Fair Use Guidelines

- Established in 1976
- Copyrighted materials may be used without express permission of the copyright holder under certain conditions

Fair Use Guidelines

- Section 107 has four factors
  - Educational use/ non-profit
  - Nature of copyrighted work
  - Excerpt or portion of work
  - Cannot impair marketability
TEACH Act Changes (2002)

- Expands categories of works that can be performed in DE to limited & reasonable portions
- Removes concept of physical classroom
- Allows storage of copyrighted materials on a server to permit asynchronous performances & displays

TEACH Act Changes (cont.)

- Permits institutions to digitize works to use in distance education
- Clarifies that participants in DE courses are not liable for infringement

TEACH Act

- Part of mediated instruction under the supervision of an instructor
- Limits portions of works
- Restricts displays to amounts in live classroom
- Limits receipt of materials to enrolled students
- Requires application of technology protection measures
- Requires lawfully made or acquired copies of works
Piracy Deterrence and Education Act (2003)

- To enhance criminal enforcement of the copyright laws, educate the public about the application of copyright law to the Internet, and clarify the authority to seize unauthorized copyrighted works.

Important Reminders

- If over electronic network, obtain permission for copyrighted works incorporated in the program
- Always credit the sources