NECO LIBRARY COPYRIGHT FAQ

Do I need to register my work with the U.S. Copyright Office?

Registering a copyright is optional as a work becomes copyrighted the moment it is fixed in a tangible medium. However, registering a copyright through the U.S. Copyright Office has its benefits; it can help your case should you ever choose to file a lawsuit arguing copyright infringement.

How can I obtain permission to use copyrighted materials?

Getting permission to use a work involves contacting the rightsholder. The process is not always straightforward, however. The author of a material, for example, is not always the rightsholder as authors typically sign away their rights to their publishers. The library can help you obtain permission from a publisher using the Copyright Clearance Center. For more information, see also Stanford University's The Basics of Getting Permission.

What is the Copyright Clearance Center?

The Copyright Clearance Center (Copyright.com) is a non-profit company which formed at the recommendation of Congress in order to provide an easy way to facilitate the exchange of royalties and permissions.

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If I cannot find a rightsholder for an item, can I copy the material anyway? What if I don’t have time to obtain permission?

Unfortunately, no. There are no loopholes in the law for unauthorized copies, regardless of whether you feel as if the royalties are too expensive or if there isn't enough time to request permission. A good resource for figuring out when and how to use a copyrighted work is A Framework for Solving Any Copyright Problem by Kevin Smith & Lisa Macklin.

Do I need to obtain permission to use works that are freely available on the Internet?

Being publicly available is not the same thing as existing in the public domain (public domain works are perfectly legal to use in a paper or presentation, with attribution). A work might be available for download through Google, but it is still copyrighted work. Conversely, the public domain includes materials whose copyright has expired, materials whose authors have expressly put it in the public domain and forfeited their copyright, and most government works.

If I find an image online and use it in my presentation, does that mean I now own the copyright for that image?

The copyright to an image belongs to the person who created the image, whether they photographed the image, illustrated it, or created it using a graphic design editor. If you find an image online, you are required to request permission to use it from the creator, unless the image is in the public domain.
I would like to use a table or chart that another researcher has published in my own paper. I’m planning on including a citation. Is that enough?

Using other researchers' charts of figures involves two steps: 1) securing permission from the researchers who created the chart or table and 2) securing permission from the publisher, who often owns the copyright. The library can help you to do both.

The oft-cited "10 percent rule" (which says that using 10 percent or less of a copyrighted work is considered fair use) is not applicable in this case because the charts and tables may have been created by an independent contractor.

Am I allowed to show a copyrighted video during class?

Yes. The TEACH Act allows you to show copyrighted videos during a face-to-face teaching event provided you meet eight rules.* However, this privilege does not extend to recorded Panopto sessions. Luckily, Panopto allows you to pause a recording. The best practice for using a copyrighted work during class is to pause the Panopto recording while the copyrighted video is being shown and to provide a link to the video in your presentation so students listening via Panopto can watch the video on their own. There are no copyright implications in providing a link to a work.

*For more information on these rules, see: University of Northern Iowa's TEACH Act Checklist.