General copyright guidelines

Last Updated: Nov 25, 2012 11:21PM PST

Faculty are generally used to creating course content relying on the face-to-face teaching exception and the fair use doctrine of copyright law. These are much more restrictive in the context of offering online education to the general public. To avoid copyright concerns, we ask that instructors follow these requirements with regard to use of third-party content in materials. Third party content means any content that is not self-created, such as graphs, charts, artwork, photos, screenshots, clip art, trademarks and videos.

If you find yourself using a lot of images or excerpts from a single source, please contact us to try and work out a blanket deal - it's typically easier for us to do the negotiations, as we have leverage from multiple classes and schools. Here's a more extensive document on such publisher deals.

We have prioritized the following options for the use of images and videos in presentations:

• **Option A:** Make the content yourself. Rather than relying on an existing graph or chart, make an image yourself. (Note: Do not copy someone else’s chart, as that is simply making a derivative work and the copyright stays with the original author.)
• **Option B:** Get the content from a friend, and get permission to use it in your online course. Make sure your friend understands the scope of use you will be making of the image and make sure that your friend owns copyright (has not given it away to a journal or conference) and has the authority to give you the permission you need.
• **Option C:** Get the content from a public domain website that allows use of images for any purpose, including for-profit purposes. Note that the license must be broad enough to permit for for-profit use. An example of an acceptable license is CC-BY, the Creative Commons Attribution License (in which you must provide attribution to the author).
• **Option D:** Link to it! Pointing your students to the source of content on the web is lawful. The only limitation here is that you should ensure that you are pointing to a legitimate source for the content. That is, the original website or poster of the content (in the case of YouTube, for example) must have or reasonably be expected to have the authority to host or post the content. Provide a soft link, so that the students view the content from the original source; do not deep embed the content.
• **Option E:** Seek clearance from the publisher for use. If you want to request permission to use an image or other media from a publisher, you can usually find an email address to send reprint requests to on publishers’ web sites. See below for a sample of what a request looks like.
• **Option F:** Conduct a fair use analysis. In the context of a for-profit venture, fair use is fairly limited. Faculty may rely on fair use in two circumstances. 1) The image shown is being directly criticized. For example, in a photography course, a photo is being shown to illustrate the problems with over-exposing film. 2) The image is being used in a transformative way; that is, the purpose for use in the course is completely different than
its original purpose. For example, in a course about web design it is acceptable to show web screen shots to demonstrate good and bad web design techniques. (As a footnote on screenshots, if the purpose of showing the screen shot is different than the purpose of the author of the website, e.g., your purpose is to demonstrate how a particular website works, while the purpose of the author of the website is to communicate the information on the screen, then generally the use will be transformative and the use a fair use.)

- **Option G:** Blank it out. If you are not able to make one of the options above work, please take the image out.

# Public domain resources

Here is a list of compiled resources that faculty have found useful.

**Creative Commons**

The [search page](https://creativecommons.org) on the Creative Commons website is an aggregated search of several sites which contain public domain works, such as Flickr and Fotopedia. way for content owners to grant advance permission for public use of their copyrighted works. There are some restrictions within CC works, however, with some CC licenses requiring only attribution, while others may be limited to noncommercial uses.

**Wikimedia Commons**

[Wikimedia Commons](https://commons.wikimedia.org) is large database of freely usable images and media files to which anyone can contribute.

**Pixabay**

[Pixabay](https://pixabay.com) is a public domain images which can be used without limitation.

# Prohibited Material

In addition to the above information, stay away from the following material:

- Political cartoons
- Getty Images
- Popular movies, television shows
- Popular songs
- Trademarks

For further questions regarding these guidelines, please contact us or your respective school copyright experts.

**Typical timeframe for obtaining copyright**
Faculty typically budget one or several months to obtain all of their copyright materials, so it is very helpful to start sourcing for images and other content a month or so in advance of your class. If your class needs images that can be found mainly on public domain sites, this reduces the time needed to source for images, as faculty and teaching staff have found that it typically takes about 5-10 minutes to locate each public domain image.

If your course requires images that require permission, please plan to budget a longer period of time to obtain the images. It may take up to a week to receive an initial response from most journals and textbook publishers. The first response from a publisher may not necessarily be an immediate answer on whether permission is granted, as they typically need to conduct a few checks. The actual permission might take about a month to be fully cleared.

Sample Reprint Request

Here is an example of a reprint request:

-----Original Message-----
Sent: Monday, February 20, 2012 2:14 PM
To: PNAS Permissions
Subject: Permission to reprint request

[Name of Requester]
Address:
353 Serra Mall
Gates Building, Room 114
Stanford, CA 94305
Telephone: 443-255-1323
e-mail: email

Item we'd like to reprint:
PNAS volume 103, issue 38, pages 14062-14067
Article: Identifying regulatory mechanisms using individual variation reveals key role for chromatin modification
Authors: Su-In Lee, Dana Pe'er, Aimée M. Dudley, George M. Church, and Daphne Koller

We would like to reprint figure 4b.

Where it will be reprinted:
Free online machine learning course, ml-class.org
Authors / editors: Dr. Andrew Ng
Publisher: Coursera, Inc.
Retail price: Free access to material for students
Intended audience: Anyone interested in studying machine learning material
Coursera is a for-profit company.

We work closely with Dr. Daphne Koller, and already have her permission to reprint the material. Please let us know how to proceed.
Thank you,

- Name of Person making request