

WAICU Copyright Workshop
Wednesday, May 17, 2006
Hedberg Library
Carthage College, Kenosha, WI

Presenter: Dr. Thomas A. Lipinski

Associate Professor and Co-Director of the Center for Information Policy Research at the University of Wisconsin-Milwaukee.

Topics: Copyright basics (what is copyrighted, duration, rights)

Fair use

Copyright Liability

TEACH (Technology Education and Copyright Harmonization) Act of 2003

Dr. Lipinski stressed that institutions should seek legal advice when in doubt of copyright compliance and liability. Along with his lecture, he was open to questions during the first session, and the second session was shaped exclusively from questions from the participants.

Items of Personal Interest:

When considering using a copyrighted work without requesting permission, a question one should ask is, “Do I want to take the risk?” Because of the circumstances, the risk may be so low that in reality, the copyright owner would take no action. When in doubt, seek advice on compliance.

A specific question touched on circumventing copy-guard (on DVDs for example). In addition to copyright penalties, individuals or institutions can be subject to trafficking penalties if they circumvent the built-in control and distribute copies of a protected work.

Some items have “thinner” copyright when it comes to fair use.

It could be argued that video clips of newscasts used in a theatrical performance could be used without consequence because (while the clips add to the mood of the performance), the audience did not come to the theater to see the newscast.

Using portions of copyrighted works is “safer” than using the entire work. Copying just the portion of an article containing the main idea is the safest way to distribute an article to a class or group.

A photograph generally needs to be used in its entirety; therefore, copyright protection may be a bit “stronger” than written works that can be divided into multiple parts.

When placing copyrighted works online for educational purposes, the work cannot be accessible to the general public, it needs to be password protected and only available to those registered in the class using the work.

Dr. Lipinski prepared several informative handouts for the session including:

A Copyright Compliance (Notice) Audit for the Library, School or Educational Entity

Copyright and the New Digital Media; What does it mean for Information Services?

Who Owns Copyrights Used and Created in the Distance Education Classroom