

Teaching Copyright

Glossary of Terms

Attribution

Identifying the source of a work. For example, a Creative Commons "BY" or attribution license requires the second user of a copyrighted work to identify the original source of the work.

Author/Artist

Creator of a work.

Copyright

A form of legal protection given to the creators of "original works of authorship," including literary, dramatic, musical, and artistic works. U.S. copyright law generally gives the author of an original creative work an exclusive right to reproduce (copy) or distribute the original work to the public, create new works based upon the original work, and perform or display the work publicly.

Copyright infringement

A violation of the exclusive rights of a copyright holder, such as copying, distributing, or performing the copyright owner's work without permission unless the use is otherwise authorized by law.

Copyright term

The length of time the law allows copyright owners to hold the exclusive rights on their original works.

Derivative work

A new work that translates or transforms one or more original copyrighted works (e.g., a movie made from a comic book, a song written about a photograph, etc.).

Expression

A form of communication. Creative ideas *alone* are not copyrightable. But the communication of creative ideas in a fixed medium of expression (e.g., a book, play, drawing, film, photo, etc.) may be copyrighted.

Fair Use

One of several legal limitations on the exclusive rights granted to copyright owners. Fair use permits a second user to copy part or all of a copyrighted work under certain circumstances, even when the copyright holder has not given permission or even objects to that use of the work. Courts evaluate fair use claims case-by-case relying primarily on

four factors: the purpose and character of the use of copyrighted work, the nature of the original work, the amount and substantiality of the portion used in relation to the copyrighted work as a whole, and the effect of the use upon the potential market for or value of the original work.

File sharing

The practice of uploading and downloading digital files (text, audio, video, or image) to and from a computer network where more than one user has access to those files.

License

Permission granted by the copyright holder to copy, distribute, display, transform and/or perform a copyrighted work.

Mashup

A genre of derivative works that are built by creatively reusing and combining various portions of music, film, audio, and graphics.

Parody

An exaggerated, often comical work that takes elements from the work it comments upon in order to target its point.

Peer-to-peer (P2P) technology

A network of online computers that allows users to share (upload and download) digital files from computer to computer.

Plagiarism

The practice of passing off another author's work or ideas as one's own.

Public domain

Works that are not restricted by copyright and do not require a license or fee to use. Works can enter the public domain automatically because they are not copyrightable, be designated in the public domain by the creator, or become part of the public domain because the copyright term has expired.

Remix culture

A term frequently used by Stanford law professor and Creative Commons founder Lawrence Lessig to refer to a community of amateur creators who blend media and materials to develop new works, and the social context that fosters the growth of that community.

Stakeholder

A person, group or organization that has a vested interest in the positive or negative outcome of an action.

