




# Code of Best Practices in Fair Use for Online Video


Using copyrighted works in videos you are  
posting online.





# Fair Use Notice

Certain materials in this presentation are included under the fair use exemption of the U.S. Copyright Law and have been prepared according to the multimedia fair use guidelines and are restricted from further use.





# Definition of “Fair Use”

Allows for the limited use of copyrighted material (quoting) without requiring permission from the rights holders.


Examples of fair use include commentary, criticism, news reporting, research, teaching, library archiving and scholarship.



[Chipmunk Tackles Fair Use Rights](#)




## 4 Factors to Consider:

- Nature of the use- what it is being used for
  - Nature of the work used-what form?
  - Amount of the work used
  - Economic effect of the new on the original
- 



# Judges often ask...

- Did the use “transform” the material taken by using it for a purpose other than the original?
  - Was the use appropriate in format and amount considering the nature of the work and the use?
- 



# Consideration of Good Faith

- *Provide credit or attribution to the owners of the copyrighted material being used.*



# COMMENTING ON OR CRITIQUING OF COPYRIGHTED MATERIAL

- Positive commentary
  - Negative commentary
  - Parody (spoof) “make fun of”
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- Lost -10 Greatest Moments


# USING COPYRIGHTED MATERIAL FOR ILLUSTRATION OR EXAMPLE


- To illustrate an argument or a point
- Each instance should be drawn from a range of sources and
- each quotation should be limited in length to that which is necessary for the effect
- Evolution of Dance





# CAPTURING COPYRIGHTED MATERIAL INCIDENTALLY OR ACCIDENTALLY

- Background media caught while recording real life.
  - Make sure it is not the primary focus of the recording.
  - Give attribution when possible.
  - Let's go Crazy
- 





# REPRODUCING, REPOSTING, OR QUOTING IN ORDER TO MEMORIALIZE, PRESERVE, OR RESCUE AN EXPERIENCE, AN EVENT, OR A CULTURAL PHENOMENON

- Recording favorite performance or document your attendance at an event.
  - Recording an controversial moment from tv or a public event
  - Colbert
- 




# COPYING, REPOSTING, AND RECIRCULATING A WORK OR PART OF A WORK FOR PURPOSES OF LAUNCHING A DISCUSSION

- Purpose of the copying and reposting needs to be evident to the viewer.
  - Title or first comment should indicate the purpose.
  - [Feminism by Whirlpool](#)
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# QUOTING IN ORDER TO RECOMBINE ELEMENTS TO MAKE A NEW WORK THAT DEPENDS FOR ITS MEANING ON (OFTEN UNLIKELY) RELATIONSHIPS BETWEEN THE ELEMENTS

- 
- Mashups
  - Remixes
  - Music videos
  - Adding new expression, ie. Images, subtitles, dialog, sound effects or animation

# Mashups, Remixes, etc.

- Must show significant change of context or meaning, be limited in amount of material used, ie.
- **Copyrighted song may not be used in it entirety as a sound track for a new video.**
- 10 Things I Hate About Commandments



# Video Clips

- Chipmunk Tackles Fair Use Rights
  - Lost -10 Greatest Moments
  - Let's go Crazy
  - Evolution of Dance
  - Colbert
  - Feminism by Whirlpool
  - 10 Things I Hate About Commandments
- 

# What CAN we use without worrying about copyright?

Use [Soundzabound](#) for music and sounds

- Username:
- Password:

Use Creative Commons licensed materials.

[SpinXpress](#) for video or music or images

[Wikimedia Commons](#) for video, music, or images


[CCMixer](#) for music

[Jamendo](#) for music

See more sources at the [Library's Images and Music](#) webpage



# Need more information?

- See [Copyright-and-Creative-Commons.wikispaces.com](https://commons.wikispaces.com)
  - See the Library's [Copyright Information](#) webpage.
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# Bibliography

- "Center for Social Media." *Center for Social Media*. N.p., n.d. Web. 31 Jan. 2011.  
<<http://www.centerforsocialmedia.org/>>.