HOW LONG IS A WORK PROTECTED?

Works are protected for the life of the author plus 70 years per the 1998 Copyright Term Extension Act. The protected status of works published before 1978 and after 1923 varies in accordance with how they were published, registered, and renewed. Works published before 1923 are in the Public Domain or no longer protected by intellectual property laws.

FAIR USE

Section 107 contains a list of the various purposes for which the reproduction of a particular work may be considered fair, such as criticism, comment, news reporting, teaching, scholarship, and research. It also sets out four factors to be considered in determining whether or not a particular use is fair:

1. The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes
2. The nature of the copyrighted work
3. The effect of the use upon the potential market for, or value of, the copyrighted work
4. The amount and substantiality of the portion used in relation to the copyrighted work as a whole

USF POLICY SAYS:

1. A single copy of material to be used for teaching purposes
2. Use only small amount in relation to the whole work: a single chapter of a book, an article, etc.
3. Copies should not substitute for the purchase of a book by students
4. Making multiple copies is acceptable provided that: the number of copies does not exceed more than one copy per student, the inspiration to use the material is ‘in the moment,’ and the work includes a notice of copyright
5. Do not copy consumable materials like workbooks and obtain permissions for course packs, materials for non-classroom study purposes, and use over multiple semesters
TIPS FOR USING COPYRIGHT CONTENT IN YOUR ONLINE CLASSES

LINKING IS NOT COPYING
If you find a video online that you would like your class to view, you can link to the content without creating a copy. Since there is no copy made, you are not infringing on copyright.

START WITH CREATIVE COMMONS OR OPEN LICENSE
You can make sure that the materials you use for class do not infringe copyright law by seeking creative commons or openly licensed content, e.g. content for which the authors have already given permissions for the use. A collection of resources for openly licensed content can be found on the library guide: Open Use Media Resources.

LIBRARY CONTENT AND SERVICES CAN HELP
The databases the library contracts with to provide articles, e-books, streaming media, and more are negotiated to allow for your use in your online classes. The library also has several services designed to make using content easy listed in the next section.

RESERVES
Through electronic reserves, you can request articles and book chapters be provided via your Canvas course. The reserves system has an automatic copyright check that looks at the amount of pages used per title. Reserves staff will reach out to you if there is any question.

STREAMING VIDEO COLLECTIONS
Streaming videos found in the library’s collections can be linked to courses or added to your Course Reserves class profile.

CURRICULUM BUILDER
With this tool you will be able to build a course reading list via the Library’s Find It! tool and connect them to your Canvas course.

TEXTBOOK AFFORDABILITY PROJECT
With the Ebooks in the Classroom + and Adopt an Open Access Textbook, the library can offer you ways to provide access to course materials that won’t break your student’s wallets.

HELPFUL RESOURCES
USF Libraries Copyright Guide — with answers to basic questions and USF tools and links
USF Fair Use Checklist — a worksheet to help you consider and document your fair use argument
USF TEACH Act Checklist — a checklist to help you when applying the conditions of the TEACH Act
Exceptions for Instructors eTool — an online wizard that helps you evaluate the use of materials in your class
ARL Know Your Copyrights table — Table of scenarios for how you can use content in your class
Open Use Media Resources — resources and search engines for finding media that is licensed to share