

Copyright for Students

It all begins with Copyright

In Australia, a work is copyrighted as soon as it is created. Every drawing, song, story, sculpture, multimedia creation – all are copyrighted unless the creator chooses otherwise.

Copyright protects:

- book chapters, journal and newspaper articles, documents
- internet material such as YouTube videos, images, podcasts, webpages
- films, DVDs, TV broadcasts
- photos, diagrams, graphs
- music, radio broadcasts
- paintings, sculpture, pottery
- research data (normally)
- computer programs

Copyright does not protect:

- ideas
- names
- people's images

Copyright protection is free and automatic.

You do not need to publish your work, put a copyright notice on it or register your work anywhere to gain copyright.

A copyright notice is simply a reminder: © **Your Name, Year of Publication**

Therefore do not assume the absence of a copyright symbol indicates the work is free to use. Assume the work is copyrighted unless indicated otherwise.

Although a Google Image source returns thousands of images, you cannot be sure that these are copyright free. These images have been scraped from websites, and you need to go to the website to check the source and identify if they have been licenced for reuse. The absence of any information regarding their licencing generally implies they are under copyright.

Copyright lasts for a period of time – once it expires the item enters the public domain.

Generally, copyright lasts for **70 years** after the death of the author or the year of publication if no author (e.g. the year a movie is shown). The length of copyright varies in different countries. Be sure you check the country of origin if in doubt!

In Australia there are some provisions that allow students and teachers to use some copyrighted material in the course of education. These provisions, which fall within Fair Dealing and Statutory Licences are useful, and should be taken advantage of; however they are only of use within strict educational settings.

Publishing work online, even in the course of education is not considered an educational setting, as the work is publicly accessible.



Fair Dealing

https://www.copyright.org.au/acc_prod/ACC/Information_Sheets/Fair_Dealing_What_Can_I_Use_Without_Permission.aspx

Unlike in the United States, Australia does not have a general “fair use” defence. The Copyright Act allows “fair dealing” for certain specified purposes. These purposes include:

- research or study;
- criticism or review;
- parody or satire;
- reporting news; or
- professional advice by a lawyer, patent attorney or trademarks attorney.

If in the course of your studies you are required to **publish online or in any public forum**, you must **obtain permission** from the copyright owner if you do not have ownership of the work. **Fair dealing, Statutory Licencing or any other exception will not apply in these circumstances.**

Fortunately a growing range of options exist for those who wish to publish publicly.

Creative Commons

Creative Commons is an effective way to reproduce images, videos and documents while giving credit to the original owner. Creative Commons creates a “some rights reserved” model. This means that the copyright owner retains copyright ownership in their work while inviting certain uses of their work by the public. Creative Commons licences create choice and options for the copyright owner.

There are 4 primary licence elements which can be mixed to create a licence:

			
Attribution BY	NonCommercial NC	No Derivative Works ND	Share Alike SA
This applies to every Creative Commons work. Whenever a work is copied or redistributed under a Creative Commons licence, the original creator (and any other nominated parties) must be credited and the source linked to.	Lets others copy, distribute, display and perform the work for noncommercial purposes only.	Lets others distribute, display and perform only verbatim copies of the work. They may not adapt or change the work in any way.	Allows others to remix, adapt and build on the work, but only if they distribute the derivative works under the same the licence terms that govern the original work.

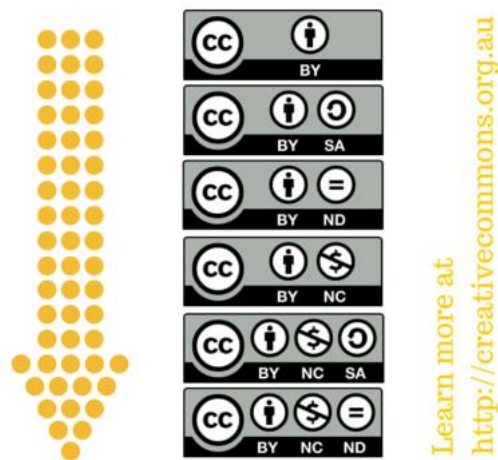
Work found at <http://creativecommons.org.au/learn/licences> **CC BY**



The six standard Creative Commons licenses are

Creative Commons Licences

In order from most open to least



Created by Kay Oddone. This work is licensed under a Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License.

So for example, while the first (top) licence requires only that the user attribute the original creator/owner of the work (BY), the fifth licence (second from bottom) requires that the user attribute the original creator (BY), use the work only for non-commercial purposes (NC) and label the new work which has been created incorporating the original work under the same Creative Commons licence terms that govern the original work (SA).

The growing amount of work being licenced in this way makes it much easier to find Creative Commons Licenced content to use, remix and repurpose. A great place to start is the Creative Commons powered search, which enables a search across multiple providers. There are also many specific repositories of Creative Commons licenced material. A curated list of these is accessible on this Pinterest Board: <https://www.pinterest.com/kayo287/find-creative-commons-licenced-content-here/>

Public Domain

One source of content which can be freely used is that which falls into the Public Domain.



Once the term of copyright has expired (usually between 50-70 years after the death of the creator, although this varies internationally, and according to the type of work), it enters the Public Domain. Items where no known copyright restrictions apply are marked with the above label.

The underlying idea of a work cannot be copyrighted, and therefore concepts such as mathematic and scientific formulae are also within the public domain.

Content created before the existence of copyright also falls into this category. In addition, there is a growing amount of new material which people are dedicating to the Public Domain (in other words, relinquishing all rights as the creator). Many of these images and works are found in repositories such as Pixabay, which is an image library where all images are licenced in this way. Items which have been dedicated to the Public Domain are labelled with the Creative Commons licence which denotes that no rights are reserved.



Content which is in the Public Domain is able to be freely used or remixed without any permission, although it is good practice to acknowledge the source. When sourcing images from a site such as Pixabay, often the licence and its permissions are made clear when you click on the image:

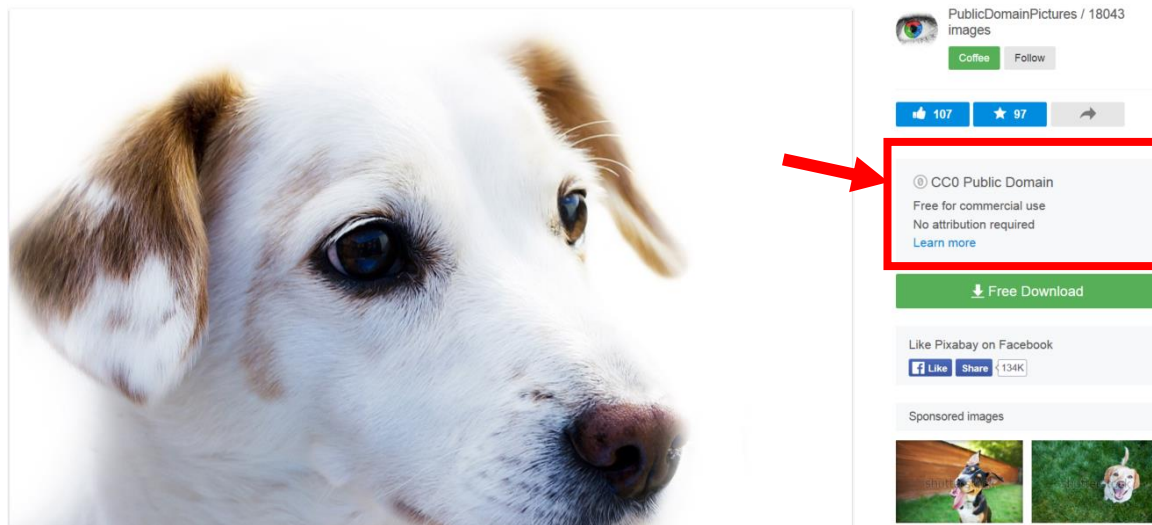


Image by Public Domain Pictures [CC\(0\)](#)

Please note that many of these sites fund their upkeep by offering images through companies such as Shutterstock also. Any image with a watermark indicates that usage requires payment for a licence. You can see these watermarked images usually across the top of the bank of photos. Do not reproduce these images unless you have purchased them through the correct channels.

There is a growing range of repositories of Public Domain material online. To access many of them from one place, go to this Pinterest Board: <https://www.pinterest.com/kayo287/content-from-the-public-domain/>

A Warning!

When using any tool to search for material for re-use, the responsibility to ensure it is appropriately licenced lies with you. If you discover a work that is clearly still in Copyright (for example, if you found a recently released book or piece of music), yet it was licenced Creative Commons or Public Domain, you must use your judgement – humans are not infallible, and there has obviously been an error in the licensing. This is particularly likely when using generic search engines such as Google or Bing to search for Creative Commons or Public Domain work

Attributing others' work

Tips and Tools to Reference Correctly

Of course, you can't go about using Creative Commons licenced material without clearly referencing it, and acknowledging both the creator, and the licence under which the work is released.

Fortunately, referencing is simple, and this [handy, printable \(PDF\) guide](#)

<http://creativecommons.org.au/materials/attribution.pdf> is excellent for providing examples and

information. [This wiki https://wiki.creativecommons.org/wiki/Best_practices_for_attribution](https://wiki.creativecommons.org/wiki/Best_practices_for_attribution) is also an awesome and easy to follow guide.



When attributing work, it is best practice to include the following information:

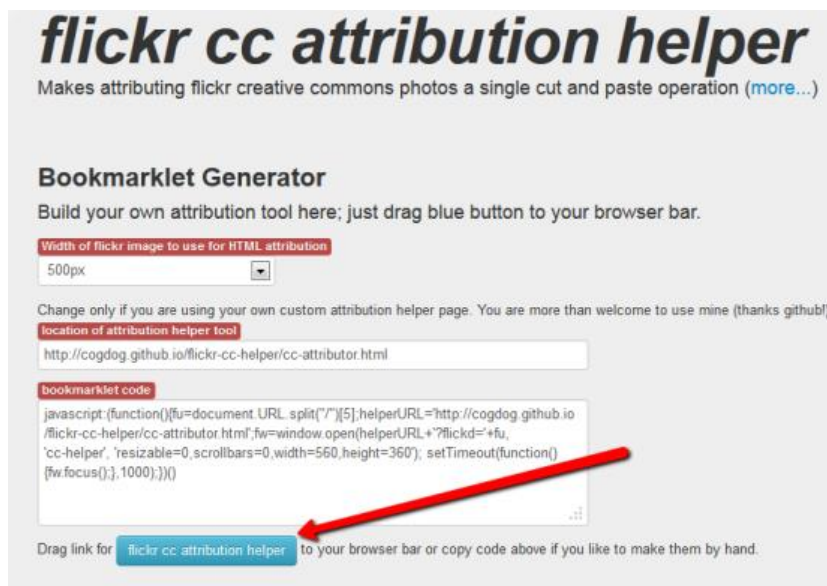
- Credit the creator
- Title of the work
- URL where work is hosted
- Type of licence & link to licence terms
- Keep intact any copyright notice



E.g. a good reference looks like this:

Flickr photo 'No Strings' by Emery_Way
<https://flickr.com/photos/emeryway/336227189> shared under a Creative Commons ([BY](#)) license

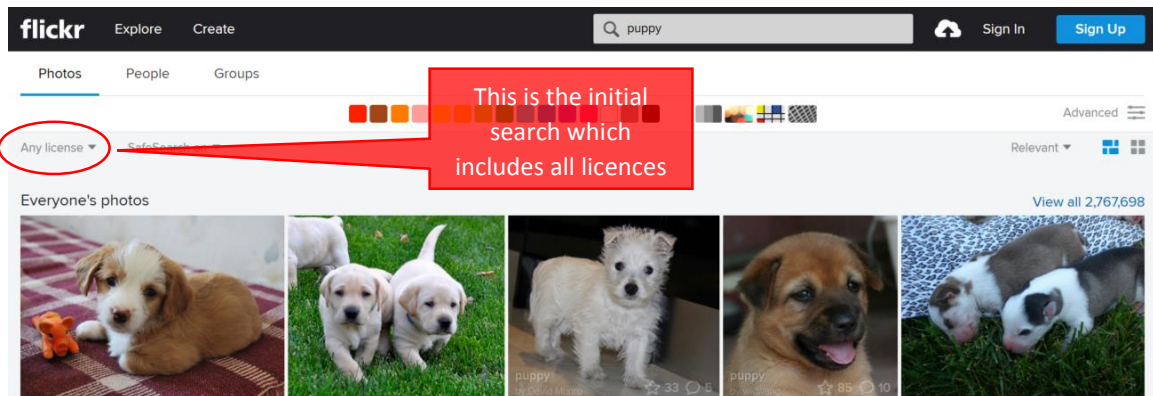
To make it even easier, several tools exist to make referencing as simple as copy and paste. Alan Levine, has created a tool for Flickr, which loads not only the reference, but also an embed code for any Creative Commons licenced image shared on Flickr. You can get the button for your bookmarks toolbar by simply dragging and dropping. He has used [Github to create a bookmarklet](#), and it is really easy to use. Simply go to his page <http://cogdog.github.io/flickr-cc-helper/> click on the Bookmarklet button and drag it up to your bookmark toolbar.



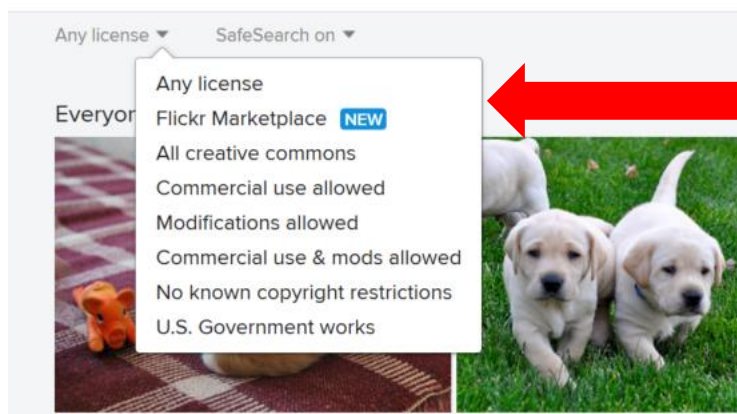
Screen capture taken by author. Arrows added for clarity.

Searching for Creative Commons images on Flickr requires some knowledge of how you intend to use the work. Before you can choose the correct licence, you must be familiar with how you wish to use the work and whether or not the use is for commercial purposes. The images below help illustrate this point.



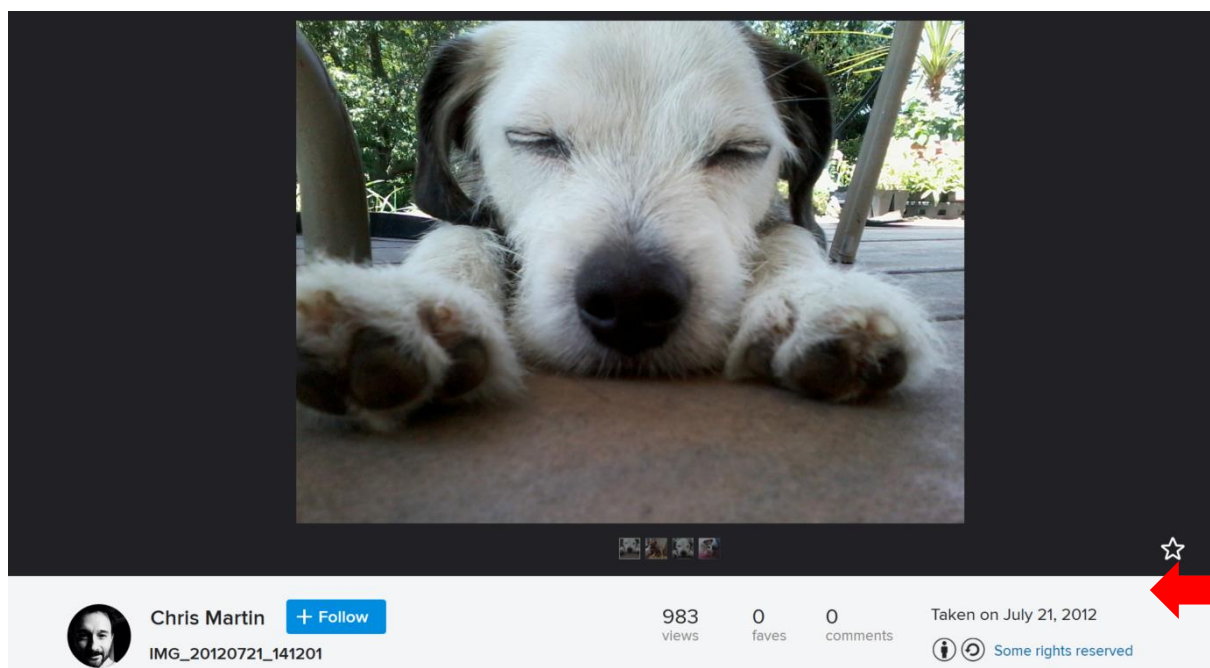


Screen capture taken by author. Annotations added for clarity.



Clicking on the 'Any licence' dropdown will provide a list of options to limit your search. This is where it is good to know how you will use the image, because this will determine your choice. For blogs created for study purposes, when the image will not be modified, all creative commons is fine.

Screen capture taken by author.



Flickr photo IMG_2012721_141201 by Chasing Light Photography (Chris Martin) <https://flickr.com/photos/14798455@N06/7662542962> shared under a Creative Commons (BY-SA) license

Once you click on an image, scroll down to see the licence the image has.



Flickr CC Attribution Helper - Mozilla Firefox

cogdog.github.io/flickr-cc-helper/cc-attributor.html?flickr=7662542962

IMG_20120721_141201

Attribution (HTML)

```
<a title="IMG_20120721_141201" href="https://flickr.com/photos/14798455@N06/7662542962"></a><br /><small><a title="IMG_20120721_141201" href="https://flickr.com/photos/14798455@N06/7662542962">flickr photo</a> shared by <a
```

Attribution (text)

flickr photo by Chasing Light Photography (Chris Martin)
<https://flickr.com/photos/14798455@N06/7662542962> shared under
 a Creative Commons (BY-SA) license

Download Image

https://farm9.static.flickr.com/8281/7662542962_5f61202d22.jpg

flickr cc attribution helper by @cogdog · cog.dog

Copy and paste this text under the image for attribution in an offline document.

Another handy plug in is [Open Attribute](http://openattribute.com/). <http://openattribute.com/>



Wikimedia Commons is another phenomenal source of open content, and they too provide copy and paste referencing, known as the reuse assistance tool. Read [this handy page](#) <https://commons.wikimedia.org/wiki/Help:Gadget-Stockphoto> on the wiki to find out more!

Finding the owner

A major part of attribution is naming the original creator or owner of the work. Please note it is not always the creator who owns the copyright. If the creator has signed the copyright to another (e.g. a journal publisher) then it is the publisher from whom you need to seek permission.

Finding the owner of the copyright can sometimes be difficult, especially if others have reproduced the image or work without making the correct attributions. Fortunately there are several tools available which make it easier to find the original publisher. Most of this information is specifically with reference to image resources.

Google Reverse Image Search

If you have an image but do not know where it came from a quick Google Reverse Image search may bring you the answer. Rather than using a word to describe the image you are looking for, the reverse image search allows you to upload an image (or paste a link to the image) and it will use this to identify similar images, sites that include the image or other sizes of the image you searched for. <https://support.google.com/websearch/answer/1325808?hl=en> provides directions for how to upload the image you wish to find a match for. Please note that this search is not foolproof; often it will return images that are similar in colour, or which have a matching pattern.

Tin Eye

One of the most useful tools for establishing the provenance of images is the Tin Eye reverse image search tool. Similar to Google Reverse Image Search, Tin Eye begins with the image, and searches back, to attempt to establish where an image came from, how it is being used, if modified versions of the image exist, or if there is a higher resolution version. You can install the Tin Eye plug in for Firefox, Internet Explorer, Safari or Chrome. Having the plug in makes reverse searching a breeze, as you just need to right click on the image, choose the Tin Eye option, and a search will commence. For times when you aren't at your own computer, or if the image is downloaded, you can just go to the [Tin Eye website www.tineye.com](http://www.tineye.com) and paste the image link or drag and drop the image itself. The Tin Eye search seems to return much closer matches to the image than Google.

Advice!

When using both the Google Reverse Image search or Tin Eye, there are several things to look for in order to identify the original image:

1. Image size –the higher the resolution of the image, the more likely it is to be the original. It is easy to reduce the resolution of an image (so that it downloads more quickly on a mobile device for instance) but it is next to impossible to make a lower resolution image higher in quality.
2. Date of publication – obviously, the longer the image has been online, the more likely it is to be the original
3. No evidence of 'doctored' – every image that forms a meme or otherwise remixed product came from an original 'undoctored' photo. If there are text or other overlays, or if it is in animated gif form, it may not be the original image.

A little more detective work

Sometimes, a little more detective work is required to find the original source of material. If you have a dead web link, or if a website has changed and the information you are seeking has 'disappeared', you can access cached versions of the older iterations of the page or site using the Internet Archive Wayback Machine <https://archive.org/web/>

The Wayback Machine allows you to browse through 430 billion web pages archived from 1996 to a few months ago. To use this site type in the URL of a site or page of which you would like to research, and click the Take Me Back button. Once you have conducted your search, select from the archived dates available. This gives you an idea of how the site has developed over time, whether changes have been made and how regularly the information is updated. It also allows you to locate the original author of a work that you may no longer be able to access online.

Labelling your own work

Of course the most creative and sure way to avoid copyright issues is to simply create your own work. If you use your own work be sure to label it so that others understand the rights you wish to reserve.

You have several choices. You can copyright your work, so that no one else can reproduce it in any form without your express permission. Technically this occurs automatically, but for clarity a copyright symbol can ensure others know your wishes.

You may donate your work to the public domain, which means others may use it, remix it, republish it in any form, without your permission. This is the most open option.

You may decide to licence your work under Creative Commons, so that the copyright remains with you, the creator, but you make clear how others may use the work. This choice entails several choices as to whether you want to simply require attribution, or whether you would prefer others not use it for commercial purposes, or in a remix situation.

To make these choices simpler, Creative Commons have created a tool available on their website: <http://creativecommons.org/choose/>

By responding to the questions on this page, the licence will be created automatically for you. It also generates an embed code if you wish to publish your work online. Creating machine readable data will mean that others will be notified of your Creative Commons licence should they use a tool such as Open Attribute (see above).



Resources

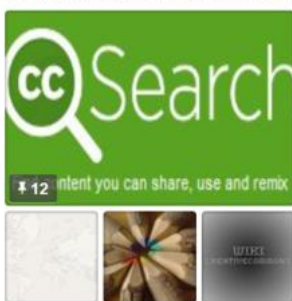
There are many excellent resources available should you be seeking further information on this area.

Many of them have been curated on the following Pinterest boards for easy access:

Copyright, Creative Common...



Find Creative Commons Lice...



Content from the Public Dom...



<https://www.pinterest.com/kayo287/copyright-creative-commons-and-open-source/>

<https://www.pinterest.com/kayo287/find-creative-commons-licenced-content-here/>

<https://www.pinterest.com/kayo287/content-from-the-public-domain/>

For general copyright issues, seek information and advice from The Australian Copyright Council

<http://www.copyright.org.au/>

Teachers should also consider consulting Smartcopying, produced by the National Copyright Unit:

<http://www.smartcopying.edu.au/>