COPYRIGHT & FAIR USE FACT SHEET

A. In the USA

1. Copyright is a law that refers to intellectual property, such as a writings, music, or art, which gives the creator of original work exclusive rights to reproduce, publish, sell, or distribute their work for a certain time period, after which time the work is said to enter the public domain.

2. The public domain is a range of "public property" works, such as a writings, music, or art, which are not owned or controlled by anyone and are not protected by copyright. These materials are available for anyone to use for any purpose.

3. Fair use, in American copyright law, allows limited use of copyrighted material without permission from the copyright holders provided the use is fair and reasonable, does not substantially impair the value of the materials, and does not curtail the profits expected by the owner. An easy tip to fair use is:

   Don’t “borrow” more than 10% of any image, sound or text you find!

B. In Hawai‘i Public Schools

Student Assignments

1. Fair Use guidelines allow for the use of portions of copyrighted material in educational multimedia assignments without obtaining permission from the copyright holders.

2. Be sure to credit all sources of copyrighted material in your bibliography. This information may be shown in a separate section (i.e. the credits).
   - This applies to all works with the exception of pictures and photographs.
   - For pictures or photographs, it is recommended that the copyright notice and name of the creator be incorporated in the image. Putting this information directly below the picture is acceptable.

3. State that all copyrighted material in your project is being used under the fair use exemption of the US Copyright Law and have been prepared according to the multimedia fair use guidelines and are restricted from further use. This statement must be included on the opening screen of the multimedia project and on any accompanying print media.

Ka Hana ‘Imi Na‘auao – A Science Careers Curriculum Resource Project. Available at: www.cds.hawaii.edu/kahana
Sources: ©2002 by HI DOE, Office of Curriculum, Instruction & Student Support, Advanced Technology Research Branch. Permission to use this information is granted freely as long as this notice is kept with it.
Public Viewing (i.e. posting on the WEB, videos housed in the school library)

4. No longer covered by Fair Use guidelines: permission must be obtained for use of any copyrighted material.

5. Public viewing includes posting on the Web, placing a multimedia project in the library for circulation, or using the project for more than one course or at more than one school.

6. After obtaining permission for use of copyrighted material, be sure to keep a copy of both your request for permission and the permission received.

Why make it your own?
It’s more fun creating your own ideas than using someone else’s – and wouldn’t you like to see © beside your name?!

C. Discussion Activity

In pair or small groups imagine 1 example of copyright infringement and 1 example of fair use students might include, on purpose or not, in their assignments. Share your examples with the class aloud (or write them down to be read aloud by the teacher), and discuss which examples are which!

D. Online Activities

Learn more about Copyright Law & Fair Use:

• Read this short brochure:

• Surf this cool interactive website:
  o  www.cyberbee.com/cb_copyright.swf