

Assignment 8: Copyright and Fair Use Issues on the Web

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Digital Images

Fair use typically prohibits the use of a work in its entirety; however, this is difficult to define with regard to digital images and illustrations (Educational Multimedia Fair Use Guidelines Development Committee, 1996, July 17). To further complicate the issue, my use of digital images in the workplace is for instructional purposes in a commercial capacity – not for resale, but for use in a business setting. To prevent any potential violations, I will always use digital images and illustrations that are part of online collections officially sanctioned by the organization and identified as “royalty-free.” For example, the organization subscribes to Jupiter Images, an online image portal that licenses its members to use any images within the collection. When these prescribed online collections fail to provide the quality or type of image I need in a particular learning solution development, I will use clipart images provided within the software licensed by our organization. If such images still fail to satisfy the requirements of the project, I will ensure that any images located on the Web are either clearly defined as royalty-free and available for use without permission, or will ensure that the project is limited to a maximum of five images by a specific photographer or artist and that references are cited when the images are displayed.

Digital Music

Because my organization is commercial, fair use has limited applications (Educational Multimedia Fair Use Guidelines Development Committee, 1996, July 17). As such, copyright-protected digital music cannot be incorporated into the eLearning solutions that I develop. This limits the sources of digital music files to those that are clearly identified as being part of the public domain or authorized for commercial use. I also have the opportunity to create my own digital music through the use of an electronic keyboard and software tools; however, the source material must either be completely original or authorized for commercial use, or authorization must be obtained before creating such digital music files. Therefore, in consideration of these limitations, my preferred option will be to obtain and utilize digital music that is officially authorized for commercial use.

Text Resources from the Web

Although a great deal of learning solution development projects in my workplace revolve around internal practices and policies, as well as proprietary information related to our industry and the nature of business, occasionally an instructional design project will arise with a need for external research. For instance, I was recently asked to create a brief course on email etiquette and the proper use of email

communications in the workplace. To make an effective learning solution on this topic, it was necessary to consult external resources on the Web to perform research on the topic. Whenever a project entails the use of text resources from the Web, I will never use the source in its entirety, as this is in direct violation of copyright laws and, even if it were legal, is unethical behavior. Instead, I will perform research using credible sites and will always credit the original source. Simply basing my work on the original, known as creating a derivative work, without properly citing the original source is not protected by fair use (Templeton, 2008, October). The research of credible sites and proper citing of these references are exactly how I approached the email etiquette course – I included a page of references at the end of the online course and corresponding citations noted within the course itself.

References

- Educational Multimedia Fair Use Guidelines Development Committee. (1996, July 17). *Fair use guidelines for educational multimedia*. Retrieved June 10, 2009, from University of Texas System Web Site: <http://www.utsystem.edu/ogc/INTELLECTUALPROPERTY/ccmcguid.htm>
- Templeton, B. (2008, October). *10 big myths about copyright explained*. Retrieved June 10, 2009, from <http://www.templetons.com/brad/copymyths.html>