USEFUL TIPS

**Copyright for Online Courses**

Using copyrighted material in your online course may create legal trouble that could result in heavy fines and embarrassment for you and the university. Following these guidelines will help you model best practices for your students.

**Can’t I use anything I find online?**

No, most everything you find online is protected by copyright. There’s no requirement that works include a copyright notice, so just because you don’t see the ©, doesn’t mean you can use it.

**If it’s been copied everywhere, that means it’s in the public domain, right?**

No, just because others may have copied a work doesn’t mean you can also copy it. Only a small percentage of work online is in the public domain. Publicly available ≠ public domain.

You can use anything that is in the public domain. CC0 (“CC zero”) marked works are in the public domain and don’t have to be attributed.

**What about fair use? I thought I could use anything if it was for education and posted in a restricted environment like our LMS?**

If sued, the university would certainly argue that your use of copyrighted work without permission was fair. But keep in mind that uses that are only illustrative are not usually fair. Unless your use is transformative – a remix, for example, or unless the work is itself the subject of your study, it is probably not fair. Use the [Texas State Fair Use Checklist](https://gato-docs.its.txstate.edu/jcr%3A94c0bed5-8898-49a3-ab53-8a7dd97faf97/FairUseChecklist_100912.pdf) to assess whether your use is fair.

**Audio-Video**

**I need music to play in my mini-lecture videos. Can I use any music I already own?**

No, just because you own a copy of a song doesn’t mean you can use it in your video. That kind of use requires a special license called a sync license. You can purchase those licenses, but I recommend finding music that is free-to-use instead.



You can use any music marked CC BY. CC BY means you are free to share and modify the music however you like. You only need to attribute it.

For music and video, [search Creative Commons](https://search.creativecommons.org/).

**Where can I find free-to-share video online?**   **I need to find video that explain key concepts or that illustrate important points in my course.**



YouTube has many free-to-share videos. Look for the CC BY logo when searching [YouTube](https://www.youtube.com/) or use the [search engine at Creative Commons](https://search.creativecommons.org/).

**I want students to watch an entire film – can I upload it if the library has the DVD?**

You can upload clips of a film under fair use, but not an entire film. If you need your students to watch an entire film, University Libraries can purchase a streaming license for it. In most cases, the university can’t convert a DVD to a streaming file without purchasing a streaming license.

**Can I link to videos or audio I find online?**

Linking to online videos or audio files is okay. Try to link to versions that have been uploaded by the copyright owner. In other words, try not to link to pirated versions. For example, if you want students to watch a Ted Talk, link to the video on the Ted Talk channel of YouTube or from the Ted Talk website, rather than to a version uploaded by an individual user.

**What about embedding video links?**

Embedding videos is okay. If you want to embed images, use CC0 or CC BY images. Embedding copyrighted images that are not free-to-share may be copyright infringement.

**Images**

**Where can I find photos and graphics that I can use? I want to find images that help make my PowerPoints more visually interesting.**

For images, search the [new search engine at Creative Commons](https://ccsearch.creativecommons.org/).

Find public domain vectors and clip art <https://publicdomainvectors.org/>.

[**Wikimedia**](https://commons.wikimedia.org/wiki/Main_Page) and [**Pexels**](https://www.pexels.com/)have CC0 public domain images that you can use without attribution.

[Google Images](https://images.google.com/) and [Pixabay](https://pixabay.com/en/) have many free-to-share images are licensed CC BY.

**What about cartoons or comics? I like to post funny cartoons.**

Most cartoonists will give you permission to use their cartoons for free if you send them an email. You can buy licenses for less than $20 to use many other cartoons at [Cartoonstock.com](https://www.cartoonstock.com). Unfortunately, all Dilbert cartoons are $100 per use.

**What about PowerPoints and other supplemental material like exams provided by the publisher? Can I upload those to my course site? Can I modify them?**

It depends on the publisher, but most allow upload to course sites. You will have to check the license agreement you have with the publisher (go to the site you downloaded the items from – read the Terms of Use, usually a link at the bottom of the page). The Terms of Use will determine whether you can upload them without additional permission and whether you can modify them. If the Terms of Use don’t specify, you should contact the publisher to ask permission before uploading the items.

**What about a PowerPoint I find online? Can I change it up and make it my own?**

No, you need to get permission from the creator to reuse and modify it first.

**Text**

**Can I upload a journal article? I want my students to read several journal articles I’ve found online.**

Link to the article rather than upload it. University Libraries subscribes to digital journal articles that you can link to. Just because the university subscribes to the journal, however, doesn’t mean you can upload a copy of the article to your course site.

**Can I upload a book chapter? I don’t want students to have to buy the whole book for a single chapter.**

If the amount is very small (4-6 % of the total book), you can rely on fair use to upload a chapter. If you need more than that, University Libraries may be able to purchase an ebook with unlimited access that you can link to.

**For more information and questions about copyright, contact the** **Copyright Officer****, Stephanie Towery or check out the resources available at the Texas State** [**Copyright Office**](http://www.library.txstate.edu/about/divisions/research-learning/copyright.html) **and the** [**Copyright Research Guide**](http://guides.library.txstate.edu/copyright)**.**