



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?** Non-profit, educational use is favored for fair use, while commercial use is disfavored.
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?** Guidelines that have been set by various organizations are not law, but these guidelines are usually followed. A general guideline for brevity is no more than 10% of the work or 1,000 words, whichever is less – providing it is not the core of the material. With recorded works, the guideline is no more than 10% or 30 seconds of the work.
4. **Effect – What is the effect on the market or potential market for a copyrighted work?** Copying large portions of a work, in order for the student to not have to purchase the book, would have an effect on the market for the work. Under the fair use guidelines, workbooks (without permission from the publisher) are never allowed to be copied due to this factor.

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.

Markie is available on all campuses. Call the TLC (694-8908) for her office hours or contact her at mcastle@icc.edu to make an appointment to meet with her.

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