

What are a Creator's rights?


Creating Online

Students are introduced to copyright, fair use, and the rights they have as creators.

Students view the introductory video and explore the Key Vocabulary terms using the student handout. Students then explore the copyright history of the “Happy Birthday” song

Learning Objectives:

- understand that copyright is a legal system that protects rights to creative work.
- compare different ways people license their copyrighted work.
- create an original song and reflect on the copyright for the song.


KEY VOCABULARY	What Do You Create?
<p>creative work: any idea or artistic creation that is recorded in some form, whether it's hard copy or digital.</p> <p>copyright: a law that protects your control over the creative work you make so that people must get your permission before they copy, share, or perform your work.</p> <p>Creative Commons: a kind of copyright that makes it easier for people to copy, share, and build on your creative work, as long as they give you credit for it.</p> <p>license: a clear way to define the copyright of your creative work so people know how it can be used.</p>	

Discuss and use the following words in the course of this lesson: **creative work:** any idea or artistic creation that is recorded in some form, whether it's hard copy or digital.

copyright: a law that protects your control over the creative work you make so that people must get your permission before they copy, share, or perform your work.

Creative Commons: a kind of copyright that makes it easier for people to copy, share, and build on your creative work, as long as they give you credit for it.

license: a clear way to define the copyright of your creative work so people know how it can be used.

KEY VOCABULARY	Do You Share?
<p>creative work: any idea or artistic creation that is recorded in some form, whether it's hard copy or digital.</p> <p>copyright: a law that protects your control over the creative work you make so that people must get your permission before they copy, share, or perform your work.</p> <p>Creative Commons: a kind of copyright that makes it easier for people to copy, share, and build on your creative work, as long as they give you credit for it.</p> <p>license: a clear way to define the copyright of your creative work so people know how it can be used.</p>	

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Creative Commons: a kind of copyright that makes it easier for people to copy, share, and build on your creative work, as long as they give you credit for it.

license: a clear way to define the copyright of your creative work so people know how it can be used.

What are the different types of licenses and why might they be used?

Did you know?

COPYRIGHTED SONGS/BOOKS

- Happy Birthday
- "RESPECT" – Aretha Franklin
- I Will Survive

CREATIVE COMMONS OR NON-COPYRIGHTED :

- A Christmas Carol by Charles Dickens
- "For He's A Jolly Good Fellow"

**Can you add to either list?
What about videos or movies?**

Did you know the song "Happy Birthday" is copyrighted? That's right! Two schoolteachers published the song in 1893, which was originally called "Good Morning To All" and had different lyrics. Later, the lyrics were changed to the song we all know. Over the years, the copyright of this song has been extended. Today, believe it or not, people who want to use the song in a movie or perform it in public are supposed to pay a license fee. This can present a problem. Say you're a filmmaker with barely any money to make your film. But you want to use the "Happy Birthday" song. You might have to pay thousands of dollars in license fees just to use the song in your movie! Another option is to make a unique happy birthday song of your own.

No Happy Birthday?!?!?!?

PERSONAL USE

- Sing at home
- Sing at a child's party

COMMERCIAL USE

- Sing on stage
- Sing in a movie
- YouTube video

What about singing "Happy Birthday" at an office birthday party?

What if you record the party and upload it on the business website?

Or to YouTube and make money from advertising?



<http://www.copyright.gov/circs/circ01.pdf>

Most private uses of published works are NOT prohibited by copyright, like watching a video, playing a video game, or listening to music at home – as long as you don't charge your friends!

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Some Info about Copyright Law:

Copyright is a form of protection to the original authors of *literary, dramatic, musical, artistic, and certain other intellectual works*.

- Includes published and unpublished works.
- 1976 Copyright Act generally gives the owner of copyright the **exclusive right** to do and to authorize others to do the following:
 - reproduce the work
 - prepare derivative works based upon the work
 - Sell, rent, lease, or lend copies
 - perform or display the work publicly including digital audio transmission



What Is Copyright?

Copyright is a form of protection provided by the laws of the United States (title 17, U.S.Code) to the authors of “original works of authorship,” including literary, dramatic, musical, artistic, and certain other intellectual works. This protection is available to both published and unpublished works. Section 106 of the 1976 Copyright Act generally gives the owner of copyright the exclusive right to do and to authorize others to do the following:

- reproduce the work in copies or phonorecords
- prepare derivative works based upon the work
- distribute copies or phonorecords of the work to the public by sale or other transfer of ownership, or by rental, lease, or lending
- perform the work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion pictures and other audio visual works
- display the work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work
- perform the work publicly (in the case of sound recordings*) by means of a digital audio transmission

Activity: Create Content

Become a content creator
Learn your copyright(s)

Write a song!



- If you wanted to make a movie of a party you would need permission for each song played – unless you write your own song!
- Write a celebration song and learn how to copyright the song and performance!



It's time to investigate Copyright Law!

What is it? What is it not? Cop E. Wright has read the fine print and uncovered the truth! Read below to discover what her investigations have revealed.

Does Copyright protect my ideas?

Actually, copyright law does *not* protect your idea. Instead, copyright protects the tangible expression of your idea or system. Let's say you come up with a new skateboard jumping technique, and you write a book about the trick. The copyright of your book will prevent other people from publishing the text and illustrations describing the technique. But it will not give you any rights to prevent others from using your new jump.

I found old photos in my garage. Do I own the copyright?

Probably not. You can register copyright in the pictures only if you own the rights to the work, for example, by will or by inheritance. Copyright is the right of the creator of the work or the creator's heirs, not of the person who found or possesses the photos.

If it's on the Internet can I use it?

Copyright protects text and pictures on websites just like books, CDs, DVDs, and works in other media are protected. You might not see a copyright notice on a website, but "that doesn't mean you're free" to copy what you see or hear.

Is it ok to use up to 5% of someone else's work?

Under certain circumstances, "fair use" allows you to use parts of someone else's work. There's no magic formula, though. Scholarly criticism, teaching, and news reporting may be valid reasons for reproducing a copyrighted work. A number of other factors also need to be considered. (See [Fair Use](#)). When in doubt, it's always a good idea to ask the copyright owner for permission first.

Can anyone ever use my work without my permission?

It's always best for people to ask your permission first, but under certain circumstances (See [Fair Use](#)), it's ok for other people to use parts of your work. Usually, parody, scholarly criticism, teaching, and news reporting may be valid reasons for using a small portion of your work.

Do I have to register my copyright to secure protection?

Copyright protection actually begins at the moment the work is created on paper, recorded, or otherwise made permanent. However, for certain types of works, registration may be a good idea because you get certain additional benefits. Registration establishes a public record, which is necessary if you need to sue someone in court for infringement. If you win your case, you may also be eligible for statutory damages and attorney's fees.

From US Copyright Office - <http://www.loc.gov/teachers/copyrightmystery/text/reading/>

Sample Song:



Text and images from
<http://www.loc.gov/teachers/copyrightmystery/text/copyright/> and
property of the Library of Congress

Chorus:

*Copyright protects your creation,
all the way across the nation,
when it becomes a real big hit,
you get all the credit!*



Kids:

*We finished laying down our cd,
Is it time for the release party?*

Cop E. Wright:

*Once you record those tracks,
Copyright has got your back*

Kids:

*We wrote this song together one night,
We all get a share of the copyright
(Repeat Chorus)*

Kid:

*I had a story in my head for a long time,
Typed it up and posted it online,
Now they want to make it a movie,
What does it mean to me?*

Cop E. Wright:

*Copyright began on your keyboard,
The studio does not get the last word...
(Repeat Chorus)*

Kid:

*My muse is flowing from my paintbrush,
getting right down to the last touch*



Cop E. Wright:

*Once you finish up with that,
Copyright has got your back*

<http://www.loc.gov/teachers/copyrightmystery/text/copyright/>
<http://www.loc.gov/teachers/copyrightmystery/text/>

Now, pick a copyright!

- Standard Copyright License –
<http://copyright.gov>
- Creative Commons License -
<http://creativecommons.org/>
- Public Domain

**Need More information about the differences
between the two types of copyrights?
Keep going or use the links above!**

Other types of Copy Rights

**What is Fair Use and
the Creative Commons?**

Copyright Comparison

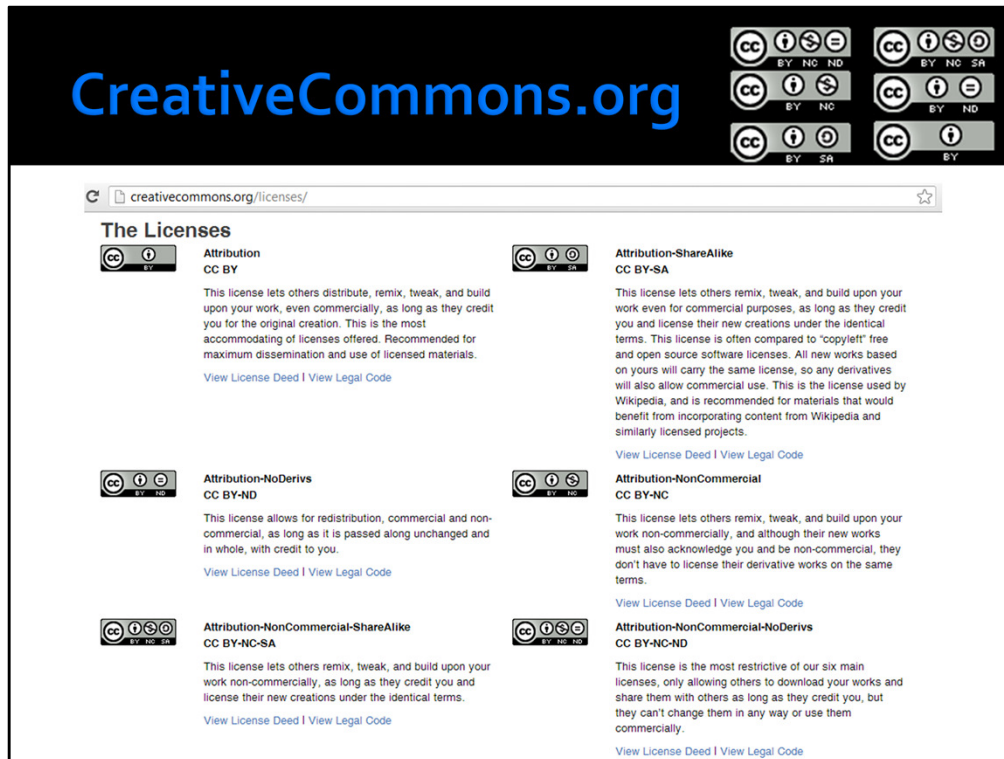
TRADITIONAL COPYRIGHT

- No performance or other distribution without express consent



CREATIVE COMMONS

- Give people the right to share, use, and even build upon a work you've created
- CC gives you flexibility
- Protects the people who use your work, as long as they abide by the conditions you have specified.
- licenses do not affect freedoms that the law grants to users of creative works otherwise protected by copyright



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This license is the most restrictive of our six main licenses, only allowing others to download your works and share them with others as long as they credit you, but they can't change them in any way or use them commercially.

<http://creativecommons.org/licenses/>

Fair Use

- Typically Non-Commerical use for criticism, comment, news reporting, teaching, scholarship, or research
- Small portion of the entire work
- Little or no market damage to the original



<http://copyright.columbia.edu/copyright/fair-use/what-is-fair-use/>

Registering a copyright is easy. Here's how it's done:

- **CREATE !**
Compose a song. Write a play. Paint a picture. Pen a poem. Express your creativity.
- **REGISTER YOUR COPYRIGHT**
[Complete an application](#)
[Include the correct fee](#)
Include nonreturnable copies (usually, one for unpublished and two for published)
- **SEND THE PACKAGE TO:**
*Library of Congress
Copyright Office
101 Independence Avenue, SE.
Washington, D.C. 20559 6000*
- For more information, please visit: www.copyright.gov

The Copyright Office receives your package, and your registration becomes effective on that day. We receive about 2,400 submissions each business day.

Our financial department processes your payment.

We examine your application and deposit and make sure they're acceptable and meet the requirements of Copyright law and regulations.

Your registration is assigned a number and a certificate of registration is issued. You'll receive that certificate in the mail about 4 months after you submit your package.

Catalogers create an [online, searchable public record](#) of your registration.

Thank you!

Please take the session evaluation survey.
The title of this lesson is: [Creating Online](#)

Review:

- copyright is a legal system that protects rights to creative work.
- What are ways people license their copyrighted work?
- Reflect on your copyright for the song you created.

Survey Website link: <http://www.surveymonkey.com/s/9GLZ995>
Participate in lessons on other topics at <http://CCIS.CCSDTitle1.org>

Lesson Plan adapted from and used with permission from Common Sense Media @ <http://commonsensemedia.org>

Survey Monkey Evaluation Survey: <http://www.surveymonkey.com/s/9GLZ995>