

Be the Copyright Expert – Not the Copyright Cop

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First, know what is copyrighted:

- The **expression** of a creative idea. An idea cannot be copyrighted until it is put into a solid form. With technology, solid form has different meanings than it used to, but the idea is the same.
- Anything that is creative and expressed, therefore, is copyrighted as soon as it is put into a transmittable form. Your emails to your kids are copyrighted.
- Copyright terms run out after a long while. (70 years after the death of the author) Flash news: Zane Gray, William Butler Yeats, and Ford Maddox Ford died in 1939. On December 31, all of their works will enter the public domain. Jean de Brunhoff died in 1937 – do you remember the short-lived Babar mania in 2008?

And know what is not copyrighted:

- Lists (phone books), common knowledge, most U.S. government publications, some state government publications.
- Anything published in the U.S. before 1923 is in the Public Domain, whether or not the author is still alive. This is because of previous copyright laws.
- All the exceptions are at <http://www.copyright.cornell.edu/resources/publicdomain.cfm>

Second, remember the librarian's role is to find information when asked. The patron acts on that information. You are not responsible if a student or teacher violates copyright, but make sure the school has copyright violation policies in place. All teachers should sign a copyright compliance form, which is usually part of the technology use agreement. This all gets a little dicey if you are told to report violations. If you are not, but you see gross violations, it is in the school's interest for you to write them down and report – but that is up to you and the principal.

Third, make it as easy as possible for people to comply with copyright laws and guidelines. Have copyright guidelines rating sheets ready to give to them. Help them write for permission.

Fourth, do not violate copyright by doing favors for people. Copying for a class must be done by the teacher whose class it is. The same is true for principals. If your principal asks you to copy something that is not public, you cannot do it. The principal must copy for self.

Fifth, never attempt to circumvent copy protection on videos or other digital media. This is a direct violation of the Digital Millennium Copyright Act. Do not make digital copies of videos or cassettes even if they are not copy protected – it is illegal and not worth your time.

The two latest additions to the copyright law are the Digital Millennium Copyright Act and the TEACH act. The DMCA is quite restrictive and relates to copying digital material see above. The TEACH act establishes roles for on line education – how and what materials can be used in on-line classes. It is a pretty liberal law in that it does allow restricted access to copyrighted materials used in distance education. Google is also making many inroads into copyright restrictions. Remember, they have the money to do it. You don't.