Copyright and Fair Use

or So Can I Use it Or Not?
Copyright: The Video

Eric Faden, Bucknell University,
http://cyberlaw.stanford.edu/blog/2007/03/fairy-use-tale
Copyright Defined

A set of exclusive rights given for a limited time to the creator of an original work fixed in a tangible medium.

The purpose of which is “to promote the Progress of Science and useful Arts”
Exceptions to Copyright Holder’s Exclusive Rights

- Fair Use (107)
- Library Copying (108)
- First Sale Doctrine (109)
- Public Displays (museums, libraries, galleries) (109 (c))
- Face to Face Teaching – traditional classroom (110 (1))
- TEACH Act -- distance education (110 (2))
- Computer software - owner modification, backup (117)
- Photography of Architectural Works (120)
- Special Formats for Persons with Disabilities (121)
Fair Use Defined

Fair use is a copyright principle based on the belief that the public is entitled to freely use portions of copyrighted materials for purposes of commentary and criticism.
Fair Use: The 4 Factor Test

- The **Nature** of the original work
- The **Purpose** of the use
- The **Amount** of the original work
- The **Effect** on the Market for the original
Copyright Resources

libguides.sjsu.edu/copyright
## The Licenses

### Attribution
**CC BY**

This license lets others distribute, remix, tweak, and build upon your work, even commercially, as long as they credit you for the original creation. This is the most accommodating of licenses offered. Recommended for maximum dissemination and use of licensed materials.

[View License Deed](#) | [View Legal Code](#)

### Attribution-ShareAlike
**CC BY-SA**

This license lets others remix, tweak, and build upon your work even for commercial purposes, as long as they credit you and license their new creations under the identical terms. This license is often compared to "copyleft" free and open source software licenses. All new works based on yours will carry the same license, so any derivatives will also allow commercial use. This is the license used by Wikipedia, and is recommended for materials that would benefit from incorporating content from Wikipedia and similarly licensed projects.

[View License Deed](#) | [View Legal Code](#)

### Attribution-NoDerivs
**CC BY-ND**

This license allows for redistribution, commercial and non-commercial, as long as it is passed along unchanged and in whole, with credit to you.

[View License Deed](#) | [View Legal Code](#)

### Attribution-NonCommercial
**CC BY-NC**

This license lets others remix, tweak, and build upon your work non-commercially, and although their new works must also acknowledge you and be non-commercial, they don't have to license their derivative works on the same terms.

[View License Deed](#) | [View Legal Code](#)
Questions?