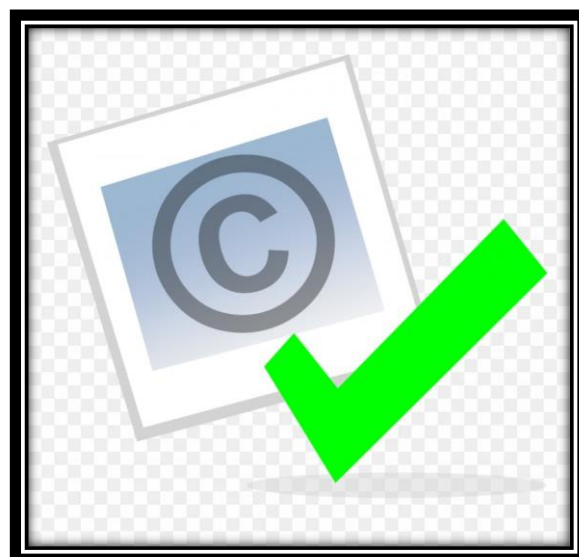


SHS - CORE MEDIA AND INFORMATION LITERACY

First Quarter

Module 7

**Intellectual Property, Copyright,
and Fair Use**





Republic of the Philippines
Department of Education
REGION VII, CENTRAL VISAYAS
SCHOOLS DIVISION OF SIKUIJOR

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SHS - CORE MEDIA AND INFORMATION LITERACY

First Quarter
Module 7

Intellectual Property, Copyright,
and Fair Use

INTRODUCTION

This module is written in support of the K to 12 Basic Education Program to ensure attainment of standards expected of you as a learner.

This aims to equip you with essential knowledge on Intellectual Property, Copyright, and Fair Use.

This includes the following activities/tasks:

- **Expected Learning Outcome** — This lays out the learning outcome that you are expected to have accomplished at the end of the module.
- **Pre-test** — This determines your prior learning on the particular lesson you are about to take.
- **Discussion of the Lesson** — This provides you with the important knowledge, principles and attitude that will help you meet the expected learning outcome.
- **Learning Activities** — These provide you with the application of the knowledge and principles you have gained from the lesson and enable you to further enhance your skills as you carry out prescribed tasks.
- **Post-test** — This evaluates your overall understanding about the module.

With the different activities provided in this module, may you find this material engaging and challenging as it develops your critical thinking skills.



What I Need to Know

At the end of this lesson, you will be able to:

- ❖ cite practical situation when to apply knowledge in intellectual property, copy right, and fair use guidelines

(MIL11/12IMIL-IIIa-17-23)



What I Know

Pretest

A. To find out what you already know about the topic to be discussed in this module, take the Pre-test. Write your answers in your notebook.

Directions: Sentence Factory. Write 4 sentences using the words that you can read on the picture below. Each sentence will give you (3 points)



<https://quizizz.com/media/resource/gs/quizizz-media/quizzes/ddf799ac-dd8d-4e61-8dbb-3b5d94599c21>

1. _____
2. _____
3. _____
4. _____

B. Multiple Choice: Read and analyze each questions below. Write only the letter of the correct answer.

1. How long do patents usually last for?

- | | |
|-------------|-------------|
| a. 10 years | b. 20 years |
| c. 40 years | d. 60 years |

2. What does a trademark protect?

- a. an invention
- b. a work of art
- c. logos, names and brands
- d. the look, shape and feel of a product and a secret formula

3. What protects the intellectual property created by inventors?

- a. copyright
- b. patents
- c. registered designs
- d. trademarks

4. Which of these is a geographical indication?

- a. BMW
- b. Champagne
- c. Hogwarts
- d. PlayStation



What's In

Directions: Read and analyze the statements very well. Write the letter of your answer on your answer sheet.

1. What do you call the way in which the meaning of a media text is conveyed to the audience?

- | | |
|-------------------|---------------------|
| a. Body language | b. Digital language |
| c. Human language | d. Media language |

2. What is referred to as the systems of signs, which create meaning?
- a. Codes
 - b. Conventions
 - c. Language
 - d. Media
3. What codes live outside the media product and social in nature but can be understood in similar ways in the 'real life' of the audience?
- a. Media codes
 - b. Morse codes
 - c. Symbolic codes
 - d. Technical codes
4. What codes are specific to a media form and do not live outside of them?
- a. Media codes
 - b. Morse codes
 - c. Symbolic codes
 - d. Technical codes
5. What codes are the formal written languages used in a media product?
- a. Media codes
 - b. Written codes
 - c. Symbolic codes
 - d. Technical codes
6. What is a French term that means 'everything within the frame'?
- a. acting
 - b. colour
 - c. mise en scene
 - d. Setting
7. What do you call the time and place of the narrative?
- a. acting
 - b. colour
 - c. mise en scene
 - d. Setting
8. What is defined as highly cultural and strong connotations?
- a. acting
 - b. colour
 - c. mise en scene
 - d. Setting
9. What is defined as the act of camera operation, positioning and movement for specific effects?
- a. Audio
 - b. Camerawork
 - c. Editing
 - d. Lighting
10. What do you call the manipulation of natural or artificial light to selectively highlight specific elements of the scene?
- a. Audio
 - b. Camerawork
 - c. Editing
 - d. Lighting
11. What do you call the expressive or naturalistic use of sound?
- a. Audio
 - b. Camerawork
 - c. Editing
 - d. Lighting

12. What do you call the process of choosing, manipulating and arranging images and sound?

- a. Audio
- b. Camerawork
- c. Editing
- d. Lighting

13. Which of the following cannot be considered a media audience?

- a. A young girl who is sleeping
- b. Father reading the newspaper
- c. Mother watching her favorite teleserye
- d. A teenager who scrolls through her FB news feed

14. What is referred to as the process of gathering information about audiences of the different media formats produced by business establishments?

- a. Audience impact
- b. Audience profiling
- c. Audience data
- d. Audience gathering

15. Which type of media code refers to techniques, camera angles, shots and others?

- a. Audio codes
- b. Symbolic codes
- c. Technical codes
- d. Written codes

16. Which type of codes does the emoji fall into?

- a. Audio codes
- b. Symbolic codes
- c. Technical codes
- d. Written codes



What' New



What acts are considered as a violations of the Intellectual Property Code?

As a student, how can you promote ethical use of media and information?



What Is It

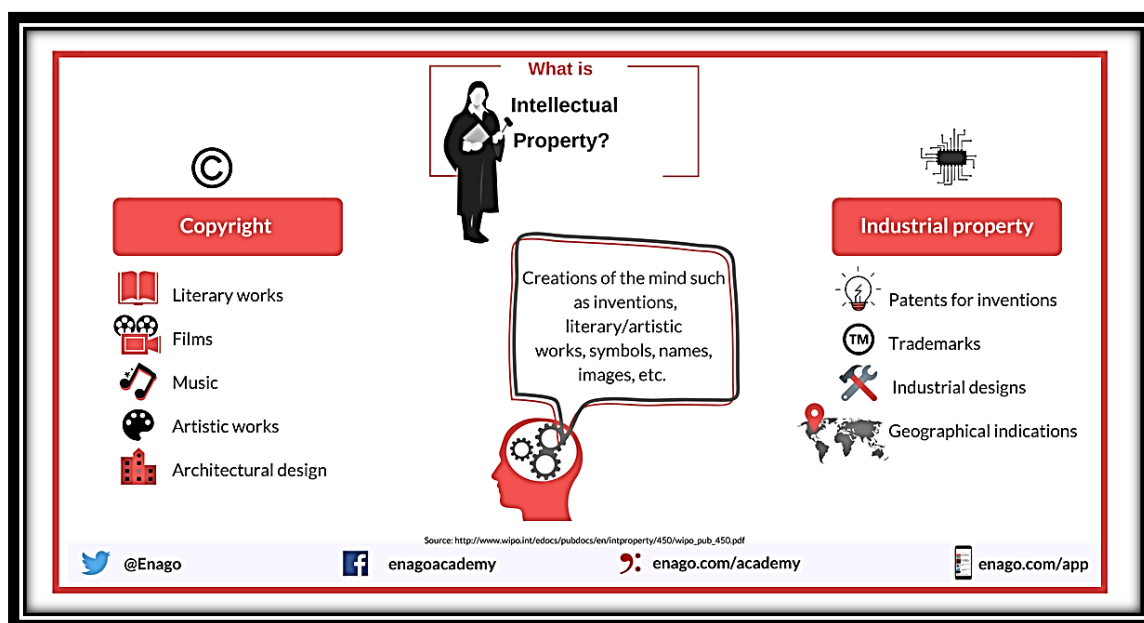
INTELLECTUAL PROPERTY, COPYRIGHT AND FAIR USE: AN INTRODUCTION

With the growing number of internet users, plagiarism has become a rising issue. Plagiarism is presenting someone else's work or ideas as your own, with or without their consent, by incorporating it into your work without full acknowledgement. All published and unpublished material, whether in manuscript, printed or electronic form, is covered under this definition. (<https://www.ox.ac.uk/students/academic/guidance/skills/plagiarism#:~:text=Plagiarism%20is%20presenting%20someone%20else's,is%20covered%20under%20this%20definition>)

We will discuss intellectual property, copyright and fair use in order for you understand that plagiarism – that of taking somebody's work as your own -can be a criminal offense.

Intellectual Property

Intellectual property refers to creations of the mind. It can be an invention (patent / utility model), a design (industrial design), a brand name (trademark, or a literary and artistic work (copyright). (<https://www.ipophil.gov.ph/what-is-intellectual-property/>). Your MIL teacher (Jean Rose Palacio) has created 17 original songs. Lyrics, music and arrangement are done by her. She owns the intellectual property rights to those songs.



<https://www.enago.com/academy/wp-content/uploads/2018/05/IPR.png>

What are intellectual property rights?

Intellectual property rights help protect creations of the mind that include inventions, literary or artistic work, images, symbols, etc. If you create a product, publish a book, or find a new drug, intellectual property rights ensure that you benefit from your work. These rights protect your creation or work from unfair use by others. (<https://www.enago.com/academy/intellectual-property-rights-what-researchers-need-to-know/#:~:text=Intellectual%20property%20rights%20help%20protect,you%20benefit%20from%20your%20work.>)

Types of Intellectual Property Rights

There are two main types of intellectual property rights (IPR).

1. Copyrights and related rights
 - Copyrights give authors the right to protect their work.

- It covers databases, reference works, computer programs, architecture, books, technical drawings, and others.
- By copyrighting your work, you ensure that others cannot use it without your permission.

2. Industrial property

- Industrial property rights include trademarks, patents, geographical indications, and industrial designs.
- A **trademark** is a unique sign used to identify a product or a service. It can be a single word or a combination of words and numbers. Drawings, 3-D signs, or even symbols can constitute a trademark. For instance, Google is a famous trademark. The trademark application can be filed at national or regional levels depending on the extent of protection required.
- A **patent** is an exclusive right to an invention that introduces a new solution or a technique. If you own a patent, you are the only person who can manufacture, distribute, sell, or commercially use that product. Patents are usually granted for a period of 20 years. The technology that powers self-driving cars is an example of a patented invention.
- A **geographical indication** states that a product belongs to a specific region and has quality or reputation owing to that region. Olive oil from Tuscany is a product protected by geographical indication.
- An **industrial design** is what makes a product unique and attractive. These may include 3-D (shape or surface of an object) or 2-D (lines or patterns) features. The shape of a glass Coca-Cola bottle is an example of the industrial design.

<https://www.enago.com/academy/intellectual-property-rights-what-researchers-need-to-know/#:~:text=Intellectual%20property%20rights%20help%20protect,you%20benefit%20from%20your%20work.>)

Copyright

The dictionary defines copyright as "a person's exclusive right to reproduce, publish, or sell his or her original work of authorship (as a literary, musical, dramatic, artistic, or architectural work)."

It's important to understand that copyright law covers the "form of material expression," not the actual concepts, ideas, techniques, or facts in a particular work. examples of works being fixed in a tangible form include stories written on paper and original paintings on canvas.

A Copyright Owner's Rights

The primary goal of copyright law is to protect the time, effort, and creativity of the work's creator. As such, the Copyright Act gives the copyright owner certain exclusive rights, including the right to:

- Reproduce the work
- Prepare "derivative works" (other works based on the original work)
- Distribute copies of the work by sale, lease, or other transfer of ownership
- Perform the work publicly
- Display the work publicly

The copyright owner also has the right to authorize other people to do any of the rights mentioned above. The copyright owner has the option and ability to transfer his or her exclusive rights -- or any subdivision of those rights -- to others as well. The Copyright Office does not have forms for these transfers, so a transfer of copyright is usually done through a contract. It is not legally required for a transfer to be recorded with the Copyright Office, but having a legal record of the transaction is often a good idea. (<http://smallbusiness.findlaw.com/intellectual-property/what-is-copyright.html>)

Registering Your Copyright

Registering your copyright provides a public record of the copyright claim. Copyright registration is also necessary before a copyright owner can file an infringement lawsuit in court. Finally, if you register your copyright within three months of publishing the work or before an infringement occurs, you have the ability to recover attorney's fees and statutory damages in the event of a lawsuit.

Copyright Notice

First of all, it gives notice to the public that the work is under copyright protection. It also notifies the public who the copyright belongs to and the year in which the work was first published. It's also easy to add the copyright notice because it doesn't require the copyright holder to seek any kind of permission to include the notice or to register with the Copyright Office. The final reason a copyright notice is a good idea is because it prevents a defendant from claiming an innocent infringement defense (a claim that it was an "accidental" infringement) in a copyright infringement case. (<http://smallbusiness.findlaw.com/intellectual-property/what-is-copyright.html>)

When you upload a video on YouTube or on Facebook, most times, you receive notification that your content contains copyrighted material and has the option to either delete it or to remove the copyrighted part (if it is a cover song, most times, the audio is removed)

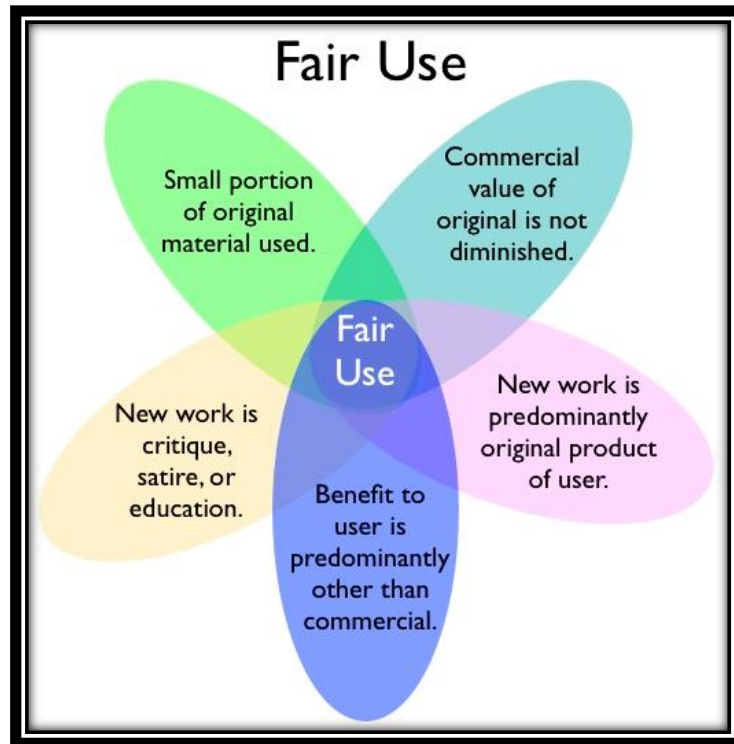
The Limits of Copyright Protection

Copyright law only covers the particular form or manner in which information or ideas have been manifested, known as the "form of material expression." The law does not cover the actual ideas, concepts, facts, or techniques contained in the copyright work. For example, the Superman comic books are copyrighted, which means that they cannot be reproduced and distributed for sale without authorization from the copyright owner. The copyright also prohibits anyone else from creating similar works involving the Superman character present in the comic books. However, the copyright does not prohibit anyone from creating a work about a super-human character in general.

Keep in mind that things not covered by copyright law may be covered under other forms of intellectual property. For instance: ideas, procedures, methods, systems, and processes are not covered by copyrights, but they can be protected under patent law. Similarly, titles, names, slogans, and symbols cannot be copyrighted, but can be trademarked.

Fair Use

Fair use is a legal concept that allows the reproduction of copyrighted material for certain purposes without obtaining permission and without paying a fee or royalty. Purposes permitting the application of fair use generally include review, news reporting, teaching, or scholarly research. The idea of fair use originally arose for written works. But with the advent of digital technology and the Internet, fair use has sometimes been applied to the redistribution of musical works, photographs, videos, and computer programs. (<http://whatis.techtarget.com/definition/fair-use>)



<https://www.emergingedtech.com/wp-content/uploads/2016/03/Fair-Use-Flower.jpg>

Fair use is a legal doctrine that portions of copyrighted materials may be used without permission of the copyright owner provided the use is fair and reasonable, does not substantially impair the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include:

1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
 - whether such use is of a commercial nature or is for nonprofit educational purposes
2. The nature of the copyrighted work;
 - fair use analyses consider certain aspects of the work to be relevant, such as whether it is fictional or non-fictional.
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
 - the less that is used in relation to the whole, the more likely the use will be considered fair.
4. The effect of the use upon the potential market for or value of the copyrighted work.

- the effect that the allegedly infringing use has had on the copyright owner's ability to exploit his or her original work.

https://en.wikipedia.org/wiki/Fair_use

It is necessary to indicate the source of the information within your paper using an internal citation. It is not enough to just list the source in a bibliography at the end of your paper. Failing to properly quote, cite or acknowledge someone else's words or ideas with an internal citation is plagiarism.

What is an Internal Citation?

An **internal, in-text, or parenthetical citation** refers to the practice of **giving credit to an author, singer, or speaker** by citing their words/ideas within your paper. This internal citation is then referenced at the end of your paper in your 'Works Cited' list.

Internal citations are sometimes called parenthetical citations because they're enclosed by parentheses. It's helpful to think of internal citations as a kind of "tag" indicating what you've borrowed from an author. For every sentence, phrase or idea you borrow you must "tag" it with an internal citation. Each internal citation is then listed alphabetically in a 'Works Cited' page at the end of your paper.

Borrowing the work's structure, format or style without giving credit is also considered plagiarism. It is important to remember that merely changing the wording is not enough.

What is a Works Cited Page?

A **Works Cited page**, also known as a **bibliography** or **reference list**, comes at the end of your paper listing all the works (books, articles, Internet sites, etc.) you've quoted, paraphrased or otherwise used to create your paper. The citations are usually listed alphabetically by the authors' last names and typically include the name of the publication, the publisher/date of publication, and the volume, issue and pages if applicable. How works are internally cited and how the citations are arranged in the "Works Cited" page will be determined by the Style Guide (MLA, APA and Turabian) specified by your teacher.

What is 'Common Knowledge'?

Common knowledge needs no internal citation in a paper. Common knowledge includes information that is considered a well-established fact verifiable in five or more sources. It also includes common sayings and proverbs ("look before you leap") and historical dates, places and events. An example of common knowledge needing no citation: Jane Austen was born in 1775. When you say that Dagsa Restaurant is located in Solangon, San Juan, Siquijor, that is common knowledge and thus, does not need citation. When you write in your paper that Dr. Neri C. Ojastro is a superindendent in Division of Siquijor, that is also common knowledge and does not need citation.

What is a 'Unique Phrase'?

A unique phrase does need an internal citation. A unique phrase is one which is coined by an author and used commonly by other authors in a specific genre or discipline, but it is not necessarily a common fact or phrase used by everyone. (<http://www.lib.usm.edu/legacy/plag/quoting.php>) When you include in your research the common term 'bolos!' that does need citation because it is a unique phrase among the people of Siquijor.



What's More

Independent Activity 1

Read and Study the topic on intellectual property, copyright, and fair use to answer the assessment below.

Situation Analysis

Read the content of the screen shot and answer the questions that follow:

Independent Assessment 1

Dear Jean Rose Palacio,

Your video "[Afraid for Love to Fade \(cover by Jean Rose Palacio\)](#)", may have content that is owned or licensed by KOMCA_CS, APRA_CS, CASH, FILSCAP, SUIA_SESAC_CS, MACP, COMPASS_CS, WAMI_CS, SOCAN, and VCPMC_CS, but it's still available on YouTube! In some cases, ads may appear next to it.

If this is your performance of a 3rd party song then you can still make money from this video. Click [here](#) to change your monetization settings.

This claim is not penalizing your account status. Visit your [Copyright Notice page](#) for more details on the policy applied to your video.

- The YouTube Team

1. The video uploaded is of a cover performance; hence, vocals of the song uploaded is done by the uploader. Which of the following contents is copyrighted then? Explain based on what you have learned from the module.
 - a. Music
 - b. Lyrics
 - c. Arrangement
 - d. All of the above
2. Is it fair and legal that the uploader does not earn 100% of the advertisement revenues from the uploaded video? Why?



What I Have Learned

I learned that:

- ☐ There is a law protecting one's work.
- ☐ The differences intellectual property, copyright, and fair use



What I Can Do

Directions: Answer each question/situation correctly and briefly. Do it in your notebook.

1. Why is it important to protect intellectual property?



Assessment

Post Test:

A. Directions: Read and analyze the statements very well. Answer as the case may be. Write your answer on your answer sheet.

1. Which of the following cannot be done by copyright owners?
 - a. Reproduce the work
 - b. Perform the work publicly
 - c. Go after teachers who use his work for instruction
 - d. Distribute copies of the work by sale, lease or other transfer of ownership
2. What do you call a person's exclusive rights to reproduce, publish or sell his original work?
 - a. Citation
 - b. Copyright
 - c. Fair use
 - d. Plagiarism
3. Which factor in fair use makes it possible for educators to copy and paste articles without citing the owner makes him immune from lawsuit? One limitation of copyright is fair use.
 - a. Small portion of original material used
 - b. New work is critique, satire or education
 - c. New work is predominantly original product of user
 - d. Benefit to user is predominantly other than commercial
4. When you take another person's writing, conversation, song or idea and passes it as your own what are you criminally liable of?
 - a. Copyright infringement
 - b. Cyber libel
 - c. Cyber bullying
 - d. Plagiarism
5. Which part of the book are all sources, their authors and the year these sources are printed enumerated?
 - a. Bibliography
 - b. Flyleaf
 - c. Index
 - d. Table of Contents

6. What is a legal concept that allows the reproduction of copyrighted material for certain purposes without obtaining permission and without paying a fee or royalty?
 - a. Copyright
 - b. Fair use
 - c. Patent
 - d. Trademark
7. What do you call a creation of the mind, an invention (patent / utility model), a design (industrial design), a brand name (trademark, or a literary and artistic work (copyright)?
 - a. Fair use
 - b. Intellectual Property
 - c. Patent
 - d. Trademark
8. What is a unique sign used to identify a product or a service?
 - a. Fair use
 - b. Intellectual Property
 - c. Patent
 - d. Trademark
9. What is meant by a product that belongs to a specific region and has quality or reputation owing to that region?
 - a. Geographical indication
 - b. Industrial design
 - c. Patent
 - d. Trademark
10. What do you call an exclusive right to an invention that introduces a new solution or a technique?
 - a. Geographical indication
 - b. Industrial design
 - c. Patent
 - d. Trademark
11. Which of the following works are covered by copyright?
 - a. books, music, paintings, sculpture and films
 - b. computer programs and databases
 - c. advertisements, maps and technical drawings
 - d. all of the above

12. What is the copyright validity period of a Literary Works According to Republic Act 8293 Intellectual Property code of the Philippines?
- 20 years from publication
 - 50 years from publication
 - 25 years from the date of creation
 - During the lifetime of the author plus 50 years after death
13. What do you call the set of rules for behaving properly online like respecting other users' views and displaying common courtesy when posting your views to online discussion groups?
- Cybercrime
 - Digital Foot Print
 - Netiquette
 - Intellectual Property
14. Jasmin is watching a movie in a cinema, you saw her recording the movie using her phone? What law can penalize her act?
- | | |
|-----------------------|-----------------------|
| A. Republic Act 10008 | B. Republic Act 10080 |
| C. Republic Act 10088 | D. Republic Act 10888 |

B. Directions: TRUE OR FALSE. Write T if the statement is correct and F if the statement is incorrect

1. A unique phrase like personal expressions do not need citations when used in write ups.
- 2.
3. "Mrs. Leonor M. Briones a Deped secretary of the Philippines." Is an example of common knowledge.



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