

# **COPYRIGHT, PERMISSIONS, & FAIR USE**

**WHAT ARE THEY, WHY ARE THEY  
IMPORTANT, & WHAT DO THEY  
MEAN FOR YOU?**



# WHAT IS COPYRIGHT?

"Copyright is a type of intellectual property that protects original works of authorship as soon as an author fixes the work in a tangible form of expression."

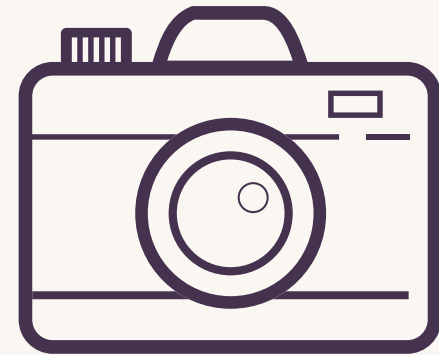
- U.S. Copyright Office



# WHAT WORKS DOES COPYRIGHT INCLUDE?



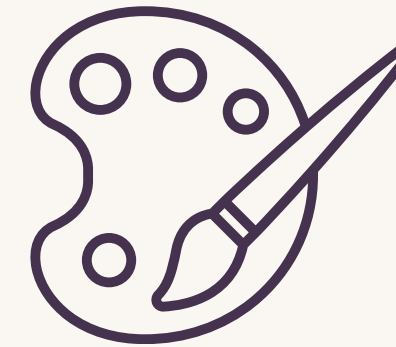
Books, articles,  
poetry, blog posts



Photography



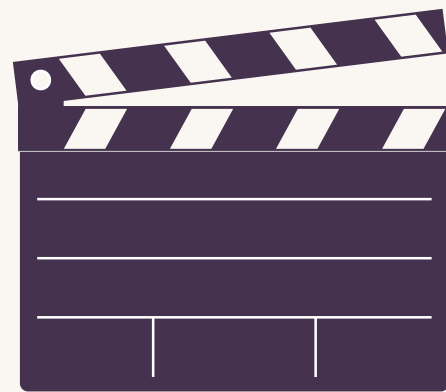
Music, sound  
recordings



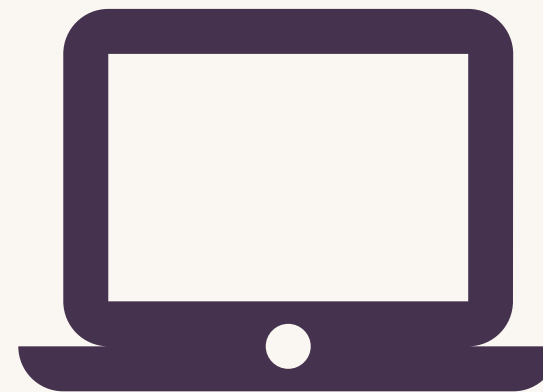
Painting, illustration,  
sculpture



Architecture



Movies, TV shows



Computer programs, video games,  
apps



Plenty more

**ORIGINAL WORK + FIXATION = COPYRIGHT PROTECTION**



# WHAT RIGHTS DOES COPYRIGHT PROTECT?

Copyright includes the exclusive rights to:

- reproduce or make copies,
- create derivative works,
- distribute copies to the public,
- perform the work publicly,
- display the work publicly, and
- perform the work publicly by way of digital audio transmission.



# WHAT DOES THIS MEAN FOR YOU?

If you are planning to incorporate third-party copyrighted content\* in your thesis, dissertation, or disquisition, best practice is to seek permission for reuse.

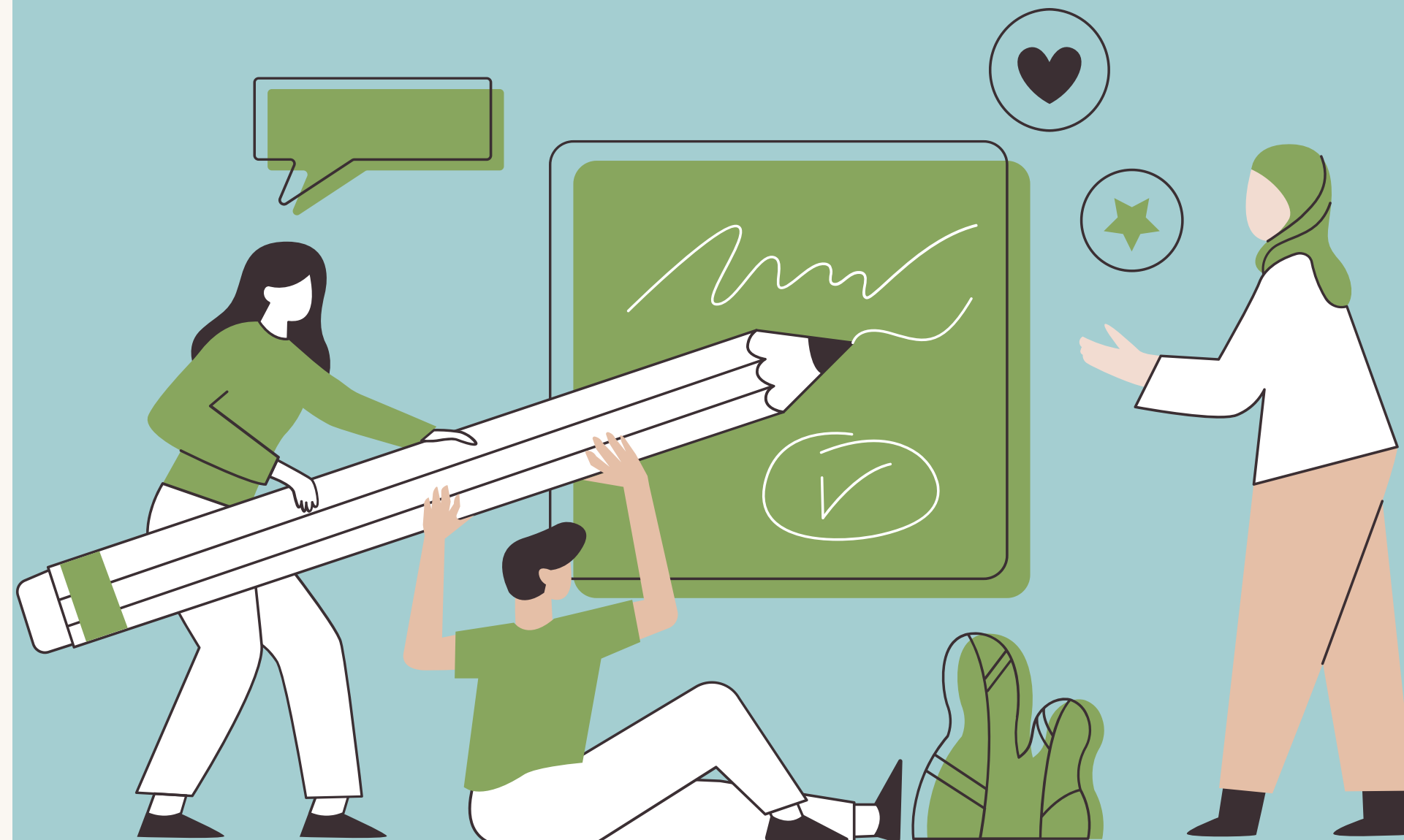
*\*You do not need to seek permission to include brief quotes from written materials. This use is well established to fall under the fair use exception.*

# WHAT ARE PERMISSIONS AND WHY ARE THEY IMPORTANT?

Individuals who want to use the copyrighted work of another in one of the ways protected by copyright may seek permission to do so.

Permissions are granted by a copyright holder and allow another to reuse their intellectual property in specific ways (e.g., perform, display).

Reuse permissions help protect the user from claims of copyright infringement.





# HOW DO I REQUEST PERMISSION TO REUSE CONTENT?

First, plan ahead! This can be a somewhat lengthy process, so plan accordingly.

You will need to determine who the copyright owner is for the work you want to incorporate. Once identified, you will then send a letter or email asking for permission to use the work and detailing how you intend to use it. Templates are available on the Graduate School's Thesis Resources page.

Need help with this process? Contact me.

# WHAT IF I CAN'T IDENTIFY THE COPYRIGHT OWNER OR THEY DECLINE MY REQUEST?

You may still have options! Fair use may apply.



# WHAT IS FAIR USE?

**P**

## **PURPOSE**

What is the purpose of your use?

- Commercial
- Educational
- Transformative

**N**

## **NATURE**

What is the nature of the work you intend to use?

- Published
- Unpublished
- Highly creative
- Factual

**A**

## **AMOUNT**

How much of the work do you intend to use?

- Quantity
- Substantiality (i.e., heart of the work)

**E**

## **EFFECT**

What is the effect of your use on the potential market?

- Licensing mechanisms
- Displacing sales

# TO RECAP

1

## **COPYRIGHT COVERAGE**

Copyright covers a lot of different types of works. Original work of authorship + fixation = copyright protection

2

## **COPYRIGHT PROTECTION**

Copyright is a bundle of rights that protects numerous types of uses including, reproduction, display, performance, and more.

3

## **PERMISSIONS**

Permissions protect you when using copyrighted materials. Process can be lengthy, so plan accordingly.

4

## **FAIR USE**

Fair use is powerful. Use must meet all four factors. Fair use should be worked through thoughtfully and intentionally.

5

## **YOU'RE NOT ALONE!**

If you have questions, reach out! I am happy to help. My email address is on the next slide.



# RESOURCES

## PERMISSIONS TEMPLATE

<https://www.wcu.edu/apply/graduate-school/students/Thesis-and-Dissertation-Resources.aspx>

## COPYRIGHT RESOURCES GUIDE

<https://researchguides.wcu.edu/copyright>

## CONTACT SCOTTIE

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