

6.1.

What is copyright?

Creativity

Ability to produce something new through imaginative skill, whether a new solution to a problem, a new method or device, or a new artistic object or form.²⁵

Copyright

... protects published or unpublished original work (for the duration of its author's life plus 50 years) from unauthorized duplication without due credit and compensation. Copyright covers not only books but also advertisements, articles, graphic designs, labels, letters (including emails), lyrics, maps, musical compositions, product designs, etc.²⁶

▶ Can you define copyright infringement (see chapter 1, page 10)

▶ **Infringement/Breach of copyright.** It's not always easy to understand when something is protected by copyright and how copyright-protected items can be used in a legal way. Test your knowledge on the following – are these breaches of copyright?²⁷

- YES NO 1. Streaming songs from online services that have agreements with the copyright owners (e.g. spotify).
-
- YES NO 2. Uploading an iconic image within copyright (with or without crediting the owner).
-
- YES NO 3. Downloading from iTunes.
-
- YES NO 4. Uploading a video you recorded at a concert when it is specified on the ticket that video-recording is not allowed.
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- YES NO 5. Publishing an excerpt from another person's blog post on your own blog, and including a link to the other person's blog but not asking for his/her permission.
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- YES NO 6. Watching a video that someone else recorded at a gig where it was specified that video-recording was not allowed.
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- YES NO 7. Uploading a self-taken photo of a concert when it was specified on the ticket that no video-recording was allowed.
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- YES NO 8. Uploading current popular song lyrics / guitar tabs to a personal website or social network.
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- YES NO 9. Uploading photos of celebrities in a public place taken by you.
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- YES NO 10. Re-posting a whole article, crediting the author and including the link (without permission).

Go to www.webwewant.eu to find out the answers.

²⁵ <http://www.britannica.com/search?query=creativity>, consulted on 4/01/2013.

²⁶ Business Dictionary (2012), 'Copyright' (online), <http://www.businessdictionary.com/definition/copyright.html#ixzz2ElwNtw73>, consulted on 8/11/2012.

²⁷ Nominet (2012), Are you an accidental outlaw? (online), <http://accidentaloutlaw.knowthenet.org.uk/question1>.

Creative Commons

An example of a copyright license that encourages the sharing and reproduction of a resource. It provides a simple, standardized way to give the public permission to share and use your creative work.²⁸

(To find more information about creative commons licenses visit this website: <http://creativecommons.org/licenses/>)

➔ Which of the following examples do you think violate copyright law?

1) You have found a photo from Flickr where the user has published a Creative Commons license that looks like this:



You want to use the photo to promote a musical performance you are selling tickets for. Are you able to use this image legally?

2) You have a music library of thousands and thousands of songs. You have downloaded peer-to-peer software and only download content that is not subject to copyright. Could you be breaking copyright law?

3) You are making an audio-visual project to accompany a stage production. You are trying to find some useful images. The image you want to use is licensed under Creative Commons:



Can you use this image without infringing copyright law?

Go to www.webwewant.eu to find out the answers.

DID YOU KNOW?

47% of users cannot confidently identify whether the online content they download, stream or share is legal or not – highlighting the importance of increased efforts to educate and inform consumers.²⁹

²⁸ Find out more at <http://creativecommons.org/>.

²⁹ Ofcom (2012), Half of internet users unsure if content is legal (online), <http://media.ofcom.org.uk/2012/11/20/half-of-internet-users-unsure-if-content-is-legal/>.

6.2.

Are you a pirate?



Floran

Internet is meant to be for free expression, so if content is already online you should be able to download it.

The absolute transformation of everything that we ever thought about music will take place within 10 years, and nothing is going to be able to stop it... I see absolutely no point in pretending that it's not going to happen. I'm fully confident that copyright, for instance, will no longer exist in 10 years, and authorship and intellectual property is in for such a bashing.

David Bowie 2002³⁰

Are you a pirate?

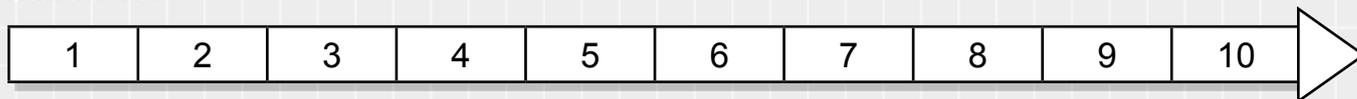
Do you pay attention to copyright law? Answer the questions below.

1. I have downloaded copyright-protected music without paying for it.
 I agree/YES I don't agree/NO
2. I have recorded concerts of my favourite band and have put the pictures on my social networking page.
 I agree/YES I don't agree/NO
3. I don't always ask the permission of my friends/family when I post photos of them online.
 I agree/YES I don't agree/NO
4. I have made copies for my friends from a DVD I bought in a store.
 I agree/YES I don't agree/NO
5. I have cut and pasted text from a website for a school project, without referencing the original author.
 I agree/YES I don't agree/NO
6. When using images I find online, I don't really check if they are copyright protected.
 I agree/YES I don't agree/NO
7. It doesn't really bother me when people re-post text from my blog/website without indicating that I am the author.
 I agree/YES I don't agree/NO
8. I have published parts of someone else's website on my own page, without the proper referral.
 I agree/YES I don't agree/NO
9. Illegal downloading is not really breaking the law, as people are almost never punished for it.
 I agree/YES I don't agree/NO
10. Content put online should always be free for everyone to use.
 I agree/YES I don't agree/NO

³⁰ Pareles, J. (2002), David Bowie, 21st-Century Entrepreneur (online), The New York Times, <http://www.nytimes.com/2002/06/09/arts/david-bowie-21st-century-entrepreneur.html?src=pm>.

Start on the left hand side of the arrow. Each time you have answered “I agree / yes”, shift one spot to the right on the scale. Where do you land up? Discuss your position with other people in the group.

Start here!



You pay a lot of attention to copyright. You don't mind paying a little money for someone else's creations and will always acknowledge the author of an original work.

You do know about copyright, but you don't always pay much attention to it. Why would you pay if you can download it for free?

You might know about copyright, but it doesn't make much sense to you. If people don't want you to use their creations, they shouldn't put them online!

➔ It is easy to forget **that behind** each song is a team of dedicated professionals who work hard to make good music. The Music Matters campaign shines a light on **all of** these people and hopes to remind **everyone who loves music** to support them by **accessing music from licensed sites**.³¹

Visit <http://www.whymusicmatters.org/> and find out more about this campaign.

What do you think about the Music Matters campaign? Would you support it?

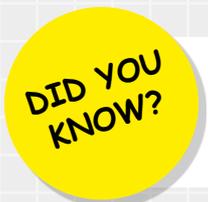
A large, empty, rounded rectangular box with a light blue background and a white border, intended for writing an answer to the question above.

➔ **Copyrighting your work.** Have you ever copyrighted your own work? How do you do it? Where can you find further information?

A large, empty, rounded rectangular box with a light blue background and a white border, intended for writing an answer to the question above.

➔ **Two sides to the story.** Yes, the internet is free for you to use, but the website providers also have their rights and can step in when you violate the law. Can you give some examples of your rights and the rights of the website creators?

Your rights	Website creator's rights
I have the right to share content online	They have the right to delete any copyright-protected material I upload without the proper references.



Infringers (of copyright) said they would be encouraged to stop doing so if cheaper legal services were available (39%), everything they wanted was available from a legal source (32%) or it was more clear what content was legal (26%)³²

³¹ <http://www.whymusicmatters.org/pages/our-campaign>, consulted on 4/01/2013
³² Ofcom (2012), Half of internet users unsure if content is legal (online), <http://media.ofcom.org.uk/2012/11/20/half-of-internet-users-unsure-if-content-is-legal/>.