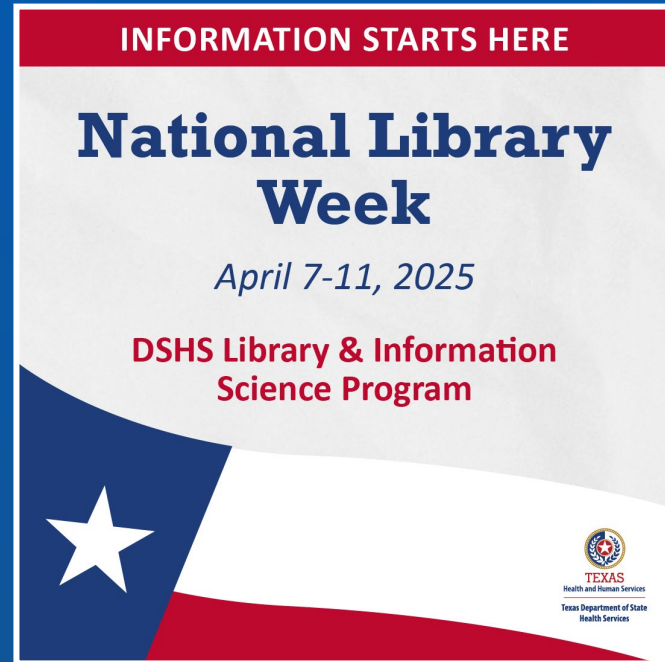


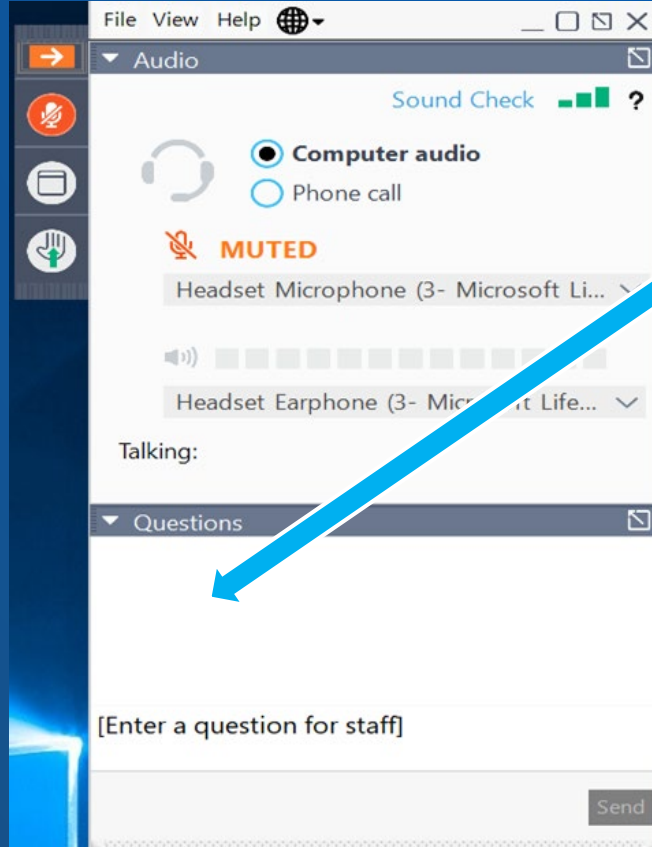
Copyright, Plagiarism & More!



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Copyright, Plagiarism & More!



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Copyright, Plagiarism & More!

Contents

Introduction to Copyright

Copyright Infringement

vs. Plagiarism

Fair Use

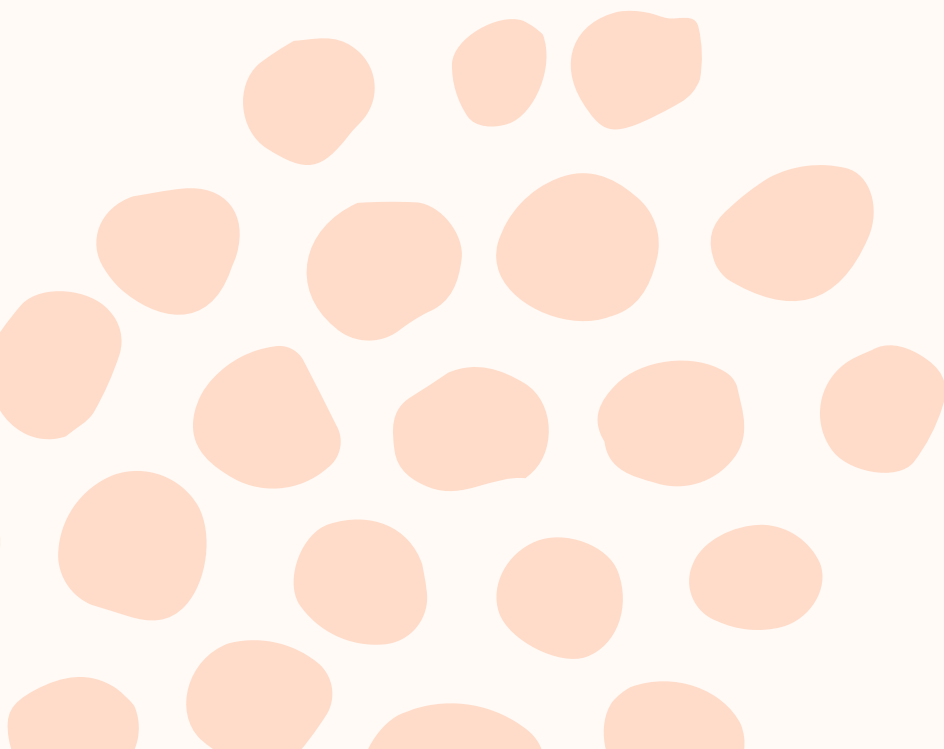
Copyright & AI

Author's Rights

Using Protected Work




Introduction to Copyright





Copyright is...

- **A constitutional right in the United States.
(Article 1, Section 8, Clause 8)**
 - **Consists of original work of human authorship that is also
fixed in a tangible medium.**
 - **Automatically granted to qualifying works, no registration
required; however, it is highly encouraged!**
- 



Benefits of Copyright Ownership

A copyright owner has the exclusive rights to:

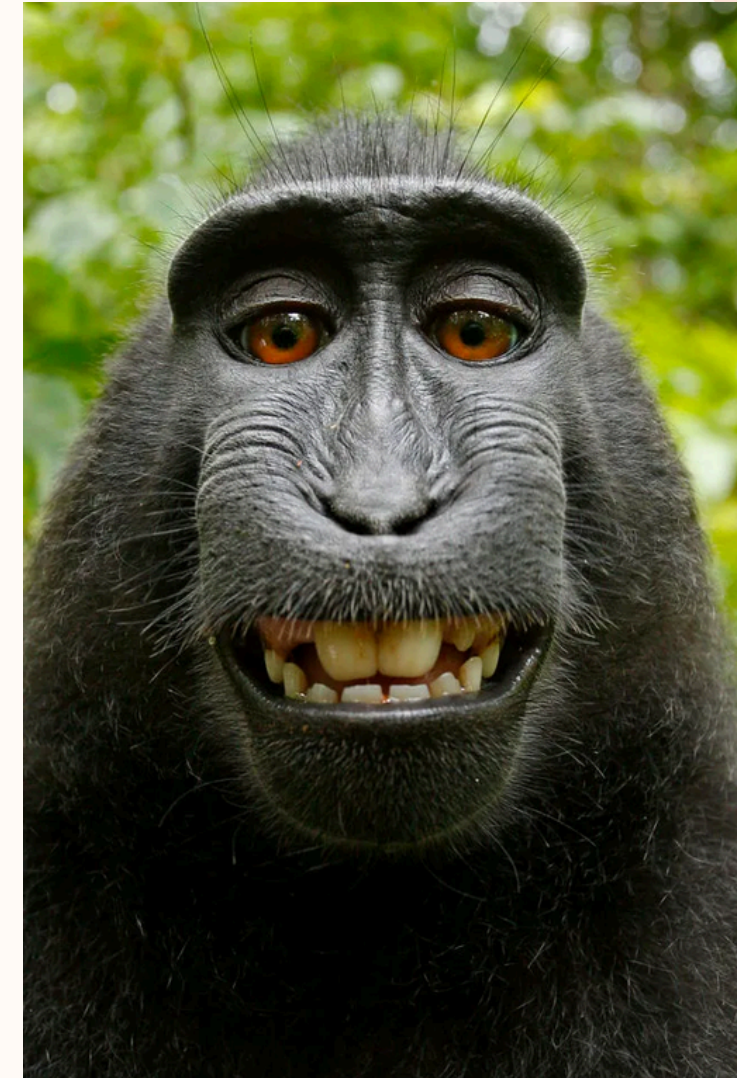
- **Copy**
 - **Make derivatives**
 - **Distribute**
 - **Display**
 - **Perform**
- 

What isn't protected?

Copyright doesn't exist in all works.

The following are not copyrightable:

- **Ideas**
- **Facts**
- **Methods or processes**
- **Works that are not sufficiently original.**
- **Work created by other entities that are not human.**

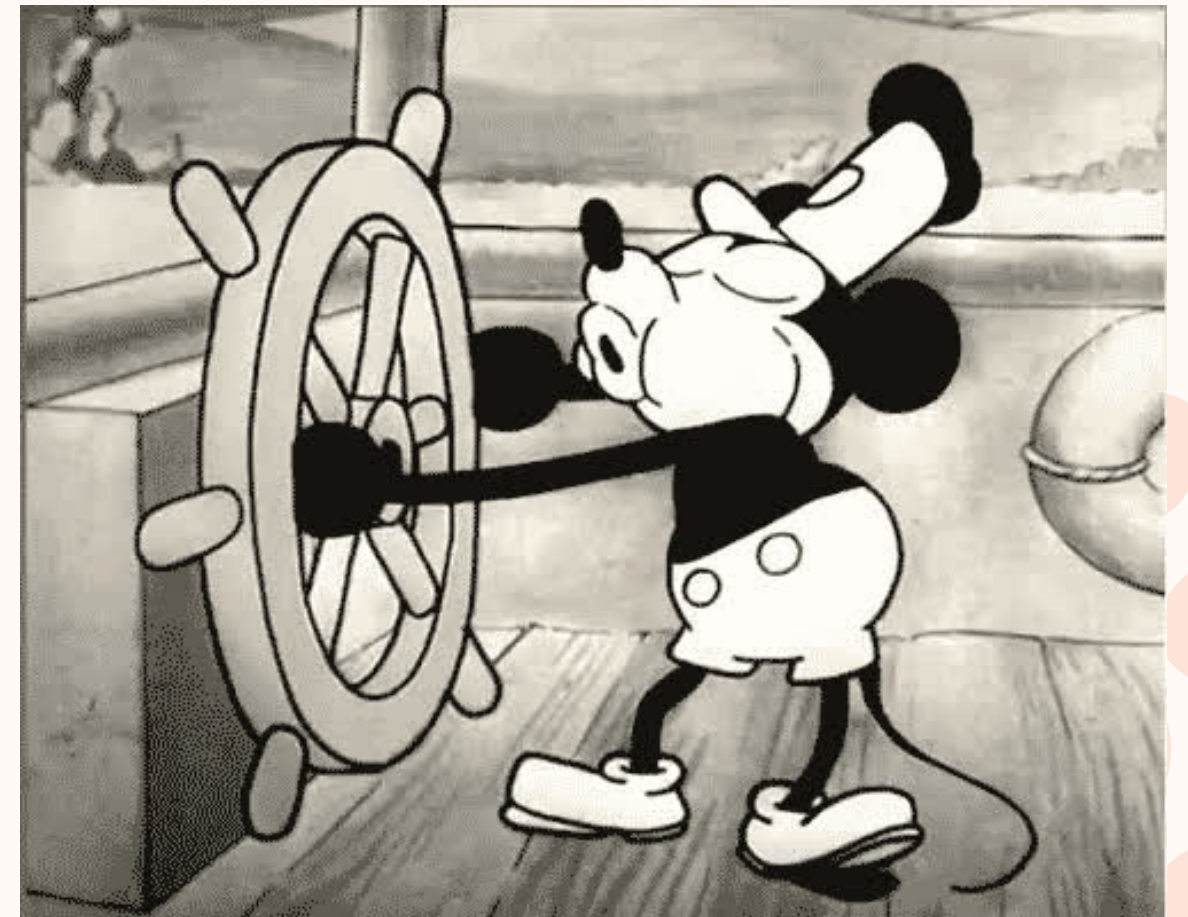


Items in the Public Domain

Public domain works are:

- **Works that are no longer protected by the original copyright (life of the author + 70 years).**
- **US Government work/documentation.**
- **Material published before 1930.**

Original work that enters the public domain no longer has copyright protection and cannot be copyrighted by a new creator until it is significantly changed from the original.



Copyright vs. Patents & Trademark

All types of intellectual property.

- **Copyright generally covers 'creative works' (movies, photographs, music, software code, and paintings).**
- **Patents protect technical inventions such as chemical compositions.**
- **and mechanical processes that are new, unique, and usable in some type of industry.**
- **Trademarks protect a word, phrase, design, or a combination that specifically identifies a company or brand.**

Three Types of Trademarks

Trademarks can have three possible statuses:

1. Registered Trademark (R)
2. Unregistered Trademark (TM)
3. Unregistered Service Trademark (SM)





Copyright Infringement vs. Plagiarism





Ethics vs. Legal

Plagiarism is an ethical breach.

- **It is considered academic dishonesty.**
- **It is a violation of a University's Honor Code (applies to students in courses for credit).**
- **Plagiarism could ruin your career.**
- **There are no exceptions to plagiarism.**

Copyright is a legal concept.

- **If you infringe someone's copyright, you could be liable for money damages or asked to remove the offending content.**
- **There are exceptions that allow you to use someone else's work without permission.**



Citation & Attribution

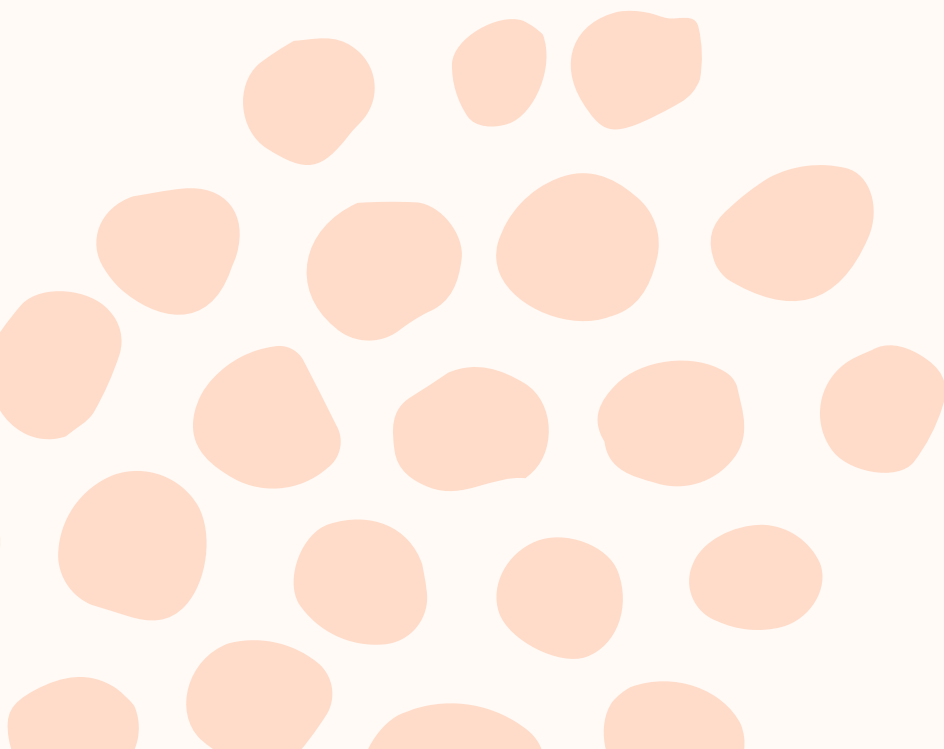
Arguably the same thing, but citation is more formal.

Proper attribution requires the author, title (if it has one), link to source, and license information.

A citation also refers to the work being used, but uses formatting from a particular style guide.



Fair Use






What is Fair Use?

An exception in the United States that allows someone to use copyrighted material without having to first gain permission from the copyright holder.


Fair Use does not allow a user to:

- **Copy an entire original work without attribution.**
 - **Copy and distribute portions of textbooks (or other material marketed for instruction).**
- 



The Four Factors of Fair Use

Before you use copyrighted material and claim Fair Use, consider the Four Factors:

- 1. Purpose and Character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes.**
 - 2. Nature of the copyrighted work.**
 - 3. Amount and substantiality of the portion used in relation to the copyrighted work as a whole.**
 - 4. Effect of the use upon the current and potential market for or value of the copyrighted work.**
- 

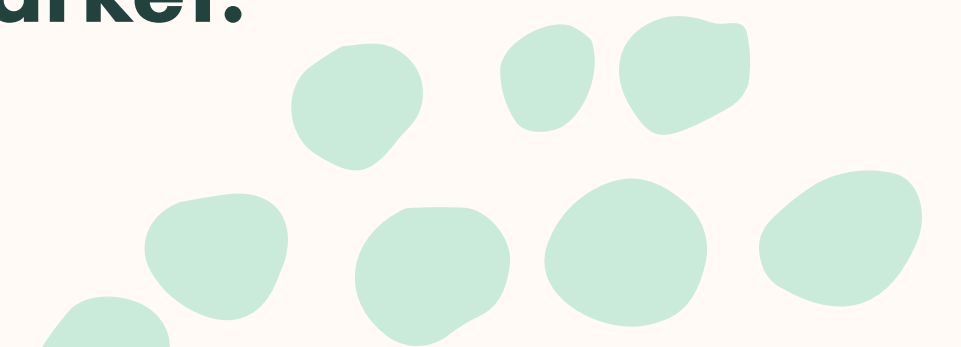


Purpose and Character of Use

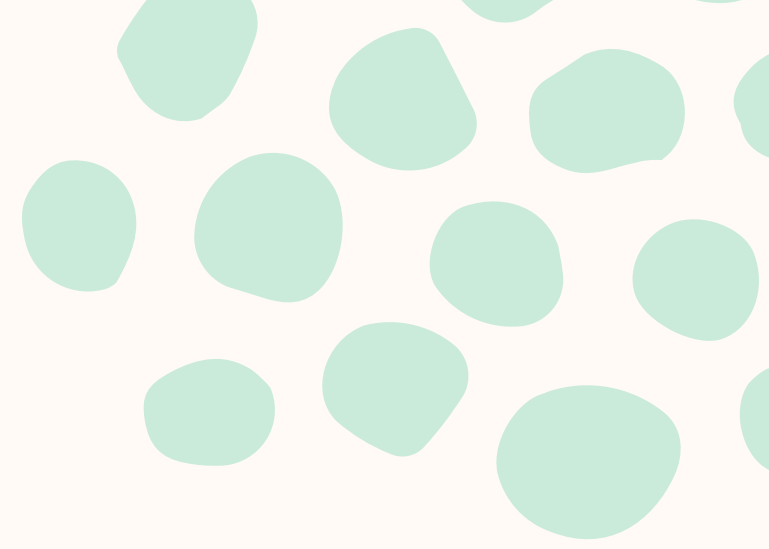
Favors Fair Use:

- **Used for teaching, including multiple copies for classroom use.**
- **Used for research.**
- **Used at nonprofit education institution.**
- **Use is transformative.**
- **Used for news reporting.**

Opposes Fair Use:

- **Used for commercial purposes.**
 - **Used for entertainment purposes.**
 - **Work being used is from a consumable source (e.g. workbook) or is sold specifically to the educational market.**
- 

Nature of Work



Favors Fair Use:

- **Work being used is already published.**
- **Work is factual or nonfiction.**

Opposes Fair Use:

- **Work is unpublished.**
- **Work is fiction.**
- **Work is unique or highly creative.**






Amount of the Work

Favors Fair Use:

- **Small quantity is used.**
- **Portion used is not “heart of the work”.**
- **Amount and portion of work selected for use is limited and relevant to what is necessary for intended purpose.**

Opposes Fair Use:

- **Large quantity or entire work is used.**
 - **Portion used is “heart of the work” or most unique part of the work.**
- 

Effect on the Market

Favors Fair Use:

- Copy is lawfully acquired.
- Few copies are made.
- Use has no significant impact on market or potential market for the work.
- No licensing mechanism is available for that particular use of the work.
- Access to the work will be restricted to the specific group of users for whom the use is made.
- Use of the work includes a copyright statement.

Opposes Fair Use:

- Unclear whether work to be used has been lawfully obtained.
- Copy or license can be readily obtained.
- Significantly impacts market or potential market for the work.
- A reasonably accessible system is available for obtaining permission to use the work.
- Numerous copies are made.
- User makes work publicly available via internet.
- No copyright statement accompanies the work.



Copyright & AI

Relationship status: It's complicated

New ruling made by the United States Copyright Office grants work made with the assistance of generative AI protectable.

- Must be able to show significant input by a human creator.
- Case-by-case basis.

Has been met with mixed feelings.



Using AI

- **Tools vs. Generative**
- **Trust but verify, do not be a passive consumer.**
- **Do not include sensitive information in prompts.**



Ethical Considerations

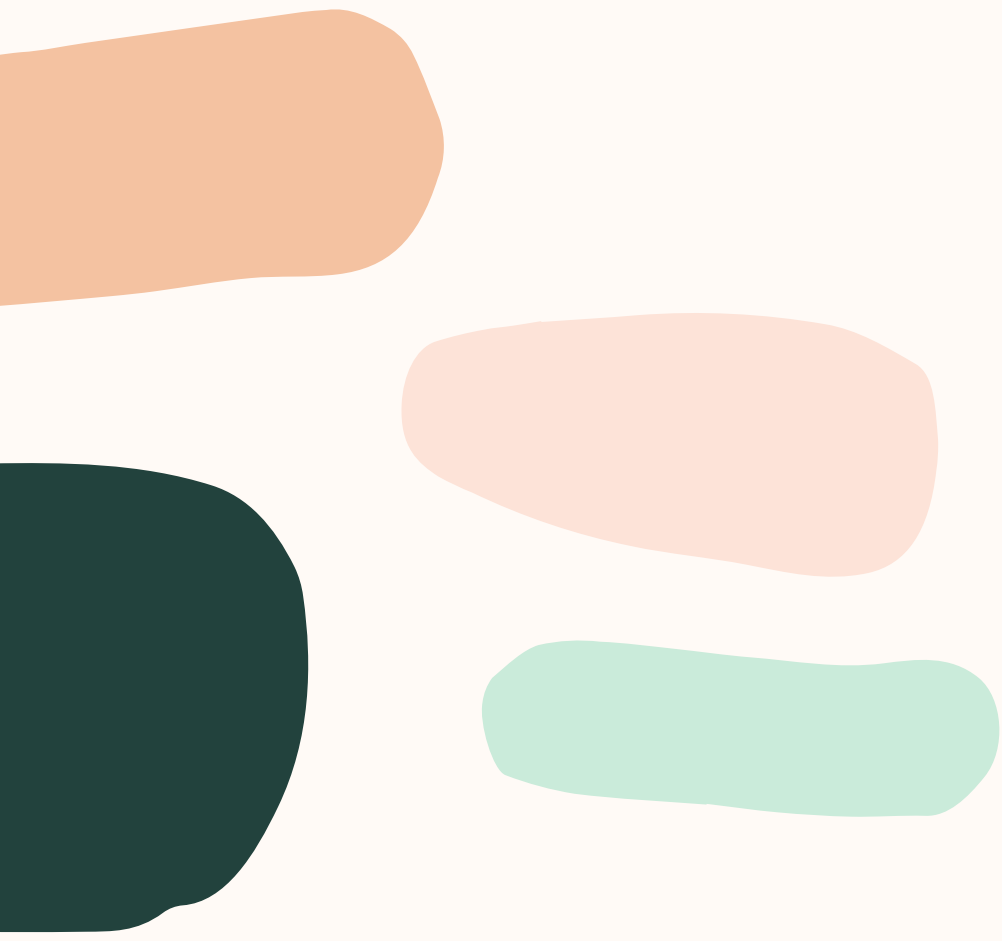
Humans are imperfect, thus the machine learning from our interactions is imperfect.

Points of contention with AI:

- **Bias**
- **Lack of transparency**
- **“Theft”**
- **Hallucinations**
- **How easy should we make access to information?**
- **Environmental impact**



Author's Rights



Works Made for Hire



The creator of a work owns the copyright in the product unless it is a work made for hire (WMFH). If it is a WMFH, the employer owns the copyright.

To be a WMFH, the work must fit into one of two situations:

- 1. Employee makes the work in the course of their job.**
- 2. The creator is hired to make the work as a contractor; there is a signed agreement; and the work is of a certain type.**



How does WMFH affect you?



- If you are hired to write, your employer probably owns the copyright in your work.
- This means that you will have to ask permission to republish the work.
- Fair Use still applies, so you can use the work in your portfolio and share it with prospective employers.



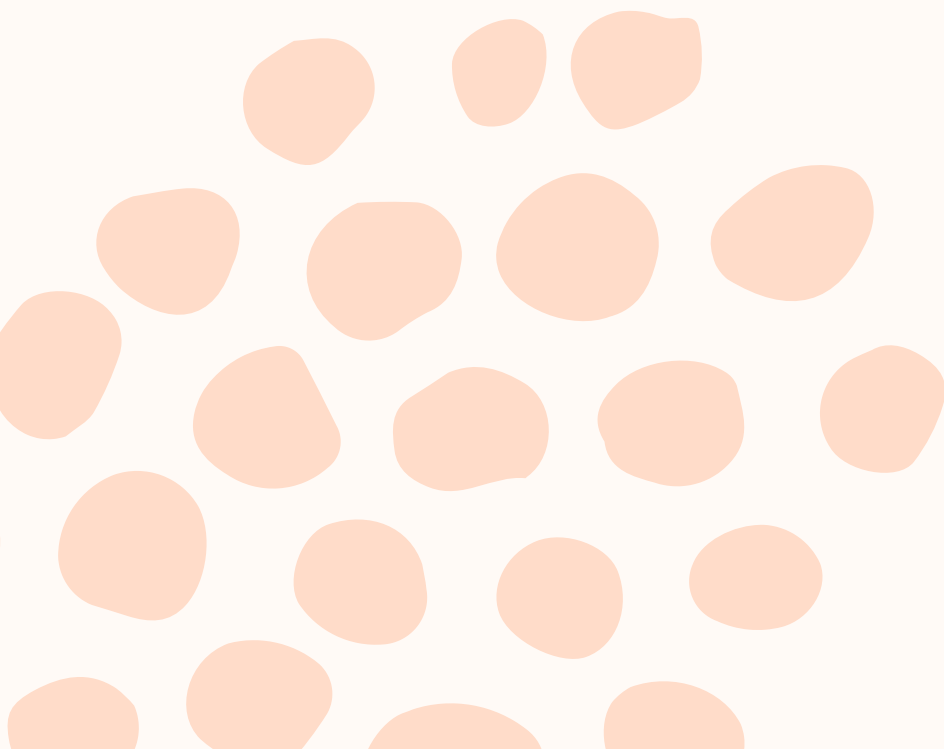
Contracts Trump Copyright:

Read Contracts Thoroughly!

- **The language of a contract controls the use of the materials.**
- **You can contract away the exception and rights that you have under the Copyright Act.**



Using Protected Work





Licenses

- **Contracts = licenses**
- **Dictate the nature and duration of use allowed.**
- **Open licenses enable collaboration, development, access, and inspiration from your creative works without requiring you to give up the rights (copyright) automatically granted to you for your creation.**
 - **6 types**
 - **Public domain is considered a type of open license.**



Requesting Permission

Go directly to the copyright owner and request permission.

- **Send them an email identifying the work and describing how you would like to use it.**
- **Verify they are the person who owns the copyright, or, if not, if they know who the copyright owner is.**

Go to Copyright Clearance Center.

- **Copyright.com**
- **Fill out the form.**
- **Pay by credit card.**



Thank you for
listening!

Questions?





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