# Top Copyright best practice tips for Academic Staff

**1**

**Finding Images**

Use Google advanced search:

Academic staff and students are advised to make use of Google's advanced search as this not only allows your image search to be refined at a granular level by filters i.e. images size, phrases or exact words, but by the type of rights usage as well. This enables you to filter your image search by types of use, making it easier to spot images which can be used in teaching or research.

https://www.google.co.uk/advanced_image_search?hl=en-GB&fg=1

**2**

**Make use of TinEye**

This reverse search engine enables you to track down an online source of an image. This is particularly useful if you have an image but you are not sure where it came from, or if it can be re-used. You can upload the copy of the image you have or type in the URL and TinEye will produce search results for online locations (websites) containing the image you uploaded.

**Link to Tineye: https://www.tineye.com/**

**3**

**Use Licence free media whenever possible**

There are a variety of websites that contain licence free media, e.g. images, video and audio. These are useful resources which can be used in any materials you develop (providing sufficient attribution has been given).

**Link to list of online licence free sources: https://edshare.gla.ac.uk/321/1/Listofonlinecopyrightfreeresoruces.pdf**

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**Make use of Box of Broadcasts (BoB)**

BoB is a service that enables all staff and students in subscribing institutions to record television programmes on and off campus within the UK. You can select and record any Freeview broadcast programme from 65+ TV and Radio channels. You can also request a programme from the permanent archives which go back as far as mid-2007 and contain content from 9 channels.

- BBC 1 London/BBC 2, London/BBC 4/ITV, London/Channel 4
- More 4/ Channel 5/BBC Radio 4/BBC Radio 4 Extra

Your recorded programmes are stored indefinitely (no expiry date) and added to a growing media repository (currently over 2 million broadcast programmes), shared by other users from subscribing institutions.

**Link to BoB information page: https://sway.com/kItJJIXkkue6qZuc**

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## Creative Commons

This suite of licences are tools that enable creators a simple standardised method of assigning copyright to their work. Every Creative Commons licence allows the creator to retain copyright whilst allowing others to copy, distribute and make use of their work.

When you create resources, i.e. teaching materials, images, videos, please consider applying a Creative commons licence to it as this will not only promote your work, but allow others to benefit from it.

**Link to Creative Commons Licences learning object:**
https://edshare.gla.ac.uk/144/4/story_html5.html

**Link to Creative Commons Attribution learning object:**
https://edshare.gla.ac.uk/143/4/story_html5.html

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## Attribution

Whenever you use someone's work in resources you produce, it is very important to provide sufficient attribution. Whether you've used someone's work under one of the UK educational exceptions or made use of Creative Commons materials, you must always provide sufficient attribution and be sure to check any licence agreement associated with the work.

Please refer to the appendices of this document to view an extract of a legal letter the institution received in relation to a Creative Commons image that was used on a University webpage without attribution and the use did not adhere to the CC licence.

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## UK Educational Exceptions

There are a number of UK educational exceptions which can be used to defend the inclusion of 3rd party copyright protected content within teaching and learning materials for non-commercial purposes. To see detailed information on all of the UK educational exceptions, please click on the link below.

**Link to UK Educational Exceptions object:** https://edshare.gla.ac.uk/170/2/story_html5.html

In the following section, we'll closely examine the UK educational exception 'S.32 illustration for Instruction'. This exception is relevant to professionals working in e-learning as it primarily involves the reuse of 3rd party media, i.e. images, video, sound etc... within both face – to – face and online learning and teaching materials.

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## What the UK exception says: S.32Illustration for instruction

(1) Fair dealing with a work for the sole purpose of illustration for instruction does not infringe copyright in the work provided that the dealing is—

- for a non-commercial purpose,
- by a person giving or receiving instruction (or preparing for giving or receiving instruction), and
- accompanied by a sufficient acknowledgement (unless this would be impossible for reasons of practicality or otherwise).

(2) For the purposes of subsection (1), "giving or receiving instruction" includes setting examination questions, communicating the questions to pupils and answering the questions.

(3) 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

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## What this means:

Providing you give sufficient attribution and do not infringe the rights holders' ability to exploit their work, you may use extracts of 3rd party copyright protected work for non-commercial purposes to illustrate a teaching point. This can be applied to both digital and physical formats, i.e. a resource uploaded to a course within a password protected VLE (Moodle) or face – to – face lecture handouts.

The part of this exception that can cause confusion or uncertainty is the term or definition of 'fair'. This a term which has no legal definition, therefore the points below should be consider when trying to exhibit 'fair' use of third party copyright protected material(s):

- The work can only be used to illustrate a teaching point
- The use of the work cannot be for commercial reasons
- The use of work must be 'fair' i.e. a portion of work to illustrate your teaching point.
- Sufficient acknowledgement must always be provided

To view a more detailed explanation of how this exception can be applied within a Higher Education context, please click on the link below.

**Link to UK Educational Exceptions object: https://edshare.gla.ac.uk/170/2/story_html5.html**

## The Importance of providing attribution

The section of the redacted letter you're seeing on screen is a perfect example of what can happen if you do not provide sufficient attribution or read the terms of a licence associated with content created by someone else.

Dear Ladies and Gentlemen!

At least since the middle of February 2018 until the present date, you have been using a photograph of a herring gull made by me on the website mentioned above. I published this photograph on Wikimedia Commons under https://commons.wikimedia.org/wiki/File:Larus_argentatus01.jpg and provided it subject to the terms and conditions of a license clearly indicated there. The most important notices in this respect are shown directly next to the relevant photograph on Wikimedia Commons. In particular you didn't give appropriate credit to me and didn't state the licence, subject to which the photograph was provided.

You did not abide by the terms and conditions of the license. The use of the photograph by you is therefore unlawful.

The above is an extract of a legal letter the institution received regarding a Creative Commons image that was modified and then used in a UoG web page open to the general public. This letter was sent on behalf of a content creator who had attached a Creative Commons licence to their work (an image), which was adapted and then used without providing sufficient attribution to the creator. This meant the terms and conditions of the licence had been violated.

This was resolved by taking down the image on the web page and paying a flat fee based on professional photographer's rate.

**Remember to always provide sufficient attribution and read the terms and conditions of any licence.**

**Link to a learning object that demonstrates how to provide an ideal Creative Commons attribution: https://edshare.gla.ac.uk/143/4/story_html5.html**

**appendices**

appendices

**Examples of good practice for providing attribution when using Creative Commons and 3rd party copyright protected works**

You may encounter some sources, i.e. websites, which have specific advice on how to provide attribution for using their works. Always remember and examine the source for information on providing attribution, before considering to use the good practice shown below.

Good practice for providing attribution for media, whether it's Creative Commons or 3rd party copyright protected, is to always provide the following details: **Title, Author, Source** and **Licence**

**Ideal example of image attribution**

Image: Glasgow-kelivingrove-museum-1 by Finlay McWalter. https://commons.wikimedia.org/wiki/File:Wfm_kelvingrove_museum_back.jpg (CC-BY-SA 3.0)

**Title:** "Glasgow-kelvingrove-museum-1"
**Author:** "Finlay McWalter"
**Source:** https://commons.wikimedia.org/wiki/File:Wfm_kelvingrove_museum_back.jpg
**License:** CC BY-SA 3.0

The above example demonstrates good practice by showing the title of the image and who created it along with displaying the source and licence associated with it. This style of attribution can be applied to other media types, as shown below.

**Ideal example for video attribution**

Video: Book drop 2018 by Greg Walters. https://www.youtube.com/watch?v=nT8QXv6g8os (CC-BY-NC-SA)

**Ideal example for Audio attribution**

Audio: Trumpet Loop 128 Bpm by Greek555. https://freesound.org/people/Greek555/sounds/448967/ (CC0 1.0)

**For advice on attribution and how to use Maps, journal articles and book chapters, please consult the 'can I use' learning object (link below).**

https://edshare.gla.ac.uk/107/2/story_html5.html

**If you would like to see in-depth information and examples of Creative Commons attributions, then please view the 'creative commons attribution' learning object (link below).**

https://edshare.gla.ac.uk/143/4/story_html5.html