



Copyright and Fair Use at ICC



Copyright protection is described in laws of the United States (Title 17, U.S. Code: *The Copyright Act*). The work created by an author immediately becomes the property of the author and therefore use of that work requires the permission of the author.

The *Fair Use Doctrine* allows for limited use of copyrighted work for educational purposes. The 4 guiding principles of fair use are **purpose, nature, amount, and effect**.

1. **Purpose - For what reason is the material being used?** The courts will give preference to non-profit educational uses, as opposed to commercial uses.
2. **Nature - What type of work is it?** Fictional work is more likely to require permission than with factual work.
3. **Amount - How much of the work is being used?** How much of a chapter can I copy to use? How much of a video can I show? Guidelines that have been set by various organizations are not law, but they are guidelines that are usually followed. A general guideline for brevity is not more than 1,000 words or 10% of the work, whichever is less.
4. **Effect - How does the use of that portion of the work affect the potential commercial market for the work?** Copying large portions of a work or copying pages of a workbook, in order for the student to not have to purchase the book, would have an effect on the market for the work. This would not be considered "fair use".

Markie Castle is the copyright facilitator for the ICC faculty and staff. She is available to:

- Provide guidance and assistance (not legal counsel) concerning copyright issues.
- Research whether material needed in a classroom would be considered fair use.
- Research copyright permission from appropriate party, if material does not fall under "fair use".
- Support an ongoing education program on copyright laws and fair use.

She is available during the semester every Tuesday 10:00 am - 2:00 pm at the North campus, C-6; every Thursday 10:00 am – 2:00 pm at the East Peoria Campus, TLC 240A; as well as by appointment.

For more information concerning copyright issues, select "Copyright Services" from the menu on the Instructional Innovation webpage or go to: <http://www.icc.edu/innovation/copyrightServices.asp>

Questions? Contact Markie Castle – mcastle@icc.edu