COPYRIGHT COMPLIANCE MADE SIMPLE:
SIX RULES FOR COURSE DESIGN

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Rule #1

If you own the copyright to the materials, you can use them in whatever manner you wish.

Rule #2

Copyright law does not protect some materials. You can use them in your courses (face-to-face and distance based) in whatever manner you wish. You may use:

• Blank forms;
• Works placed in the public domain by the creator;
• Works for which the copyright has expired;
• Works created by the federal government;
• Facts, formulas, theories, research methodologies and statistical techniques.

Rule #3

You are not allowed to use materials you acquired or accessed unlawfully.

Rule #4

You are not allowed to use materials you acquired or were given access to by someone else if you know or have reason to know that person obtained the materials or access to them in an unlawful manner.

Rule #5

If you own a copy of the materials, but not the copyright or you lawfully accessed (e.g. went to a web site) materials to which someone else owns the copyright, you may use them in your courses (face-to-face and distance based) if you use them:

• If the use is consistent with the rules governing fair use;
• In a manner that is consistent with their intended purpose (i.e. implied license);
• In a manner that is consistent with permission explicitly granted (i.e. express license);
• If you obtained permission and paid required royalties.

Rule #6

If the requirements of the TEACH Act are met, you may do the following in distance based courses:

• Transmit entire performances of nondramatic literary and musical works (e.g. everything but operas, musicals and music videos);
• Transmit any other performance as long as the portions transmitted are limited and reasonable;
• Transmit the display of any work as long as it is comparable to that typically used in face-to-face instruction.

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