

# Presentation Power: Be an Agent of Ethical Image Use!

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#SIDLIT2016

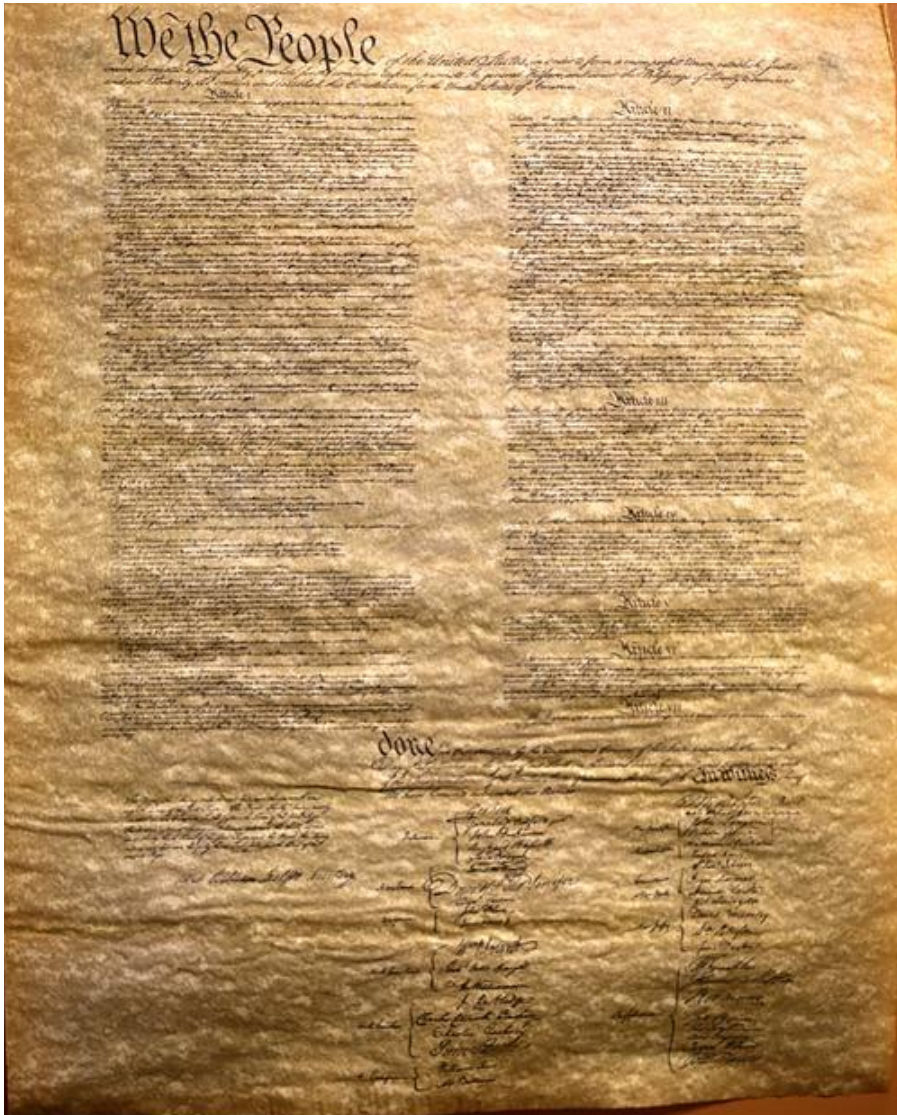
# Objectives

- Identify the exclusive rights of copyright holders
- Identify the types of Creative Commons licenses
- Define public domain
- Name sources for finding health sciences and other stock images





Copyright



[Image by jp26jp / CC0](#)

# Basis of Copyright Law

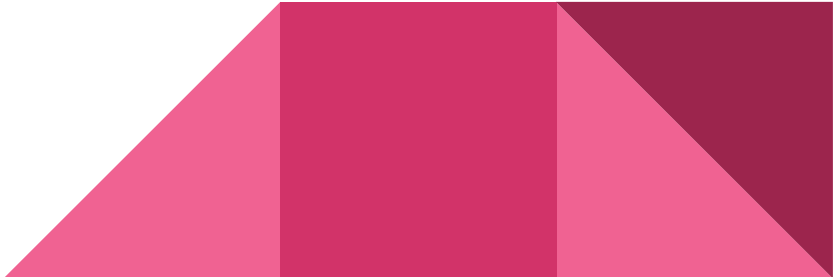
## United States Constitution Article I, Section 8

The Congress shall have Power . . . To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.

# What Can Be Protected by Copyright?

- (1) literary works
- (2) musical works, including any accompanying words
- (3) dramatic works, including any accompanying music
- (4) pantomimes and choreographic works
- (5) pictorial, graphic, and sculptural works
- (6) motion pictures and other audiovisual works
- (7) sound recordings
- (8) architectural works

–Title 17, Chapter 1, §102, United States Code





# Criteria for Copyright Protection

- Fixed in any tangible medium of expression
- Originality – minimum amount of creativity

*Registration not required (but has benefits)*

*© copyright notice not required*



*"Georgia + Jason doodle napkin" by Jason Eppink is licensed under [CC-BY 2.0](#)*

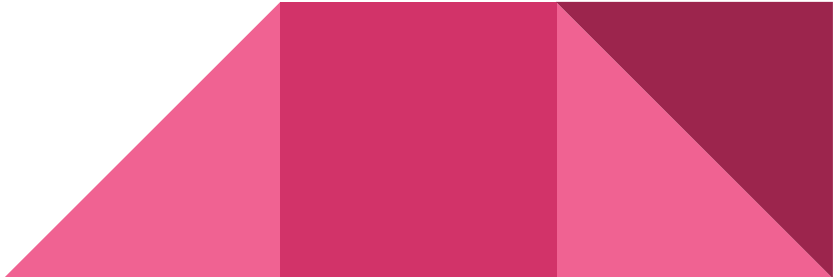


*Image by [Aonginus](#) / [CC0](#)*

# “for limited Times”

<b>Published before 1923*</b>	Copyright expired
<b>Published after 1978*</b>	Copyright lasts life of the author plus 70 years
<b>Published between 1923 and 1978*</b>	It's complicated!

\*For items published in the United States



# Exclusive Rights of Copyright Holders

Copyright owner has the right to  
(or can authorize someone else to):

- (1) make copies
- (2) create derivatives
- (3) distribute copies
- (4) perform publicly
- (5) display publicly
- (6) for sound recordings, perform publicly  
by means of a digital audio transmission



[Image from  
Wikimedia  
Commons / CCO](#)

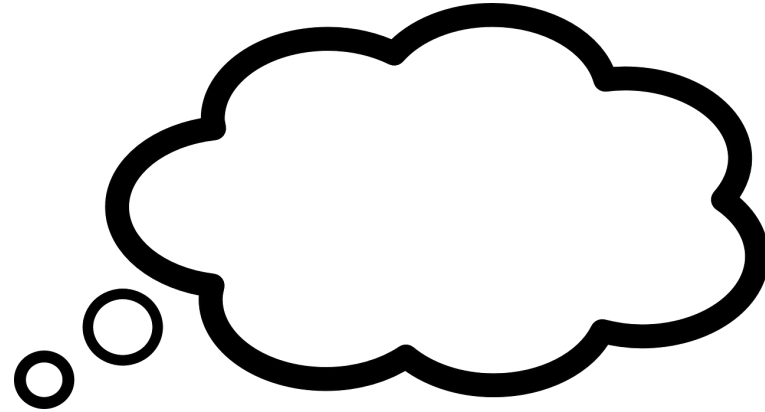
All rights reserved.

– Adapted from Title 17, Chapter 1, §106, United States Code



# What Can't Be Protected by Copyright?

- Facts
- Ideas (no tangible form)
- Most United States (federal) government works



[Image by ClkrFreeVectorImages / CC0](#)

# Limitations on Exclusive Rights

§110(1) – Performance or display in face-to-face teaching activities of a nonprofit educational institution



Photo by [Escolaespai](#) / [CC0](#)

# Limitations on Exclusive Rights

§110(2) – Performance or displays in distance learning

## Tips

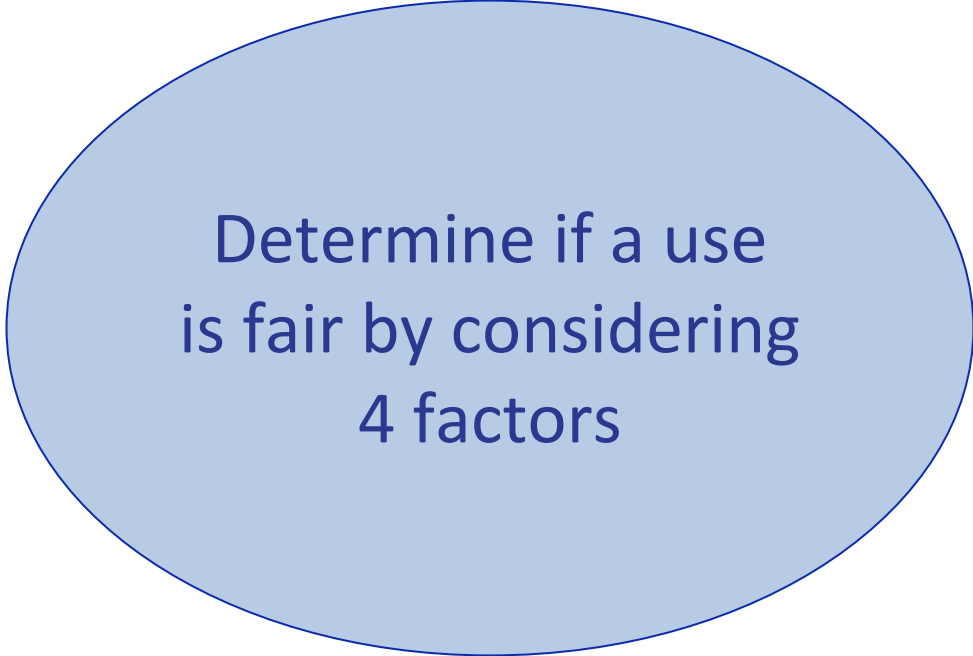
- Limited to registered students only
- Password protected access
- Available only for the duration of the course

# Limitations on Exclusive Rights

## §107 – Fair use

Exceptions for

- Education
- Research
- News reporting
- Criticism
- Commentary



Determine if a use  
is fair by considering  
4 factors

# Four Factors of Fair Use

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

–Title 17, Chapter 1, §107, United States Code [bold/underlining added]



# Purpose of the Use

<b>Favoring Fair Use</b>	<b>Opposing Fair Use</b>
Teaching (including multiple copies for classroom use)	Commercial activity
Research or scholarship	Profiting from the use
Nonprofit educational institution	Entertainment
Criticism or comment	Bad-faith behavior
News reporting	Denying credit to original author
Transformation or productive use	
Parody	

Adapted from Crews & Butler, 2008, licensed under [CC-BY 4.0](https://creativecommons.org/licenses/by/4.0/)



# Nature of the Work

Favoring Fair Use	Opposing Fair Use
Published work	Unpublished work
Factual or nonfiction based	Highly creative work (art, music, novel, films, plays)
Important to favored educational objectives	Fiction

Adapted from Crews & Butler, 2008, licensed under [CC-BY 4.0](#)

# Amount & Substantiality Used

Favoring Fair Use	Opposing Fair Use
Small quantity	Large portion or whole work used
Portion used is not central or significant to the entire work	Portion used is “heart of the work”
Amount is appropriate for favored educational use	

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# Effect upon the Market

Favoring Fair Use	Opposing Fair Use
User owns lawfully acquired copy	Could replace sale of the copyrighted work
One or few copies made	Significantly impairs market
No significant effect on the market	Reasonably available licensing mechanism
No similar product marketed by copyright holder	Affordable permission available
Lack of licensing mechanism	Numerous copies made
	Making it accessible on the Web/publicly
	Repeated or long term use

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# Sources with Copyright Protected Images

## Health Sciences Images

AccessPharmacy

AccessMedicine

ClinicalKey

UpToDate

## Other Images

CAMIO (Catalog of Art Museum Images Online)

Digital Sanborn Maps

Artstor

Library of Congress Prints and Photos Online  
Collection (PPOC)

Check your library's list of databases

Check each resource and image for terms & conditions of use

# Creative Commons



[Photo](#) by [Kristina Alexanderson](#) is licensed under [CC BY 2.0](#)

# Creative Commons

- Founded in 2001 by Lawrence Lessig
- A copyright licence that allows you more freedom to share work
- Allow others to share, use, modify your work
- Six licenses to apply to your songs, videos, images, papers, books, etc.

[creativecommons.org](https://creativecommons.org)

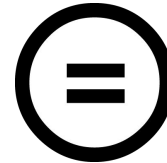




# License Elements



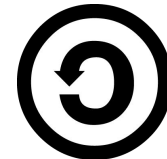
BY - Attribution



ND - NoDerivs



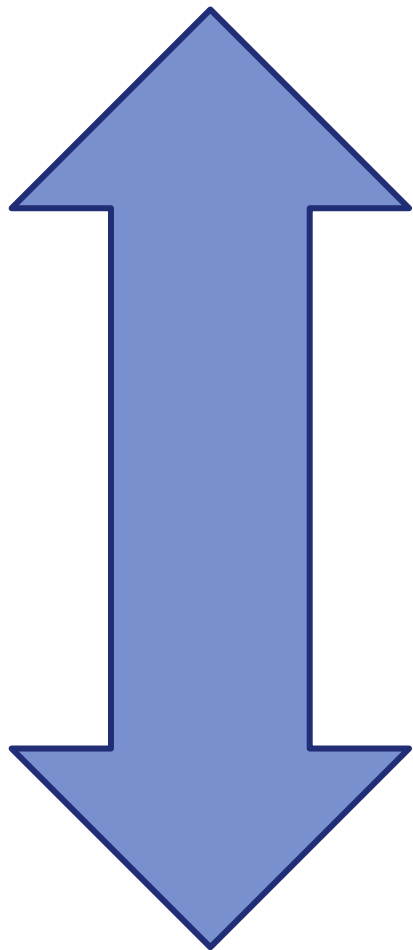
NC - NonCommercial



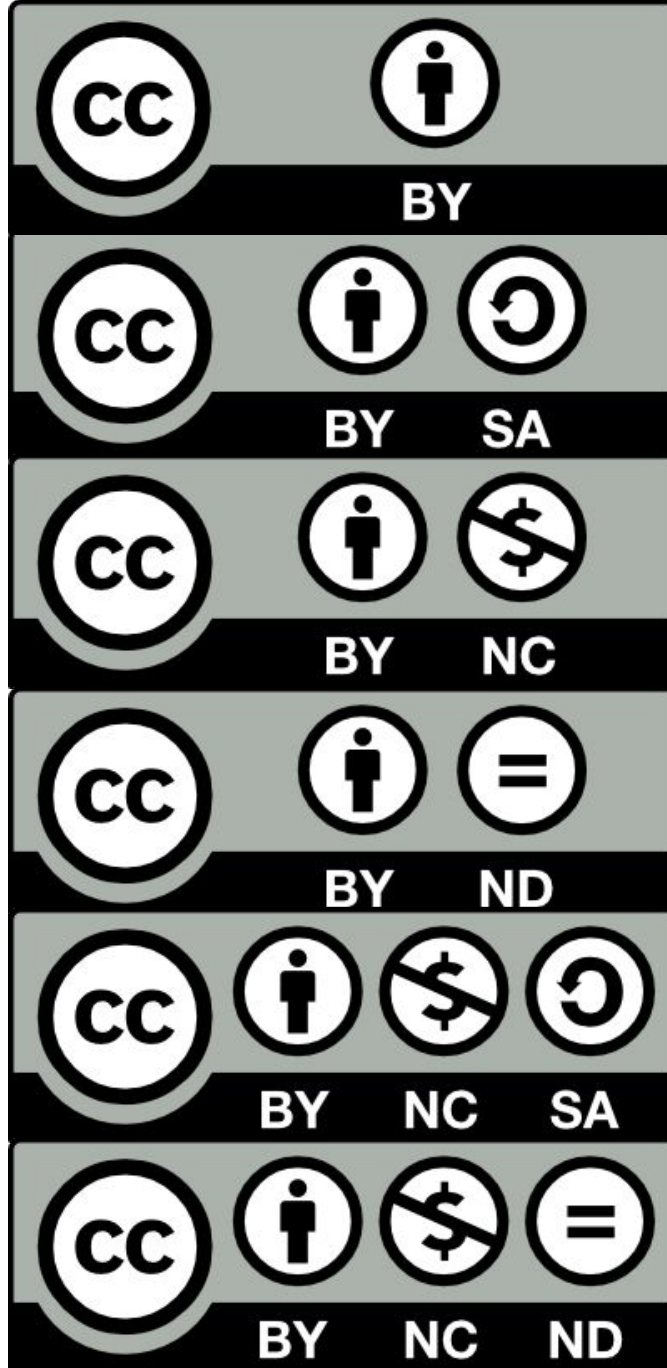
SA - ShareAlike

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Least restrictive



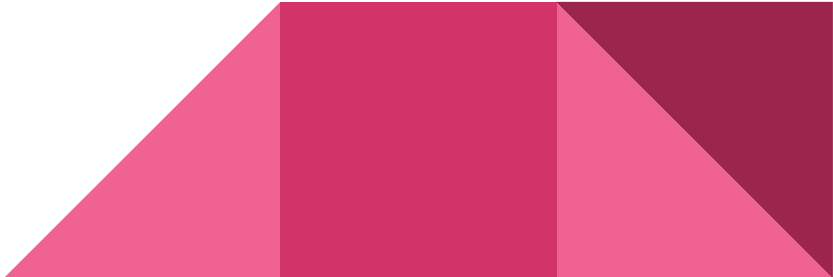
Most restrictive



## Six Combinations

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# Examples of Resources Licenced Under CC

- [Rockstar](#) by [SR Topo](#) is licensed under [CC-BY-NC-SA](#)
  - [Rockstar Buttons](#) by [Jem Yoshioka](#) is licensed under [CC-BY-SA](#)
  - [The Information Literacy User's Guide: An Open, Online Textbook](#) by [Jacobson, T.](#), [Bobish, G.](#), [Bernnard, D.](#), [Bullis, D.](#), [Hecker, J.](#), [Holden, I.](#), [Hosier, A.](#), and [Loney, T.](#) is licensed under [CC-BY-NC-SA](#)
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# Creative Commons Licensed Images

[Health Education Assets Library \(HEAL\)](#)

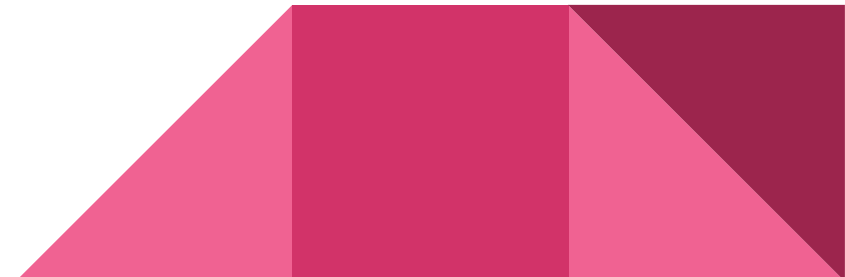


# Creative Commons: More Sources

- Wikipedia
- YouTube


Search for Creative Commons Licensed Images

- [Flickr](#)
- Photosforclass
- Google
- CC Search




# LMS Tools

- Search and embed Creative Commons digital content
- Flickr images includes licences

 **library**

**Library**



**User:** [Geoff Coupe](#)  
**Added:** 6/22/05 **Taken:** 6/30/04 **Last Updated:** 11/12/15  
**Tags:** book, library, librarything  
**License:** [Attribution-NonCommercial-ShareAlike License](#)

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# Public Domain



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# Public Domain

Works no longer or never protected by copyright



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Includes:

- U.S. government works
- Works with expired copyright
- Works for which creator waived exclusive rights

# CC0 Public Domain Dedication

- Use on *your* work to waive your exclusive rights
- Dedicate your work to the public domain

Example:

CC0 is default licence for datasets on figshare



[CC0](#) by [Creative Commons](#) is licensed under [CC-BY](#)

## No Rights Reserved.

# CC Public Domain Mark



[Public domain mark](#) by [Creative Commons](#) is licensed under [CC-BY](#)

- Use to mark works that are free of copyright restrictions
- Should be used for items free of copyright all around the world

# Public Domain Images

## Public Health Image Library (PHIL)\*

*\*Check each image's usage terms. The site contains some copyrighted images*



# Public Domain: More Sources

- Genome Image Gallery
- National Cancer Institute\*
- National Gallery of Art\*
- National Institute of Mental Health
- US Department of Agriculture
- pixabay
- morgueFile
- unSplash

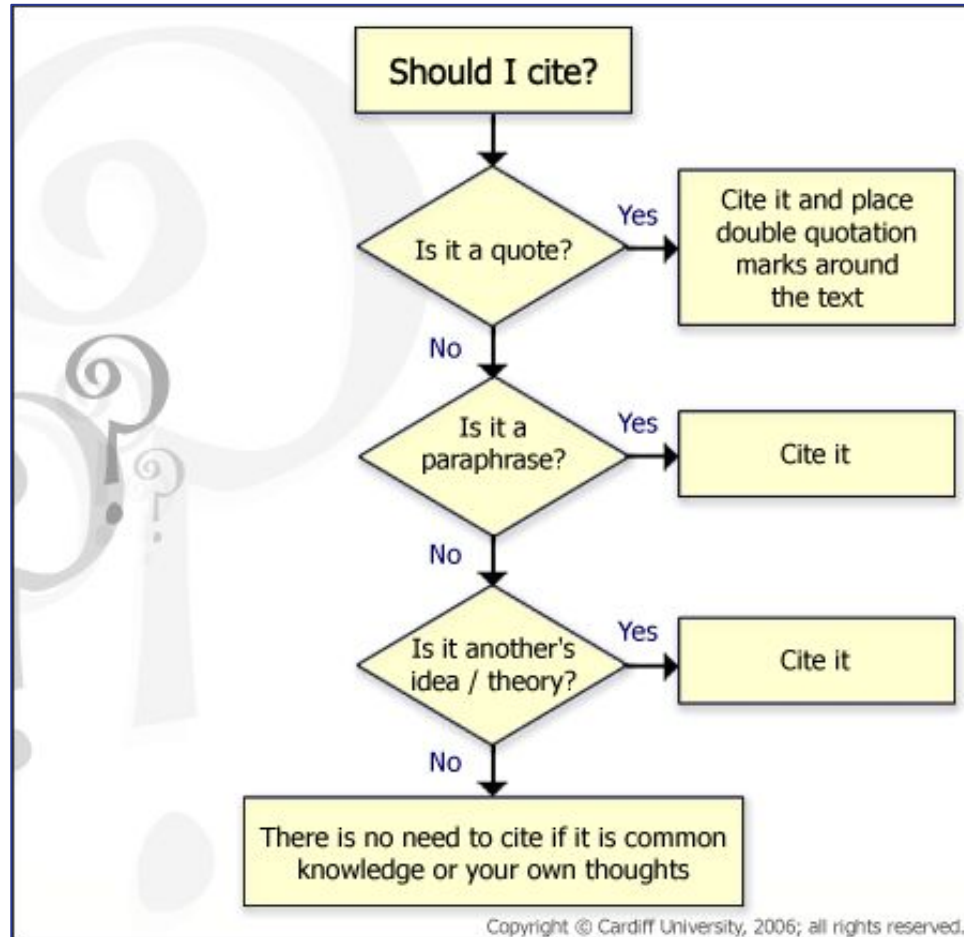
*\*Check each image's usage terms. These sites contain some copyrighted images.*



# Citing Images

# Usual Components of a Citation

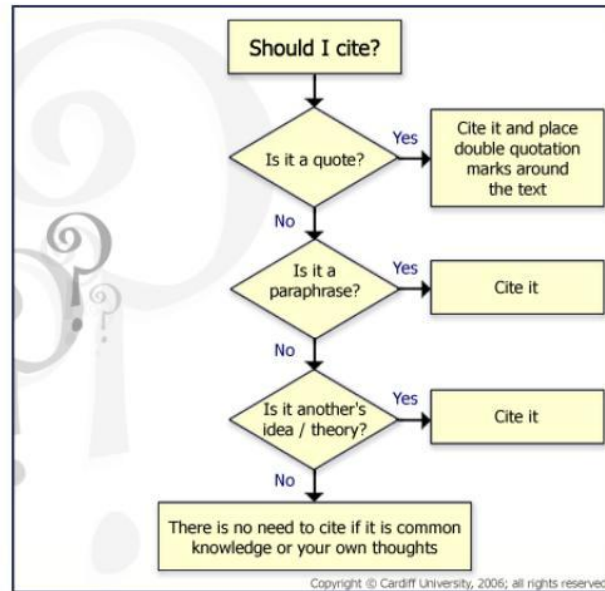
1. Quotation marks
2. In-text citation (parenthetical, endnote, or footnote)
3. Reference entry





# Citing When the Expression Is an Image or Illustration

- No quotation marks
- Use an in-text citation in the running text
- Use a credit line with the item
- List the item in the references (as needed)



Citing Flowchart by Cardiff University Library is licensed under [CC BY 4.0](https://creativecommons.org/licenses/by/4.0/)

## Usual Components of a Citation

1. Quotation marks
2. In-text citation (parenthetical, endnote, or footnote)
3. Reference entry

# Best Practices for Creative Commons

T = Title?

*provide title of work*

A = Author?

*include author name & link to profile*

S = Source?

*link to original source page*

L = License?

*indicate terms & link to license deed*

*“Georgia + Jason doodle napkin” by Jason Eppink is licensed under CC-BY 2.0*



# References

Cardiff University Library. (2006). *Citing flowchart*. Retrieved from

<https://ilrb.cf.ac.uk/citingreferences/citingflowchart/index.html>

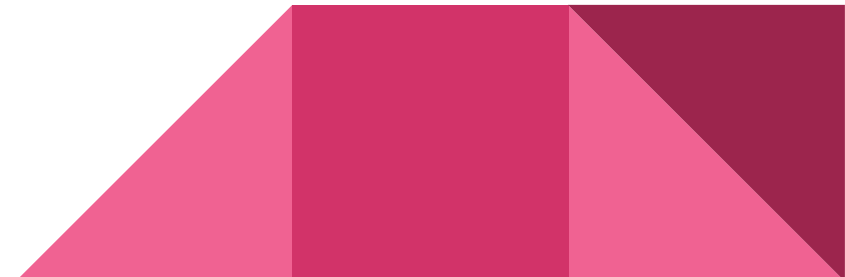
Creative Commons. (n.d.) [Creative Commons icons]. Retrieved from <https://creativecommons.org/about/downloads/>

Crews, K.D. & Butler, D.K. Fair use checklist. Retrieved from

<https://copyright.columbia.edu/content/dam/copyright/Precedent%20Docs/fairusechecklist.pdf>

United States Copyright Office. (Dec 2011). Copyright law of the United States and related laws contained in title 17 of the

United States Code. Retrieved from <http://copyright.gov/title17/circ92.pdf>



# Q&A

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