

Obtaining Assets

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Intellectual Property

OBTAINING ASSETS

SELF USED PROPERTY

USING YOUR OWN INTELLECTUAL PROPERTY

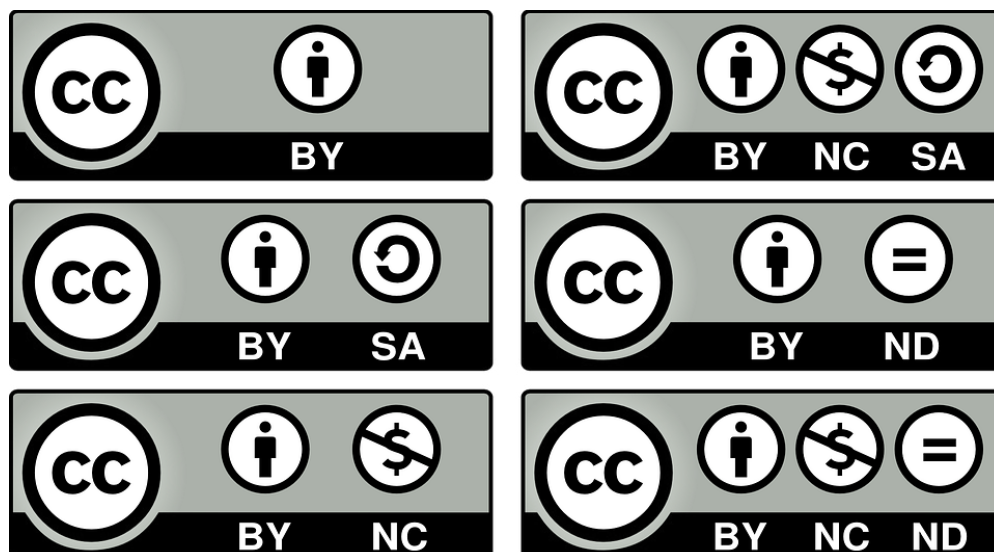
- ?
- If your own Intellectual Property (IP) was registered under each license, and you used the assets for a project you were working on, what impact will there be?

CREATIVE COMMONS

If your own intellectual property is registered under a Creative Commons license and it were used for a project the original source must still be attributed to avoid self plagiarism. Some good things could come from it though, the use of a CC Attribution-Noncommercial license would allow the project to be shared with many individuals, thus providing the creator with some great chances of networking his or herself. This also could present future opportunity in job/contract searching. Sharing work non-commercially spreads your message while preventing others from profiting from your work.

On the contrary, what if this project was only in the beginning stages and many sensitive portions of the work were now public? This information is now subject to replication. The ideas for the creation are not protected and this gives the assailant the chance to create their own version at a much faster pace.

Protect what you have built because others will come for it.



ROYALTY FREE

If an individual were to create something under a royalty free license that individual can only profit for the initial sale of the content. This means that the buyer of the license can use the content as many times as he or she wishes and not have to pay for each use. When it comes to using your own IP on your own project under a royalty free license, the use is permitted. But crediting the original source is always a good practice.

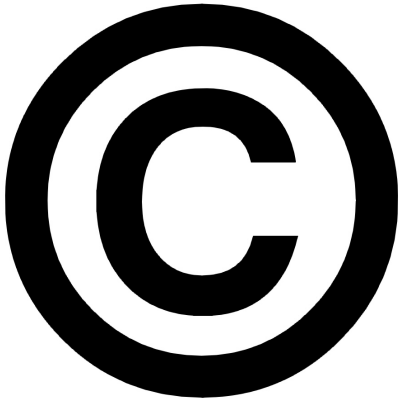
Negative effects from going royalty free result in the chance that more profit could have been made based on how the buyer intends to use the content. If the buyer uses the content on every advertisement, movie, or website they ever produce for the next several years, these uses could have added up to some big bucks. Another negative approach is if that buyer starts to use the creator's material in a negative way that was not presented at the initial sale of the license it could start to build a negative image for the original creator. So making sure you use the IP in a positive way on the new project is very important so you can avoid discrediting the original source.

PUBLIC DOMAIN

Dedicating the project to the public domain is a great way to see how far a creator's idea can travel in terms of development. Every individual or group of individuals will think about scenarios differently, so having work in a public domain will allow for unreachable development. This development could be the inspiration a creator need to complete a masterpiece.

Negative effects of using a public domain license is that individuals can use the content in any way that they desire. Negative situations can arise from this content being used in a negative way, putting the creator at risk for a bad reputation. The content can even be profited from, leaving the original creator of the project profitless from his or her own creation.





COPYRIGHT PROTECTED

All work created after March 1, 1989 has been born with copyright protection. This means that if someone creates something it belongs to that person. This is a great situation for anyone that creates something, removing the chance of forgetting to copyright. If the project has the trademark © it will be easier for seeker to determine if the content can be used and makes the chance of a court battle much less. As for a creator using his or her own previously copyrighted work, as long as the work is cited and used under the fair use rules then everything is okay and he or she will avoid self-plagiarism.

Negatively, if a creator uses his or her own copyrighted work on a different project and they do not cite the original source and fall outside the bounds of fair use, even if that source is their own, they could be held accountable to punishable standards. This is called self-plagiarism and it is usually not taken lightly. In an academic setting the student could be suspended or expelled, while in professional settings the creator can lose the right to their own work.

GPL/GNU

Under a General Public License the project that a creator might be working on is to be considered free to use, not to be confused with free of price. If the creator of the project decided to use their own intellectual property that is registered under a general public license all they need to do is abide by the terms of the license, attributing what needs to be attributed. The new derived work would now be considered to be under the same licensing standards. This allows other interested parties to use this content at their own will, but once again now their derived work must be released under GPL.

Deriving a project from a creator's own intellectual property, which is under a GPL gives the creator no choice but to place the new project under a GPL. Some negative reasons for a GPL/GNU enables anyone to use and derive from anything the creator has implemented in his or her project. This could result in misuse of the intentions of the creator's project. And this type of license is very long and could be difficult to understand, which could lead to legality errors.



USING OTHER'S INTELLECTUAL PROPERTY

- ?
- If you were utilizing assets that you do not own for a project on which you were working, what impact would there be under each license?

CREATIVE COMMONS



If an individual were to utilize an asset that they did not own a license to which was covered under a creative commons license, this individual would be able to freely modify, copy, and redistribute all aspects of the work as long as the original license holder was attributed, assuming this is a CC Attribution creative commons license. The new user of the licensed work would be able to put a unique spin on someone else's creation, possibly elevating a good idea to great. The great thing about creative commons licenses is that they are easy to understand, limiting the chances of involuntary infringement.

When utilizing someone's assets, which are covered under a creative commons license a person must be aware of the type of license that is being utilized. If this license happens to be a no derives type and the person doing the project uses someone's content, they could be charged with infringement and punished. It is always good to do a little research on which license the content is covered by when dealing with creative commons.

ROYALTY FREE

Doing a project and using someone's assets can be rewarding especially if you don't need to pay for each use of the asset. A royalty free license can assist in this process by delivering, as the name states, royalty free. Once the price is paid for the permission to use the content the buyer can use this on their project as many times as they want and even distribute it as well.

But don't get fooled by the word free. Royalty free does not mean the content is free for the taking. If the content is marked royalty free and the person doing the project decides they are going to use the content for the project without striking an agreement with the license holder, they could be charged with infringement and be forced to pay big time for the use or uses of the content. The penalty will usually be much higher than what the cost could have been initially for just buying the rights.

PUBLIC DOMAIN

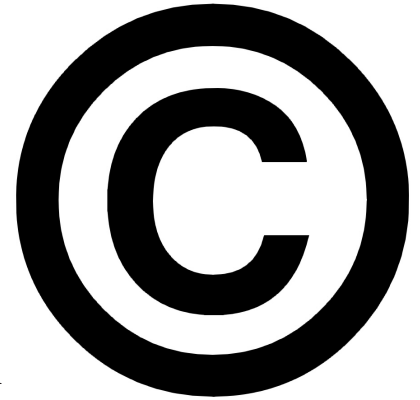
As long as content is in the public domain the person working a project can do with the content as they please. There are three ways content enters the public domain, by government, by dedication, or by time. As long as the content was placed in the domain in one of those three ways the person using this specific content is in the clear.

But just because the content is in the public domain does not mean there are no rules. The main thing users of the public domain need to watch out for is taking collections of content and distributing them as their own. Doing so could fall into a collections stipulation, infringing on the way these items were collected.

COPYRIGHT PROTECTED

If someone is using copyrighted material for a project they must be careful and play by the rules of copyright use. As long as the user is using the material for commentary or criticism they do not need permission to use the content. This standard falls under the “fair use” rule. A few other ways the user can utilize the material is by using it for research, educational purposes, parody reasons, news reporting, or other non-profit uses.

If you are using the material to compose a project that is competing with the copyright holder then you could be infringing on the copyright. Even though the person doing the project credits the copyright holder they can still be infringing on the copyright. So it is always a good to be very careful when using material that is clearly copyrighted.



GPL/GNU

Because an individual is doing a project and using material that is covered under a general public license, the project is now under a GPL by default. The individual has full rights to copy, run, or modify the works in any way. Having these right allow the individual to work worry free of infringement.

A down side of using work that is under a GPL is that any work that an individual creates and distributes is now subject to other recipients of the material to use modify and distribute. This will not allow the individual doing the project to receive any compensation for their work that is used. Also any work that is used and modified must be marked as such.

USING INTELLECTUAL PROPERTY

? What are potential future ramifications for both assets that you do own and assets that you do not own, when using

What if my application is extremely successful?

CREATIVE COMMONS

If somebody was to create an application that turned out to be a huge success and was covered under a creative commons license they are going to want to really think about which creative commons license they choose. It would be best to make sure that the CC license is a noncommercial license so others could not profit off the work. As mentioned before these types of licenses could be a great way to spread the word about how great this application is and by sharing the source code, potential methods for fixing bugs could be discovered through someone else's work.



But having a successful application is not a matter of if someone copies the ideas; it's a matter of when. Successful applications are highly subject to duplications. So if a developer makes an application and does not own a license, the hundreds of hours spent creating the application could mean thousands of dollars to mimickers. That's why it's a good idea to obtain a CC noncommercial license. This prevents mimicker's from ripping off the source code and distributing it as their own.

ROYALTY FREE

Developing an application that becomes successful is not normally covered under a royalty free license, but if the application was under a royalty free license the owner of the application would be able to sell the rights to an application distributor for a fixed price. The distributor would then be able to sell the application as many times as they wish and not have to pay the creator any royalty fee from each sale. Utilizing this method for a successful application could leave a lot of money on the table for the original creator, depending on the initial agreement of course.

On the contrary, not using a royalty free license could potentially bring in some big bucks for a successful application. Each time this application is downloaded the owners would get the whole portion of the sale, minus the 30% the app stores scoop off the top. Leaving the royalty free license away from successful applications is probably the best way to go.

PUBLIC DOMAIN

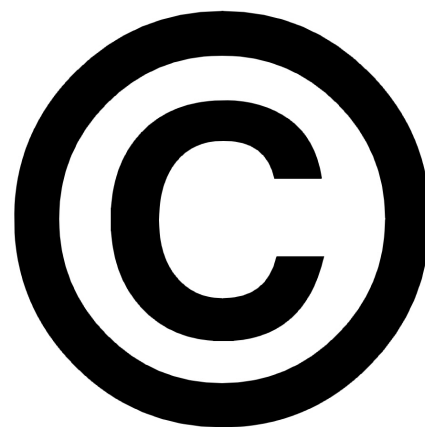
Placing a successful application in the public domain might not be the smartest thing to do. This could potentially just give away all the hard work that was poured into the development processes, leaving the creators profitless. Public domain licenses are no place for successful applications.

Not placing a successful application in the public domain sounds like a great idea. Why somebody would want to place something like that in a public domain is an unasked question. So not having an app in the public domain is a great idea if an individual wants to profit from the work.

COPYRIGHT PROTECTED

By default if someone creates something that creation is copyrighted. Making sure that the proper documentation is filed and posted will make it easier to prove that who ever created the application really created it first. Anyone that tries to copy, manipulate, or distribute the creation would be infringing on the copyright and can be penalized.

If for some reason the creator of an application decides to give up the copyright the successful application will be subject to duplication. Anybody who wishes to copy and distribute the application could do so without penalty. The original creator could not claim any profit made from distribution of his or her creation.



GPL/GNU

An application under a general public license allows anyone the right to copy and distribute the software but changing it in any way is not permitted. This allows the application to be free to use for all users. The application can be copied to many different devices without the need to obtain a new license for each copy.

Without a General Public License the application would not be free to share and users would need to obtain a new license for each download that was not covered under the original license. Each copy would be subject to copyright infringement as normal copyright standards would be in effect. And without this type of license and no declaration of a copyright present other individuals could potentially distribute the software and claim no knowledge of copyright.



What if my application is copied?

CREATIVE COMMONS

If a creator has a Creative Commons license and their works happens to get copied, it will depend on whether or not the copier attributed the license holder. As long as an attribute was placed then everything is okay. If someone copies CC licensed work without attribution then that person could be charged with infringement and have some penalties to deal with.

If someone copies intellectual property and a Creative Commons license is not owned the work would still be covered under the copyright act of 1976 as long as the work has been published. But under this condition, without proper documentation or the presents of a copyright logo the creator would have to prove ownership to be able to enforce copyright laws. The creator could



ROYALTY FREE

Owning a Royalty Free license can protect intellectual property from users who haven't complied by the creator's stipulations to permission of use. Normally with a RF a user will pay a onetime fee to the license holder and would then be allowed to use the works as many time as he or she wishes. If someone is to copy intellectual property covered with a Royalty Free license and they do not meat the owner's demands they can be charged with infringement and will be subject to penalties.

If someone creates intellectual property and decide to not to use Royalty Free licenses the work would still be covered under the copyright act discussed above. The creator would be able to receive compensation for each use of their material as long as it did not fall under the "fair use" rules. But as mentioned before the work must still be published for the copyright act to be in effect or this could cause some headaches for a creator.

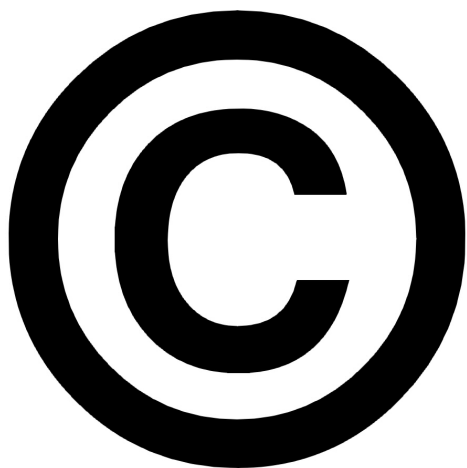
PUBLIC DOMAIN

Work that has been placed in the public domain is free to use for anybody that wishes to use it. This work does not need to be attributed and can be derived from and distributed as anyone wishes. As long as the work was placed in the public domain by the government, dedicated by the creator, or defaulted by time it is free to use.

Copying work freely that has not been placed in the public domain by government, dedication, or by time is against copyright laws. Anyone using work as if it were part of the public domain can be charged with infringement and penalized for each time the intellectual property was used outside the bounds of the “fair use” rule. It is always smart to double-check the source in which intellectual property is licensed before copying.

COPYRIGHT PROTECTED

Copying work that is copyright protected can result in some harsh penalties. The infringer could have to pay between \$200 and \$150,000 for each occurrence of infringement and even go to jail. But in order to be charged the violator has to have access to the copyrighted work, the copyright holder must have a valid copyright, and the copies must be outside the “fair use” rule.



If work is copied that is not copyright protected, then the copied work could be claimed as the original work. This new-copied work could then become copyrighted and the copier could presume all right to the work as if it were the original. It would take a long legal battle to be able to fight back and reclaim the work for the original creator.

GPL/GNU

If someone were to create an application that was desirable enough for someone else to copy and that application was covered under a General Public License, the individual copying the work must constitute the derived work under a General Public License as well. This means that the modified work must be published and anyone that wished to use or copy from it may do so. But the line continues, as all derived work will remain to fall under the GPL rules.

If the application is not covered under the GPL and someone decided to copy the source code to use as their own, this individual would not have to publish and share their derived work. Assuming that the work is not copyrighted, the individual that copied the applications source code could in fact claim the code as their own work and publish the work as copyrighted claiming the right to the intellectual property. This could result in the original creator of the source code to lose the right to his or her own intellectual property.





What if my application is sold?

CREATIVE COMMONS

Under a Creative Commons Attribution license individuals have the right to distribute, remix, tweak, and build upon a creators intellectual property, even commercially, as long as they credit the source for the original creation. This means that anybody can sell and distribute the application as long as they attribute the original creator. If the original source of the intellectual property is not credited then legal

action can be taken and the unlawful seller of the property could have to pay the original source for each copy sold.



If the Creative Commons license is not owned and an individual or company can sell the intellectual property, there is not much that can be done to recover any lost profits, assuming that the proper copyright ownership was not claimed. If the proper copyright is in place then even without the

ROYALTY FREE

Under a royalty free license applications can be sold for a one-time fee, this would give the buyer the right to use it as they wish. The licensee may not sell the intellectual property, as this would violate a standard royalty free agreement. Usually if a license agreement is violated the rights will be terminated and possible legal action could be taken by the original license holder to protect the property.

If the Royalty Free License is not owned then possibly each sale of the application could be subject to a fee, provided that the application has another form of protection. If no other type of license protection is in place then the original creator of the intellectual property could potentially loose out on profits from the sales. These losses could be devastating to the creator as they most likely spent many hours developing the application.

PUBLIC DOMAIN

An application that has been placed in the public domain can be sold by anyone who wishes to sell it. Though it would be strange that anyone would buy it, seems how it could be retrieved for free anyway. Applications in the public domain are deemed un-claimed and free for all to use.

If the application is not in the public domain then it is recommended that some other form of licensing should cover it. Usually applications are copyrighted so they can be monitored and regulated as far as other outside parties selling them goes. At the end of the day applications are much more valuable outside of the public domain.

COPYRIGHT PROTECTED

As mentioned before all intellectual property that is published is by default copyrighted. All rights are reserved to the creator and anyone who infringes upon the copyright could be subject to a penalty equivalent to the manor in which the actions occurred. A copyright protected license is ideally the best and most important asset to hold when the rights to an application are at stake. Having a copyright protected license gives the license holder the rights to claims against any sort of infringement and the ability to claim restitutions from any unlicensed sales of the application.

If an individual sells an application that is not copyright protected then the creator would have to try and prove the right to the application. This could result in a long and expensive court battle that could have been avoided by a copyright. Besides the long battle for the property, anybody who presents a convincing case could potentially claim ownership and all right to the application.

GPL/GNU

If an application is under a General Public License and someone sells the application, they have the right to sell it. Typically software that is under a GPL is encouraged to be sold by others, this promotes the software. It's not recommended that applications use a GPL if the creators want to keep all the profits to themselves.

As just mentioned it is not recommended to have an application under a GPL if profit is the goal. But if someone sells an unlicensed application then that application is considered sold and there is not much a creator can do about it, unless they take it to a judicial system with a convincing case. Also as mentioned before best thing to do if you don't want others to be selling your application, is to have it copyright protected and to place the © symbol somewhere on the application to detour others from attempting to sell it.

SERVICES

Adobe Stock

<https://stock.adobe.com>

Adobe stock provides images.

This service is covered under a Royalty Free license.

The price ranges for this service are:

\$9.99 for a single image

\$29.99/mo for 10 images per month or \$49.99 month to month

\$169.99/mo for 350 images per month or \$199.99 month to month

\$199.99/mo for 750 images per month or 249.99 month to month

UnSplash

<https://unsplash.com/>

This service provides free images that are updated often.

These images are covered under Creative Commons and dedicated to the public domain.

There is no cost for the use of this service

Minicons

<http://www.webalys.com/minicons>

This is a website that offers icons.

These Icons are free to use and licensed under Creative Commons Attribution 3.0

The price is free unless you would like a large download of 1,500 icons for \$59

Google

<http://Google.com/>

This search domain can provide Copyrighted material of all kinds

Some Copyright Protected

Price undisclosed

xCode

<https://developer.apple.com/xcode/>

Offered by apple as a application developing program

The xCode software is a FOSS (free open sourced software) that is licensed under a GPL

The software is free to use.

SERVICES (Continued)

Free Music Public Domain

<http://www.freemusicpublicdomain.com/>

This website offers sound tracks that are free to download.

All of the music on this site is in the public domain.

All music on this site is free of charge.

Resources

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MOBILE DEVELOPMENT
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