



Copyright, Ethics, and Open Access



Inglis Reading

Thoughts?

Different from last week's reading?

Copyright

Copyright, a form of intellectual property law, protects original works of authorship including literary, dramatic, musical, and artistic works, such as poetry, novels, movies, songs, computer software, and architecture. Copyright does not protect facts, ideas, systems, or methods of operation, although it may protect the way these things are expressed.

When did the US begin copyright?

- 1790
- Major Revisions
- Current law from 1976
- New forms of communication made it necessary to amend it
- Fair Use
- Extends length of copyright

Owning the Past

Thoughts on Cohen/Rosenzweig piece?

Anything new?

Positives of digital history and copyright?

Negatives?

Fair Use

(1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;

(2) the nature of the copyrighted work;

(3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and

(4) the effect of the use upon the potential market for or value of the copyrighted work.

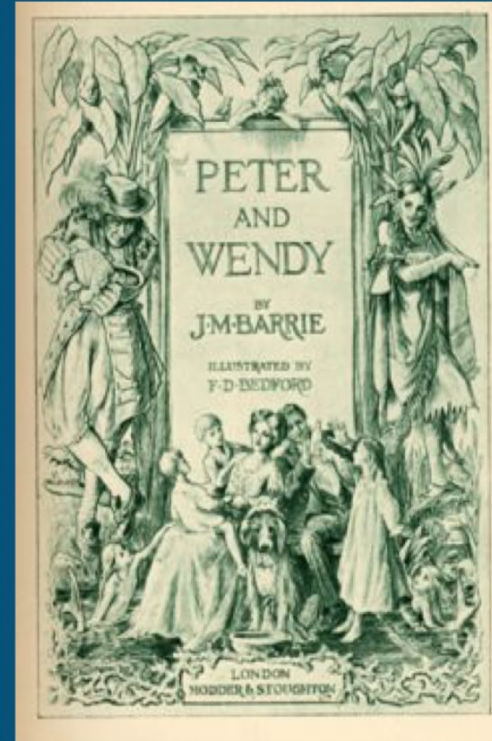
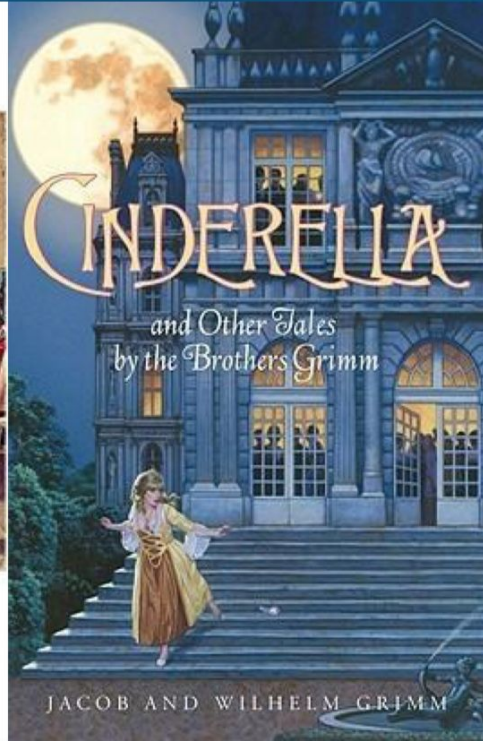
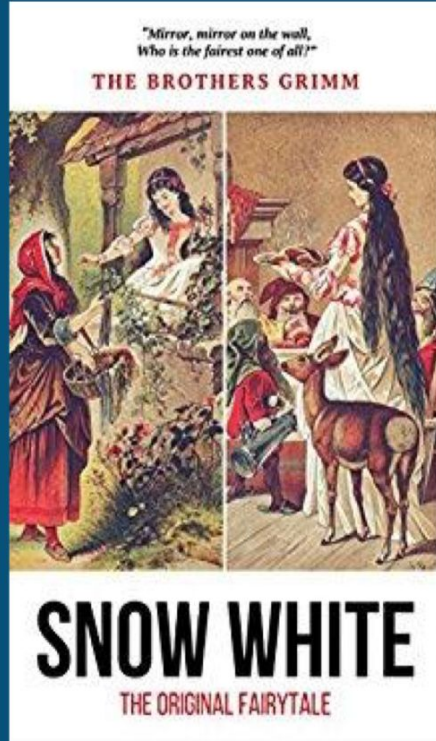
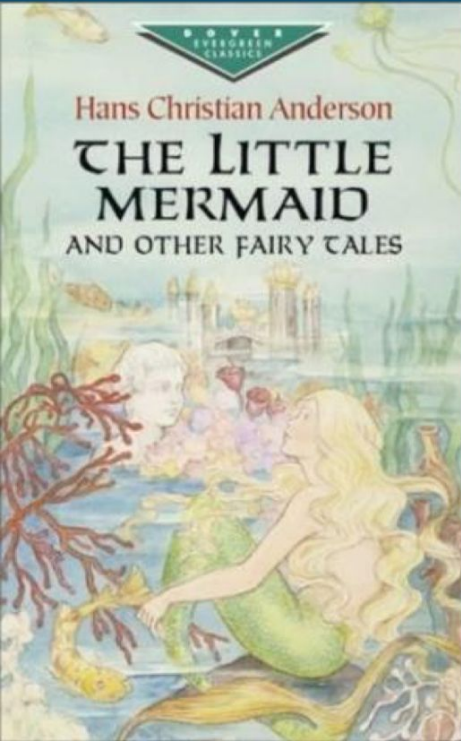
Fair Use

Good example of Fair Use Parody

Let's talk about this for a minute!

What did we learn about Disney?

Disney made bank off public domain!



What's the difference?

Copyright

Trademark

Patent

What's the difference?

Copyright= Creative works

Trademark= Visual identity, slogan, or symbol for a company or product

Patent= inventions or ideas

Google Books and Open Access

Databases behind a paywall

Aaron Swartz and ethics

So where can I get stuff?

[Creative Commons](#)

[Flickr Creative Commons](#)

[Internet Archive](#)

[American Memory](#)

All works published in the US before 1923.

Works published between 1923 and 1977 *without a copyright notice*.

Works by the US government or created by its employees as part of their job.

Wikipedia and Copyright

To use an image on Wikipedia it must fall under 1 of 4 rules

1. Your own work
2. Freely licensed
3. Public Domain
4. Fair Use

Distribution

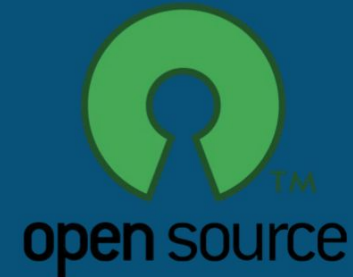
Copyright=All Rights Reserved



Creative Commons= Some Rights Reserved



Open Source= No Rights Reserved



Did anybody check my website?

What distribution did I use?

Historian Ethics

- ALWAYS CITE
- Any evidence transcribed must be done faithfully
- Don't ignore contradictory evidence
- Don't fabricate evidence
- Don't cherry pick evidence
- Acknowledge biases--your own, your sources, financial support
- Maintain transparency of research

Questions?
