## Copyright and Plagiarism

Part 1: Copyright Basics

1. What are the six exclusive rights that the owner of a copyright has?

The six exclusive rights that the owner of copyright has are:

1. 1. Reproduce the work in copies or phonorecords
2. 2. Prepare derivative works based upon the work
3. 3. Distribute copies or phonorecords of the work to the public by sale or other transfer of ownership or by rental, lease, or lending
4. 4. Perform the work publicly if it is a literary, musical, dramatic, or choreographic work; a pantomime; or a motion picture or other audiovisual work
5. 5. Display the work publicly if it is a literary, musical, dramatic, or choreographic work; a pantomime; or a pictorial, graphic, or sculptural work. This right also applies to the individual images of a motion picture or other audiovisual work.
6. 6. Perform the work publicly by means of a digital audio transmission if the work is a sound recording
7. Can copyright be granted on an idea?

The copyright can’t be granted on the idea.

1. Do works have to be published to receive copyright protection?

In some ways yes. But names can’t be protected, which means you need to specify and publish the description.

1. How can copyright be automatically secured?

Copyright exists automatically in an original work of authorship once it is fixed in a tangible medium, but a copyright owner can take steps to enhance the protections of copyright, the most important of which is registering the work. Although registering a work is not mandatory, for U.S. works, registration (or refusal) is necessary to enforce the exclusive rights of copyright through litigation.

1. How long does copyright last for works that were created after 1978?

As a general rule, for works created after January 1, 1978, copyright protection lasts for the life of the author plus an additional 70 years.

1. Is copyright registration required?

In general, registration is voluntary. Copyright exists from the moment the work is created. You will have to register, however, if you wish to bring a lawsuit for infringement of a U.S. work.

Part 2: Copyright FAQs.

1. How is a copyright different from a patent?

Copyright protects original works of authorship, while a patent protects inventions or discoveries. Ideas and discoveries are not protected by the copyright law, although the way in which they are expressed may be.

1. Can web sites receive copyright protection?

Although a website may contain text, artwork, photographs, music, videos, or other copyrightable content, the website itself is not typically considered a copyrightable work.

1. Is it legal to download copyrighted works from Peer-to-Peer file-sharing services?

It is illegal to download and/or share copyrighted material without permission of the owner. This may include, but is not limited to, MP3, video, and picture files. If a complaint is recieved due to copyright violation, your network access may be shut off and disciplinary actions may be taken.

Part 3: Fair Use Exceptions to Copyright Law

1. What are the two (2) major categories of “Fair Use?” Give examples of each.

Most fair use analysis falls into two categories: (1) commentary and criticism, or (2) parody. A commentary and criticism can be when you make, for example, a video explained and reacting to some movie/song/video/itd., and use some parts of the material to prove your point. A parody is a work that ridicules another, usually well-known work, by imitating it in a comic way. For example, Hunger Games are original and Starving games are a parody. They make fun and exaggerated one of the famous scenes. Judges understand that, by its nature, parody demands some taking from the original work being parodied.

Part 4: Applying Copyright Law

1. What do you feel is the ultimate purpose of copyright law? (Do a web search if necessary)

Personally I feel copyright law is about money. We protect something we made/invented/itd. To make money and to stop other people from making money of us. Is in our human nature, possessiveness and greed.

1. Web designer John Donovan finds an image on a recently published personal web site that he wishes to use on a commercial site that he is developing. He does not know the author of the image, and there is no apparent copyright notice on either the site or the image. Can Mr. Donovan legally use the image on the site he is developing? Why or why not?

If he didn’t find that image of copyright free sights then no.

1. Would it be acceptable for an instructor at a non-profit educational institution to copy a chapter out of a textbook and pass it out to her class?

Yes if they give rights to the author.

1. Would it be acceptable for an automobile manufacturer to quote from the findings of a copyrighted car review and place that quote in a paid advertisement?

Only if they buy the copyright on that quote.

1. One last hypothetical situation: Although this situation was not specifically mentioned in the readings, do you feel it would be legal for a person to make a duplicate of copyrighted material, such as an audio CD, as long as it was solely for their own use?

It’s legal to “saving a copy if I lose the original” but they can’t share it with anyone, even their family.

Plagiarism

1. If a student finds a web template that the creator has put into the public domain, and decides to turn that template in as part of a project for a college class, are they violating copyright laws?

If the give credit to the original author then no. But if the professor stated that they can’t use someone else templaid then and the student uses it and dont give credit and claims as his then that is plagiarism.

1. Is this student plagiarizing and violating RIT’s academic dishonesty policy?

Depends if they credit the author. If no then yes.

1. If two students work together on what is assigned as an individual project, are the students committing plagiarism? Are the students violating RIT’s academic dishonesty policy?

Yes and yes. Because then one of the students isn’t credited and the other “claims” what is not his and that is plagiarism. If you commit plagiarism then you are committing academic dishonesty.