

Fair Use in Copyrighting

Overall Goal

After completing this PowerPoint presentation, the learner will have an understanding of the complexity of fair use doctrine of the copyright law. Learners will be able to determine when it is legal to use other people's work without permission.

Rationale

In the past, young adults had limited access and limited reasons to access copyrighted material. Their knowledge of copyright laws extended to plagiarizing another person's writings or drawings. Their characteristic interests in music, graphics, and video have been exploited by Internet companies, giving children virtually uncontrolled right of entry to an assortment of goods. Because of the frequent usage of computers with easy access to more potentially liable copyrighted material, younger students are in need of more advanced information regarding copyrighting.

Target Audience

General description

A general description of the target audience of this presentation is middle-school aged male and female children, ranging from ten to fourteen years old. Their socioeconomic status is middle class, and therefore, they are financially capable of accessing the copyrighted materials via computers and the Internet.

Strengths

This group of students has an average range of academic skills such as reading and writing. Their seemingly innate computer aptitude is a major strength. Today, computer skills are a necessary part of living and students are very resourceful in their pursuit of computer knowledge and skills,

especially for recreational purposes.

Weaknesses

But in that pursuit of knowledge, their fascination can eclipse their understanding of what is right or wrong, and their immaturity is a grave weakness in the area of ethical reasoning towards copyright fair usage. Their listening skills and attention span tend to be limited.

Potential areas of difficulty

Students of will have difficulty understanding the finer points of fair use, such as what is the difference between fair and unfair practices, penalties for misuse, and who determines the facts.

Strategies

Strategies used to help overcome learner's weaknesses and capitalize on their strengths:

1. Weak listening skills - this presentation can be repeated for the student until they are able to pass a test on the material.
2. Weak attention span - this presentation is brief and emphasizes the basics to maximize their learning time.
3. Weak level of maturity - this presentation is created for the appropriate age group and emphasizes the most important information.
4. Strong computer skills – this presentation used computer technology to present its material and to suggest further research in the area of copyrights.
5. Strong computer usage – this presentation uses examples that are relative to this group's recreational usage of computers.

FAIR USE DOCTRINE & COPYRIGHT

The copyright laws were created by the U.S. Government to protect people who create work. When we start creating work, we need to know how to protect our interests. We need to know that what we create belongs to us, and what someone else creates belongs to them. Copyright laws are important to know about at any age.

WHAT IS A COPYRIGHT?

A copyright is a form of protection for “original works” by authors. It gives ownership rights to the author; it determines rights of users. A work is automatically copyrighted upon creation.

WHY IS HAVING COPY RIGHTS IMPORTANT TO YOU?

You work hard to produce something original and it is special to you. You'd probably be very upset if someone just used anything you made without your permission. Copyright law gives you a set of rights that prevents other people from using your work and doing things with your work that you may not like. You determine the permissions for use.

WHAT IS PROTECTED / NOT PROTECTED UNDER COPYRIGHT?

Copyright protects "original handiworks of authorship" that are set in a physical or concrete form. Any type of work that cannot or is not set in a physical or concrete form cannot be protected under copyright.

WHAT DOES THE COPYRIGHT LAWS PROTECT OUR WORK FROM?

As the author and owner of the work, you alone have the right to make or distribute duplicates of the work; perform the work publicly, as in the case of plays and music; display the work publicly, as in the case of art or sculpture; or make modifications to the work.

WHAT IS PUBLIC DOMAIN?

Works consisting entirely of information that is commonly available and that contain no known original authorship are in the public domain. Works whose copyright has expired. These works belong to everyone and can be used freely without penalty.

WHAT IS FAIR USE?

Generally speaking, it is illegal for anyone to use work created by you without your permission, but there are some exceptions and limitations to your rights. The doctrine of fair use establishes limitations on exclusive ownership. The "Fair Use" doctrine allows limited copying of copyrighted works for educational and research purposes.

WHY SHOULD WE RESPECT OTHER'S COPYRIGHTS?

Honoring copyrights reflect our appreciation for all the hard work that talented musicians, authors, illustrators, and screenwriters have put into creating songs, books, plays, movies, and TV shows for us to enjoy.

WHAT IS A COPYRIGHT VIOLATION AND WHAT ARE THE PENALTIES ?

Works used without the creator's permission. Permission is called a license. This includes videos, music, and graphics copied and used without payment to the author. If a lawsuit is brought to court, the violator will pay a penalty to the owner of the work or copyrighted material equal to the amount of lost revenue. If the copyright is registered with the U.S. Copyright Office, a judge may impose a higher penalty. The violator may also be charged as a criminal.

MORE QUESTIONS? More information on fair use and copyrights can be found on these websites. Check out these websites: www.kidscopyright.com & www.copyright.gov