 1976 and is based on the actual practices of the court system.



Library Digital Course Reserves

- For fall 2020 physical course reserves will not circulate due to health and safety concerns.
- The digital reserves pilot project, being rolled out for fall 2020, will allow physical course reserves to be digitized and circulated online.
- Digital reserve links will be available to one student at a time for a limited period, just like physical reserve materials.
- More information available at www.lib.usm.edu!



Golden Eagle Textbook Initiative (GETI)

- Through GETI students have access to general education curriculum textbooks as part of course reserves.
- GETI only includes textbooks.
- GETI textbooks will be included in the digital reserves pilot project for fall 2020.



Case Study #1

- **Scenario:**

A history professor records a full episode of a current television show and would like to use it in his class. Is he allowed to do so?



Case Study #1

- Answer:

Probably not. This would be a violation of the copyright law as this item would be protected under copyright. He should seek permission.



Case Study #2

- **Scenario:**

May a psychology professor copy and distribute a published journal article in his class or on Canvas if he was the author of said article?



Case Study #2

- Answer:

Maybe, depending on what rights he retained in the publishing agreement made with the journal. If he did not retain rights to copy or distribute, that would preclude his using the article without first gaining permission.



Case Study #3

- **Scenario:**

A faculty member wants to place an entire textbook on electronic reserve for her class. The book is no longer in print but is still widely available for purchase. Can the textbook be digitized and placed on electronic reserve?



Case Study #3

- Answer:

Maybe. Even though the item is out of print copyright restrictions still remain. There are used copies for sale that the students could purchase. However, if the library owns a copy, they might be able to make the book available electronically with restrictions via controlled digital lending. Another alternative is to use a smaller portion and make a fair use analysis.



Additional Resources

Copyright

- [USM Copyright Commons](#)
- [Copyright Search 1978-Present](#)
- [Copyright Records Pre-1977](#)
- [Copyright Term and the Public Domain in the United States](#)
- [U.S. Copyright Office - Copyright Law of the United States](#)

Fair Use

- [Copyright & Fair Use Articles: Stanford Copyright and Fair Use Center](#)

Other Resources

- [ALA Copyright Tools](#)
- [Aquila](#)
- [Public Domain Films](#)
- [Orphan Works](#)
- [Copyright and Unpublished Material | Society of American Archivists](#)



Additional Resources

OER & Public Domain Collections

- [Public Domain Pictures](#)
- [OER Commons](#)
- [HathiTrust](#)
- [Internet Archive -Moving Image Archive](#)
- [Library of Congress Digital Collections](#)
- [University Libraries OER Research Guide](#)

Sound Recordings

- [Copyright in Music](#)
- [Copyright Registration for Sound Recordings](#)
- [Digital Audio Recording Devices and Media](#)



Additional Resources

Copyright During COVID-19

- [Copyright and Coronavirus](#)
- [Copyright Office Coronavirus FAQs](#)
- [Copyright Clearance Center COVID-19 Resources](#)
- [Concerns in Online Classrooms](#)
- [Public Statement of Library Copyright Specialists: Fair Use & Emergency Remote Teaching and Research](#)



QUESTIONS?

