Playful approaches to copyright literacy: an introduction

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WHAT IS COPYRIGHT LITERACY?

"acquiring and demonstrating the appropriate knowledge, skills and behaviours to enable the ethical creation and use of copyright material."

Secker and Morrison, 2016, p.211

WHAT DOES IT MEAN?

Getting comfortable with uncertainty

Education not training

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01101100
01101111
01110110
01100101
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Avoiding binaries
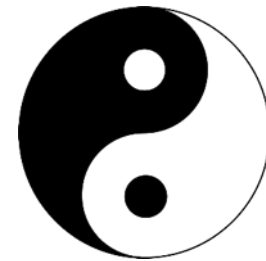
Balance between content and approach

COPYRIGHT
THE CARD GAME

v3.0

COPYRIGHT THE CARD GAME: THE ABRIDGED VERSION

Chris Morrison and Jane Secker

Introductions

Introduce yourself to your team mates

Decide on your team name

Give us your team name for the score sheet

THE RULES

Each round will focus on one 'suit'

Each team will have one deck of cards

Each team must nominate a card handler

Teams should confer and agree answers

Answer the scenarios by selecting the cards

WHAT IS COPYRIGHT?

Works
(The things it protects)

Licences
(Legal use with permission)

Usages
(The activities it regulates)

Exceptions
(Legal use without permission)

Works

WHY CONSIDER TYPES OF COPYRIGHT WORK?

W
Works

- Different durations

- Different layers of rights

- Different owners within content

- Different licences

- Some exceptions work specific

COPYRIGHT WORKS (1)

W
Works

- Literary
- Artistic
- Musical
- Dramatic
- Broadcast
- Sound Recording
- Film

COPYRIGHT WORKS (2)

W

Works

- Typography
- Public Domain
- Crown Copyright
- Database
- Moral Rights
- Performance
- Non Qualifying

Work

Use your "Works" cards to identify what types of works are in the object your team has been given

Usages

WHY CONSIDER TYPES OF COPYRIGHT USAGE?

U
Usage

- They are the CDPA 'restricted acts' as defined in law

- The 'restricted acts' must be 'mapped' onto any activity to understand licences and exceptions available

COPYRIGHT USAGES

U
Usage

Copying

Issuing copies to the public

Rental or Lending

Public Performance

Communication to the public

Adaptation

Using your "Usage" cards, decide what types of usage apply in the following scenario.

What types of usages apply?

1. A lecturer uploads a political cartoon to Moodle to share with their students

Copying

Communication to the public

What types of usages apply?

2. The Students' Union are showing TV news in the bar

Communication to the public

Public Performance

Licences

WHY CONSIDER TYPES OF COPYRIGHT LICENCE?

\+ **First point of call**

  \+ Can effectively provide zero risk

  \+ May already have paid for them

— **They all involve limitations**

  — Not carte blanche

  — Relationship with exceptions

COPYRIGHT LICENCES (1)

L Licence

CLA (Copyright Licensing Agency)

NLA Media Access

ERA (Educational Recording Agency)

Filmbank / MPLC

Library E-resources

Creative Commons

COPYRIGHT LICENCES (2)

'Bespoke' permission

Website Terms & Conditions

UK Orphan Works Licence

You own the copyright

You made it as an employee

Licence related

COPYRIGHT LICENCES (3)

L
Licence

Software Licences

OGL Open Government Licence*

*Equivalent to Creative Commons Attribution Licence (CC-BY)

Using your "Licences" cards, decide what types of licences apply in the following scenario?

What types of licence might apply?

1. A librarian scans a printed journal article and emails the scan to a lecturer who uploads it to the VLE for her students

CLA Licence

Bespoke Permission

Exceptions

DISCLAIMER

The following slides are intended to give an overview of the key UK copyright exceptions for those in higher education institutions. They are not comprehensive, nor do they provide full details of the provisions within the relevant legislation (most notably Copyright, Designs and Patents Act 1988).

The slides are for information purposes only and do not constitute formal legal advice.

If you find anything in the slides which appears to be inaccurate of misleading please contact ukcopyrightlit@gmail.com

FAIR DEALING

Determines whether usage is lawful or infringing based on how a 'fair minded and honest person' would deal with the work.

- Does using the work affect the market for the original work?
  Does it affect or substitute the normal exploitation of the work.

- Is the amount of the work taken reasonable and appropriate?
  Was it necessary to use the amount?

KEY EXCEPTIONS TO COPYRIGHT 1

E
Exception

S29 – Research or Private Study

S29a – Text & Data Mining

S30 – Quotation

S30A – Caricature, Parody or Pastiche

S31A-F - Accessible Copying

S32 – Illustration for instruction

KEY EXCEPTIONS TO COPYRIGHT 2

E
Exception

S34 – Educational Performance

S35 – Recording of Broadcasts

S36 – Educational Copying of Published Extracts

S40B - Dedicated Terminals

S41 – Library to Library Copying

S42 – Library Preservation

KEY EXCEPTIONS TO COPYRIGHT 3

S42A – Library Copying for Users

S43 - Library copying of unpublished works

S45-50 – Public Administration

S44B - Orphan Works

COPYRIGHT EXCEPTIONS

E
Exception

NON-CONTRACTUAL OVERRIDE

"To the extent that a term of a contract purports to prevent or restrict the doing of any act which, by virtue of this section, would not infringe copyright, that term is unenforceable."

Copyright, Designs and Patents Acts 1988

ROUND 4

The final round uses all the cards:

ROUND 4

1. Consider the following scenarios within your teams

2. Play the relevant 'Works', 'Usage', 'Licences' and 'Exceptions' cards

3. Choose a level of risk from 0 to 5 and play the corresponding card

2. Your university are running a digital footprint and digital identity webinar for new students and need to use a number of images in the presentation. Some images for the presentation have been found on the internet, some are from social media and some are screenshots from library databases. They will share the slides and recording on the learning management system (LMS) after the session.

W
Works

2. Digital literacy training

U
Usages

1
Risk

L
Licences

E
Exception

SCENARIO

1. A cultural studies lecturer is logging into their own personal Spotify account on a university lecture theatre PC in order to play music in a lecture. She plays 2 entire songs as well as numerous extracts from other songs to demonstrate the link between certain musical genres and youth sub-cultures.

RUNNING THE CARD GAME

1. Creative Commons Licensed

2. You will need to be familiar with copyright to deal with queries and questions

3. You can train from 6 - 60 people

4. Allow 1.5 – 2.5 hours

5. Room set up – cabaret style

6. Customise the scenarios for your own context

7. Keep the pace up and have fun

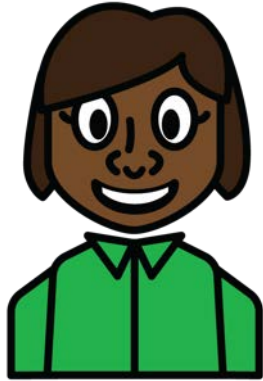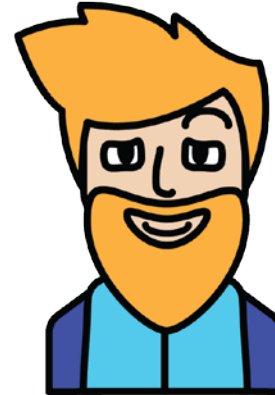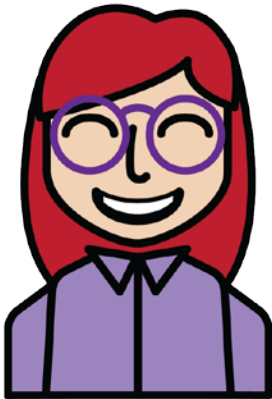# COPYRIGHT THE CARD GAME: THE CANADIAN AND AUSTRALIAN VERSIONS
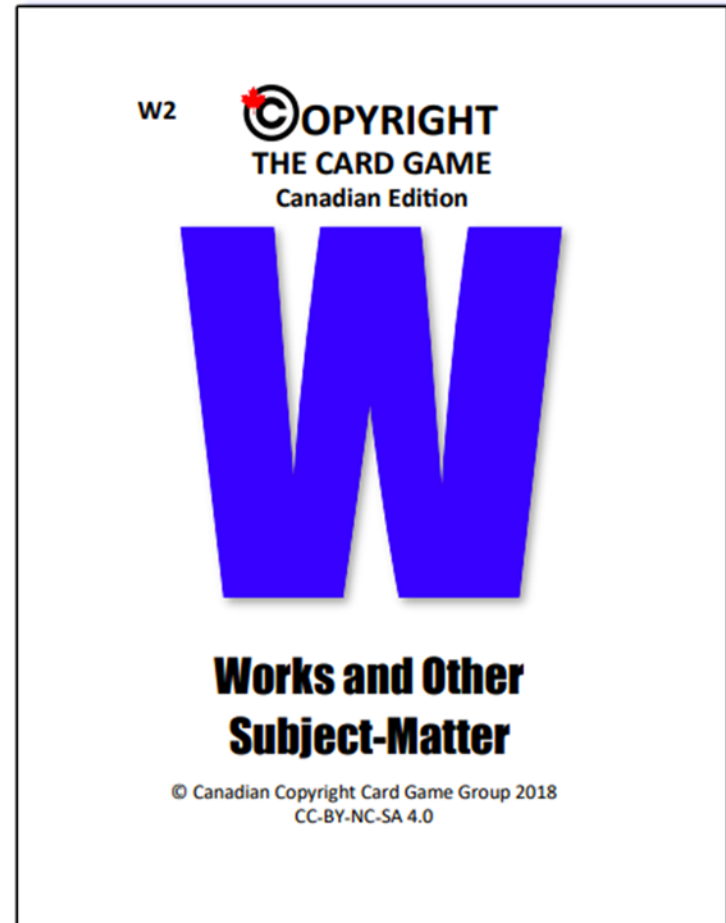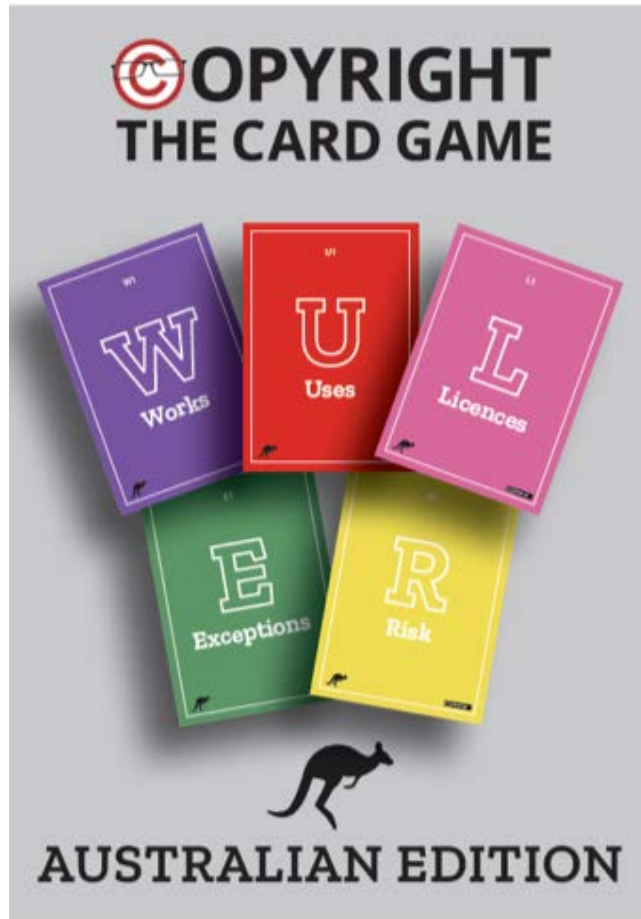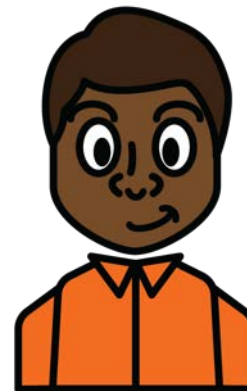
Meet the characters

Misha the criminologist

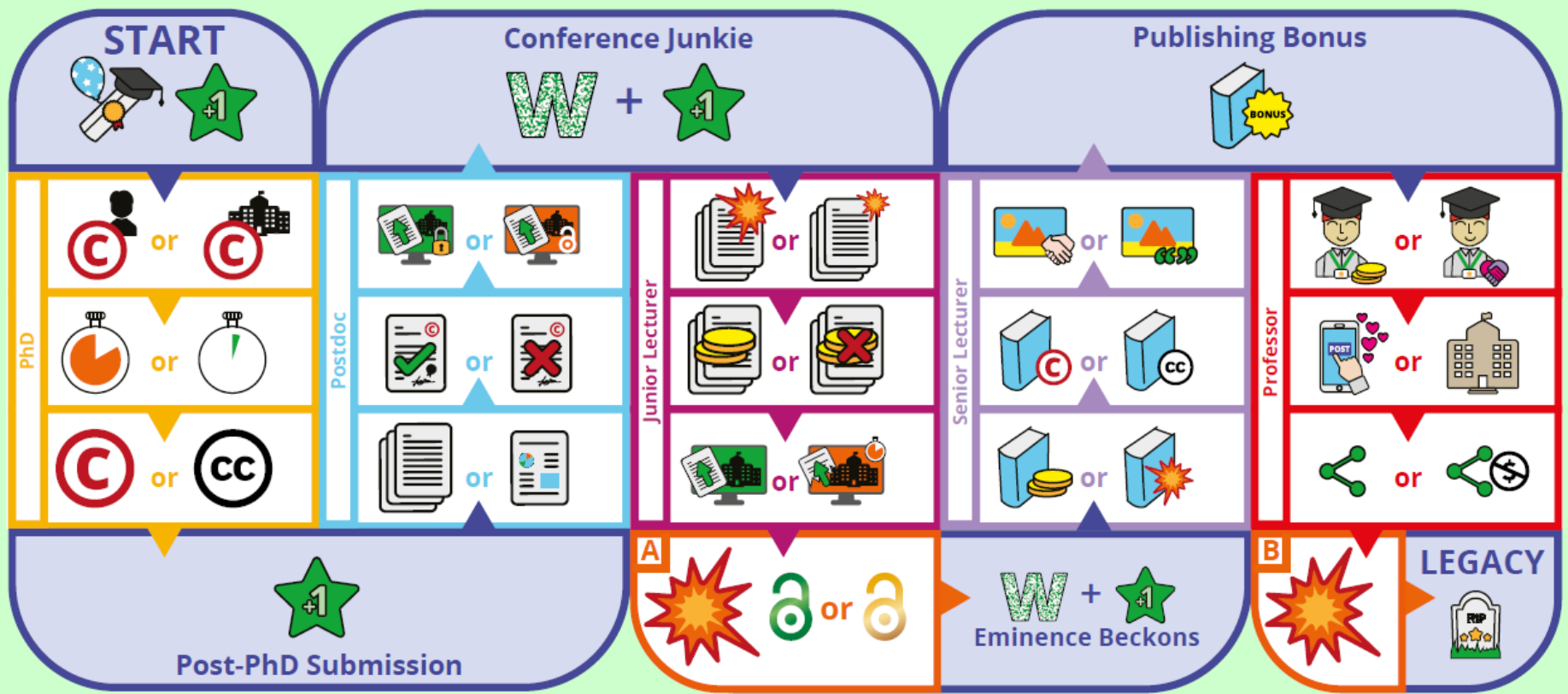Brian the microbiologist

Mary the space scientist

Simon the Jane Austen expert

The board

Impact to date

- Downloads and hits on website:
  - over 7,900 hits on website and 490 downloads to date*

- Who has played it
  - PhD students, early career researchers, publishers and librarians

- Worldwide interest
  - UK, USA, Canada, Australia, New Zealand
  - Europe including France, Germany, Sweden, Czech Republic, Norway, Spain, Denmark
  - Elsewhere: Japan, Singapore, Saudi Arabia and many more!

* as of 31 August 2019

ICEPOPS* 2019, University of Edinburgh

International Copyright-Literacy Event with Playful Opportunities for Practitioners and Scholars

Icepops

*International Copyright-literacy Event with Playful Opportunities for Practitioners and Scholars

FIND OUT MORE …

copyrightliteracy.org

@UKCopyrightLit

FURTHER READING

Morrison, C and Secker J. (2015) Copyright Literacy in the UK: a survey of librarians and other cultural heritage sector professionals. Library and Information Research. 39 (121)
http://www.lirgjournal.org.uk/lir/ojs/index.php/lir/article/view/675

Morrison, C & Secker, J. (2017). Understanding librarians' experiences of copyright: findings from a phenomenographic study of UK information professionals. Library Management, 38 (6/7)

Morrison, C and Secker, J (2017) The Publishing Trap: a game of scholarly communication. LSE Impact Blog http://blogs.lse.ac.uk/impactofsocialsciences/2017/10/28/the-publishing-trap-a-game-of-scholarly-communication/

Morrison, C. (2015) Copyright the Card Game. ALISS Quarterly. 9 (2).

Secker, J and Morrison C (2018). The Publishing Trap. Information Professional. April 2018 edition Available at:
https://www.cilip.org.uk/page/PubTrapAprMay18

Secker, J and Morrison, C. (2016) Copyright and E-learning: a guide for practitioners. Facet publishing: London. Chapter 6: Copyright education and training available online.

Todorova, Tania et. al. (2017) Information Professionals and Copyright Literacy: A Multinational Study. Library Management, 38 (6/7).

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Slide 4 – Open Clip Art