

# Let's Talk Copyright

We've talked about copyright in terms of your digital stories, but here's the specifics behind our discussion. Keep these topics in mind when choosing images and follow the guidelines for how to reference them. JMU and the U.S. Copyright Office have plenty of online resources, but you can always book an appointment with DigiComm to work on this as well. *Happy Citing!*

## Fair Use Definition

A legal doctrine that allows the unlicensed use of copyright-protect works in certain circumstances.

Section 107: "The fair use of copyrighted work, including such use by reproduction in copies...for purposes such as criticism, comment, news reporting, teaching...scholarship, or research, is not an infringement of copyright."

## Fair Use Activities

Below are the list of activities that could potentially qualify as fair use:

Criticism, comment, news reporting, teaching, scholarship, research

## Factors Determining Fair Use

Four factors are considered when determining fair use:

### *Purpose and character of use*

Is a work for commercial or nonprofit educational purposes? Courts usually rule that non-profit educational or noncommercial uses are fair in addition to those that are considered transformative and add something new without replacing the original work.

### *Nature of the Copyrighted Work*

How much does the work relate to creative expression? For example, factual work like a technical article or news item is more likely to be considered fair compared to creative work like a novel, movie, or song.

### *Amount and substantiality of portion of a work used*

How much of the copyrighted material was used compared to the whole? This could be based on quality of quantity.

### *Effect of use upon the potential market value of copyrighted work*

Does the unlicensed work harm the existing or future market of the copyright owner's original work?

## Creative Commons

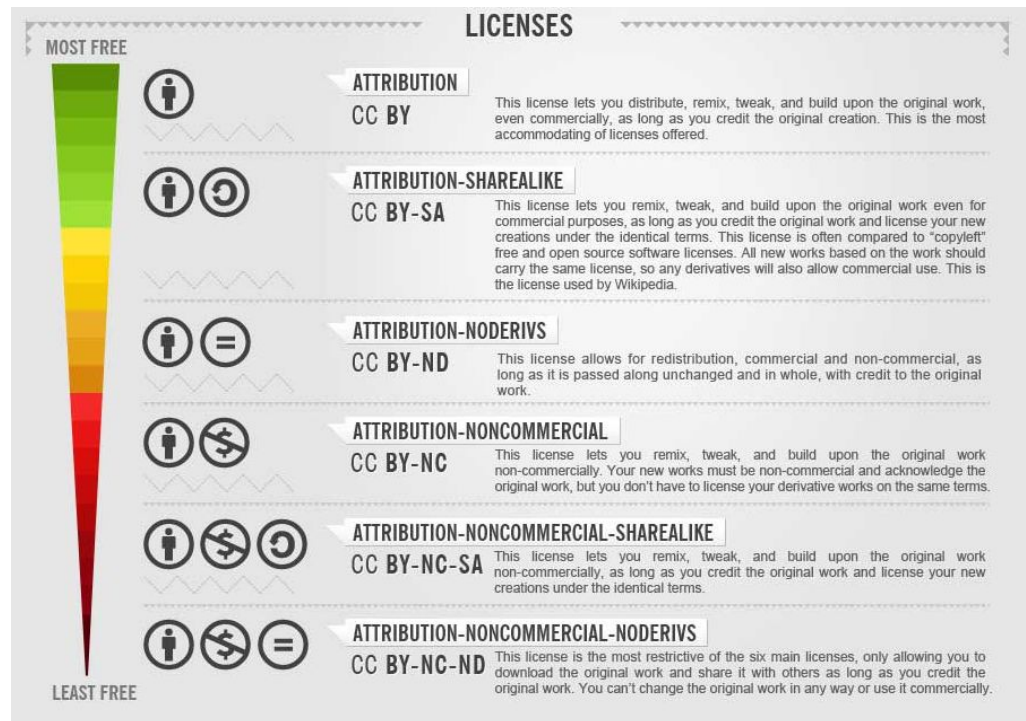
Creative Commons is a nonprofit organization that encourages people to share their creativity through various free legal tools.

- When looking for images to add onto your digital story, visit [search.creativecommons.org](http://search.creativecommons.org).
- If you want to find a pencil image, for example, type the word into the search box.
- Click Google or Flickr and Creative Commons will find a pencil image for you through either of those image options.

## Citing an Image

Those who share their creative content have certain licensing to let you know what you can do with their work:

When citing images through Creative Commons, be sure to include the title, author, and who it's licensed by:



For Example:

["Creative Commons 10th Birthday Celebration San Francisco"](#) by [tvol](#) is licensed under [CC BY 2.0](#)

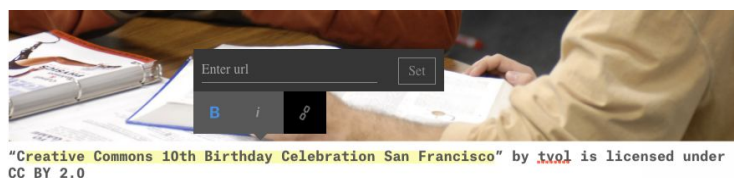
**Title:** Creative Commons 10th Birthday Celebration San Francisco (*linked to the image*)

**Author:** tvol (*linked to the person's profile*)

**License:** CC BY 2.0 (*linked to the license deed*)

## Citing Images on Atavist

Include this information as a caption for each of your images. When you highlight the text, you'll get a text editor that will allow you to add the necessary links.



## Take Your Own!

Plenty of resources exist to use your own images. The Media Resource Center at JMU allows rentals for cameras, and there are plenty of photo editing websites such as pixlr, LunaPic, and fotor. Credit yourself as the photographer in the citation.