

A Creator's Rights

Essential Question

What rights do you have as a creator?

Lesson Overview

Students are introduced to copyright, fair use, and the rights they have as creators.

Students first watch a video of a young writer who talks about posting and protecting her original work online. Students then learn key vocabulary terms that will help them conceptualize issues surrounding creative work and copyright. Finally, students explore the copyright history of the “Happy Birthday” song and create an original happy birthday song of their own.

Learning Objectives

Students will be able to ...

- understand that copyright is a legal system that protects their rights to creative work.
- compare different ways people license their copyrighted work.
- create an original song, perform it in front of the class, and reflect on their copyright for the song.

Materials and Preparation

-  Preview the video “**Nicole’s Story – Copyrighting Creative Work,**” and prepare to show it to students.
- Copy the **411 for Creators Student Handout** and **The Truth About Happy Birthday Student Handout** for all students. If using audiovisual recording for “The Truth about ‘Happy Birthday’” activity, get the technology ready.
- Review the **Respecting Creative Work Teacher Backgrounder** and the **411 for Creators Student Handout – Teacher Version**.
- If completing the Extension Activity, copy and distribute the **Copyright Detectives Student Handout** to all students. Review the **Copyright Detectives Student Handout – Teacher Version** for guidance.

Family Resources

- Send home the **Respecting Creative Work Family Tip Sheet (Middle & High School)**.

Estimated time: 45 minutes

Standards Alignment –

Common Core:

grade 6: RI.7, RI.10, W.4, W.6, W.10, SL.1a, SL.1b, SL.1c, SL.1d, SL.2, SL.5, SL.6, L.6

grade 7: RI.10, W.4, W.6, W.10, SL.1a, SL.1b, SL.1c, SL.1d, SL.2, SL.5, SL.6, L.6

grade 8: RI.10, W.4, W.6, W.10, SL.1a, SL.1b, SL.1c, SL.1d, SL.2, SL.5, SL.6, L.6

NETS-S: 1a, 1b, 3a, 3c, 5a-c

Key Vocabulary –

creative work: any idea or artistic creation that is recorded in some form, whether it’s hard copy or digital

copyright: a law that protects your control over the creative work you make so that people must get your permission before they copy, share, or perform your work

Creative Commons: a kind of copyright that makes it easier for people to copy, share, and build on your creative work, as long as they give you credit for it

license: a clear way to define the copyright of your creative work so people know how it can be used

introduction

Warm-up (5 minutes)

ASK:

What is something you've made that you're proud of?

Sample responses:

- Poem or story
- Artwork
- Photo or video
- Song

Can you think of a time when you used someone else's work in something you created?

Sample responses:

- Books for school project
- Magazine photos in collage
- Photos in PowerPoint slideshow
- Video clips in a remix or music clips in a mash-up

teach 1

Learn About Copyright (5 minutes)

POINT OUT to students that they are all creators. Ask them to think about times they recorded an idea they had – whether they wrote something down, uploaded it onto the Internet, took a picture or video, or made something for class. Now ask them to think about a time when they've used things online that others have created, such as copying or downloading something from the Internet. Tell students that they will watch a video about a real girl who is a writer and shares her writing online.

▶ SHOW students the “**Nicole’s Story – Copyrighting Creative Work**” video.

ASK:

Why does Nicole want to share her writing online? What are the benefits for her?

Sample responses:

- She can get feedback on her writing.
- She can make a name for herself as a writer.
- She can get support from other writers.

What are the risks of Nicole sharing her writing online?

Sample responses:

- Someone can steal her writing and say they wrote it.
- Someone might use her work but not give her credit.
- People might leave mean comments.

teach 2

Introduce Key Vocabulary for Creators (15 minutes)

REMINDE students that once someone records an original idea, it is copyrighted. Copyright is an important law that helps protect the rights of creators so they receive credit and get paid for their work. Most things you find, download, copy, and paste from the Internet are copyrighted.

- You can use things you find online as long as you:
 - »check who created it
 - »get permission to use it
 - »give credit to the creator
 - »buy it (if necessary)
 - »use it responsibly
- If you aren't careful in how you use other people's work online, you might be stealing. (Students will learn the concept of stealing with terms like piracy and plagiarism in Teach 2.)
- It's great to be able to use things we find online, but we have to do it responsibly. We have to show our respect for other people's hard work and creativity by giving credit where credit is due.

DIVIDE students into groups of four or five and hand out copies of the **411 for Creators Student Handout** to each student. Review the Teacher Backgrounder for more information about the vocabulary, and review the **411 for Creators Student Handout – Teacher Version** for the answers.

REVIEW the vocabulary terms on the handout as a class. Have one student from each group take turns reading each definition aloud. Provide additional background information from the Teacher Backgrounder, if preferred.

SHARE answers to the fill-in-the-blank section on the student handout. Have students explain the correct answers.

REMINDE students that these terms are important for creators to know so that they can:

- protect their own creative work
- follow the rules of copyright law
- be respectful of how they use other people's work

teach 3

Copyright and Songs (15 minutes)

ASK:

What is a song that we all have sung at one point in our lives?

The answer that you will be looking for is the “Happy Birthday” song, but have some fun with this question by brainstorming popular songs, e.g., “Take Me Out to the Ballgame,” “The Star-Spangled Banner,” etc. If students don't guess the “Happy Birthday” song, give them clues. Then tell students that in the next activity they will examine the issue of copyright and “Happy Birthday.”

DISTRIBUTE the **The Truth About “Happy Birthday” Student Handout** to all students (still keeping them in groups) and have them read the directions and complete the activity.

Students can use a high- or low-tech option:

- *Low-tech: Students write down the lyrics and perform (sing) the song in front of the class.*
- *High-tech: Students write down the lyrics and record their song in audio or video using GarageBand or another audiovisual-creation tool. Play the recordings in front of the class.*

After students have completed and performed their song, have students complete Step 2 of the handout by thinking about how they would want others to be able to use their song.

INVITE students to share how they are willing to let others use their work. Will they let others copy, share, perform, change, or sell it? Students can also complete the “Use Common Sense!” final step by choosing a Creative Commons license for their song. (They will need Internet access for this activity.)

closing

Wrap-up (5 minutes)

You can use these questions to assess your students’ understanding of the lesson objectives. You may want to ask students to reflect in writing on one of the questions, using a journal or an online blog/wiki.

ASK:

Why is it important to give credit when using other people’s creative work?

Sample responses:

- It shows respect to the creator.
- It allows creators to get paid for their work in some cases.
- It helps others find out more from the original source.
- We want others to respect our own creative work, in turn.
- There are laws that protect other people’s creative work.

Why can’t you directly copy information from an online source, such as Wikipedia?

It is plagiarism if you copy another person’s words and don’t give proper credit.

Why do you seldom hear “Happy Birthday to You” sung on a TV show or in a movie?

The song is copyrighted. Therefore, users would have to pay royalties (a fee) to have actors sing the song.

A Creator's Rights

Directions

“411” stands for information. As a creator, you need information on how to protect and share creative work. Read the following definitions in class. Then, in small groups, read the sentences with the missing words. Choose the right word to fill in the blank. Each word is used once.

CREATIVE WORK: Any idea or artistic creation that is recorded in some form, whether it's hard copy or digital.

COPYRIGHT: A law that protects your control over the creative work you make so that people must get your permission before they copy, share, or perform your work.

CREATIVE COMMONS: A kind of copyright that makes it easier for people to copy, share, and build on your creative work, as long as they give you credit for it.

LICENSE: A clear way to define the copyright of your creative work so people know how it can be used.

PIRACY: Stealing copyrighted work by downloading or copying it in order to keep, sell, or give it away without permission and without paying.

PLAGIARIZE: Copying, “lifting,” or making slight changes to some or all of someone else's work and saying you created it.

PUBLIC DOMAIN: Creative work that's not copyrighted and therefore free for you to use however you want.

FAIR USE: The ability to use a small amount of copyrighted work without permission, but only in certain ways and in specific situations (schoolwork and education, news reporting, criticizing or commenting on something, and comedy/parody).

1. Amy decided to _____ her paper for class by copying and pasting from Wikipedia and saying she wrote it.
2. Because Zoe used a small amount of a movie in a remix video she made that pokes fun at the main character, she could say it's _____ .
3. Robbie found a photo in the _____ that's no longer copyrighted, so he could use it however he wants.
4. Angela has a Flickr page with all of her photos, and in order to define for others how she wants her photos to be used, she created a copyright _____ that is listed on her page.
5. Alex had an idea for a poem in his head for the longest time, but once he finally wrote it down it instantly had a _____.
6. Eric uses a program where he “rips” movies and “burns” them to DVDs, which he then sells to friends. What Eric is doing is called _____ .
7. When Dwayne used a kind of copyright to make it easy for others to copy and share his video, he was using _____ .
8. Books, movies, music, websites, games, and pieces of art are all examples of _____ .

A Creator's Rights

Directions

Pretend you are a detective. You have to decipher the meaning behind some mysterious symbols at the end of the video, "Whose Is It, Anyway?" Your assignment: Figure out what these symbols mean, and what they have to do with copyright!

1. Who created this video? _____

2. Draw the symbols at the end of the video in the space below.

3. Copy the website URL listed at the end of the video.

4. Visit the website. Can you find out what the symbols mean? Write the meaning of each symbol next to your drawing. Write the name of each license below its symbol.

5. If you wanted to use this video, what does the Creative Commons license say you can and can't do? Use your own words.

You can:

You can't :

Use Common Sense!

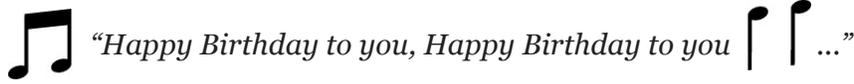
Authors use Creative Commons to specify how their work can be used. Some authors are stricter than others about their work. Remember, when you want to copy, paste, share, or use something, you should follow these steps:

1. **ASK.** How does the author say I can use the work? Do I have to get the creator's permission first?
2. **ACKNOWLEDGE.** Did I give credit to the work I used?
3. **ADD VALUE.** Did I rework the material to make new meaning and add something original?



A Creator’s Rights

Directions



Did you know that until recently, the song “Happy Birthday” was copyrighted? Two schoolteachers published the song in 1893; it was originally called “Good Morning to All” and had different lyrics. Over the years, the song’s copyright was extended. People who wanted to use it in a movie or perform it in public had to pay a license fee.

For years, this presented a problem for anyone wanting to use the song. For example, say you were a filmmaker with barely any money. But you wanted to use the “Happy Birthday” song in your film. You might have had to pay thousands of dollars in license fees!

Another option would have been to make a unique happy birthday song of your own.

Step 1: Pretend it’s 1989. You are an independent filmmaker who wants to avoid paying thousands of dollars in fees. In small groups, come up with original lyrics, a melody, and a beat. Write your song lyrics below. You also could record the song or make a video of it. Then perform it to the class. But remember, if it’s too close to the original, it could be considered plagiarism, and that’s against the law. So be original!

Song Title _____

Authors _____

Lyrics

Step 2: Congratulations! Now that you have put your song into recorded form, it's copyrighted. Have you thought about how you want other people to be able to use it? If you stick with a regular copyright license, people will have to get your permission before they can copy, share, or perform your song. If you choose a Creative Commons license, people can copy, share, and even change your song or make money from it, depending on your conditions. Look at this list and discuss with your song cowriters what you will allow others to do with your song.

Copy

Share

Perform

Change/Alter

Sell

Use Common Sense!

Take it one step further and commit to what kind of copyright license you will use for your song. If you want to use a Creative Commons copyright, you can create a license online for your song. Visit the Creative Commons website (<http://creativecommons.org/choose>) and answer the questions, and it will automatically create the right Creative Commons license for your song.

Because issues surrounding copyright and fair use are complex, we've provided some background on **vocabulary terms** and **concepts** that are used throughout our lessons on Creative Credit & Copyright.

creative work

Any idea or artistic creation that is recorded in some form, whether it's hard copy or digital.

Additional background:

- As a creator, you've probably written, photographed, filmed, or made many artistic creations throughout your life. Any idea you put down – whether it's your best idea or not, and whether it's in hard copy form or not – counts as creative work.
- Examples: pieces of writing (books, poems, papers, articles, blogs, reviews, etc.), photos, videos, music, websites, online profiles, and artworks.

copyright

A law that protects your control over the creative work you make so that people must get your permission before they copy, share, or perform your work.

Additional background:

- When you have an idea and record it, it's instantly copyrighted. You have the right to decide how others use your creative work. Nobody else can pretend it's theirs – or copy, share, or perform your work without your permission. Copyright makes sure you get credit for your work.
- It does not matter if a work is in hard copy or digital form, it is still copyrighted.
- All recorded work is automatically copyrighted, even if it doesn't have the "C" copyright symbol. Registering your work with the U.S. Copyright Office isn't necessary, but it makes it easier for legal protection.
- Ideas, common knowledge and facts, U.S. government documents, works in the public domain, and spontaneous acts of expression aren't copyrighted.
- If someone wants to use a copyrighted work, unless it says otherwise, they have to first get permission from the creator. To get permission, you can email, call, or write a letter to the creator. The University of Texas has a thorough explanation of how to get permission. (The only exceptions to this are fair use, public domain, and Creative Commons.)

creative commons

A kind of copyright that makes it easier for people to copy, share, and build on your creative work, as long as they give you credit for it.

Additional background:

- The key here is that a regular copyright is an "all rights reserved" model, and Creative Commons is a newer, "some rights reserved" model more suitable for online sharing. If someone uses a Creative Commons license, they are allowing for more flexibility with their copyrighted work to be copied and shared.
- There are different kinds of Creative Commons licenses that allow people to do things such as change, remix, or make money from your work. You pick and choose how you want your work to be used, and then create a Creative Commons license (which function as symbols) that you include in your work. For instance, you might say someone can use your work as long as that person doesn't make a profit from it, or as long as the person doesn't alter or change it.
- It is important in all cases to acknowledge and give credit to the work you use – whether it is regular copyright, Creative Commons, or fair use.

license

A clear way to define the copyright of your creative work so people know how it can be used.

Additional background:

- You probably know that you need a license to drive a car. The license gives people permission to drive.
- In the same way, when you have a copyright license, this tells people how they have permission to use your copyrighted work. You might use a regular copyright license, or you might use a Creative Commons license.
- Some creators charge a “license fee” to others who want to use their copyrighted work, which helps them get credit and make money from the usage.

piracy

Stealing copyrighted work by downloading or copying it in order to keep, sell, or give it away without permission and without paying.

Additional background:

- Piracy includes illegally downloading, copying, and sharing creative works such as music, movies, games, and software by using peer-to-peer sharing websites and programs that “rip” content.
- Piracy is illegal, and you can face heavy fines or other legal consequences for engaging in it. It’s called piracy because it’s stealing.
- To avoid unintentional piracy, use trusted online sites to purchase content. You can also find sites that allow you to get content for free. See Mashable’s list of music that is free and legal.

plagiarize

Copying, “lifting,” or making slight changes to some or all of someone else’s work and saying you created it.

Additional background:

- As all teachers know, plagiarism is a huge problem in schools. Talk to your librarian about how your school handles plagiarism, as well as how students should properly cite information.
- If you copy, paste, or change a few words of something and say that you wrote it, it is still plagiarism.
- To avoid plagiarism, be sure to say things in your own words, cite direct quotes by using quotation marks, and acknowledge the authors’ ideas you discuss by giving them credit.

public domain

Creative work that’s not copyrighted and therefore free for you to use however you want.

Additional background:

- Copyrights don’t last forever. In most cases, they expire 70 years after the death of the creator. So things that are hundreds of years old are not copyrighted anymore.
- There are many creative works available in the public domain that you might not know about. When searching for photos, music, artwork, and video, look for the ones that are in the public domain. Ask the librarian about public domain content available through the school. For example, Wikipedia has a list of public domain images resources.

fair use

The ability to use a small amount of copyrighted work without permission, but only in certain ways and in specific situations (schoolwork and education, news reporting, criticizing or commenting on something, and comedy/parody).

Additional background:

- Fair use can only be applied in certain situations and in certain ways.

- In specific situations:
 - » Schoolwork and education
 - » News reporting
 - » Criticizing or commenting
 - » Comedy and parody
- In certain ways:
 - » Using a small amount (not the whole thing)
 - » Adding new meaning and making it original. (The work should not be copied and pasted but used to help students express their own ideas.)
 - » Reworking and using material in a different way. (The work should be “reworked” in a new way, different from the original purpose and context.)
- Fair use means that using copyrighted works in specific situations does not require permission, and it allows you to build on, rework, and comment on or critique the creative work of others.
- Fair use is not a clear-cut issue, but requires critical thinking and depends on the specific situation. In all instances, fair use has to do with reworking the copyrighted work in a way that makes something new and original.
- You should be able to defend that something is fair use by making sure it falls under the specific situations allowed and is used in the approved ways.

Ask, Acknowledge, Add Value

This process provides students with a framework to guide their thinking when using others’ creative work. It is particularly helpful when talking about how students can use others’ work in their own creations.

Ask

How does the author or artist say I can use the work? Do I have to get the creator’s permission first?

Guide students to look carefully and ask questions about the copyrighted work around them. Creators have different ways they allow their work to be used and shared. Some creators use an “all rights reserved” approach, requiring permission from anyone who wants to use their work. If students want to ask for permission to use copyrighted work, they would have to contact the creator through email, letter, or phone and have a clear explanation as to why and how they want to use it. Other creators hold a “some rights reserved” approach in line with Creative Commons that allows people to share, copy, or even distribute, change, or remix their work, as long as the creator is acknowledged and given credit. And some creators donate their work to the public domain so it can be used freely in any way. Finally, if someone is creating something that falls under fair use, that person does not have to get permission first.

Acknowledge

Did I give credit to the work I used?

Guide students in all cases to acknowledge and cite the work they use. Whether they are using copyrighted work with permission, or whether it’s fair use, acknowledging the creator is a sign of being a responsible and respectful creator. To acknowledge someone’s work, students can include the creator’s name, title of the work, and year it was made at the end of a paper or in the credits. Follow the citation style used by your school.

Add Value

Did I rework the material to make new meaning and add something original?

Guide students to consider whether their use of copyrighted work helps them express their own ideas. Have they simply copied the work and repeated the same ideas? Or have they used the work in a way to help them express an original idea in their own words?

A Creator's Rights

Directions

The goal of this activity is for students to become familiar with key terms and to identify their definitions in real-life examples. Review the Key Vocabulary definitions on the **411 for Creators Student Handout** with students. Provide additional background information from the **Respecting Creative Work Teacher Background** as needed.

1. Amy decided to _____ her paper for class by copying and pasting from Wikipedia and saying she wrote it.

Answer: PLAGIARIZE

2. Because Zoe used a small amount of a movie in a remix video she made that pokes fun at the main character, she could say it's _____.

Answer: FAIR USE

3. Robbie found a photo in the _____ that's no longer copyrighted, so he could use it however he wants.

Answer: PUBLIC DOMAIN

4. Angela has a Flickr page with all of her photos, and in order to define for others how she wants her photos to be used, she created a copyright _____ that is listed on her page.

Answer: LICENSE

5. Alex had an idea for a poem in his head for the longest time, but once he finally wrote it down it instantly had a _____.

Answer: COPYRIGHT

6. Eric uses a program where he "rips" movies and "burns" them to DVDs, which he then sells to friends. What Eric is doing is called _____.

Answer: PIRACY

7. When Dwayne used a kind of copyright to make it easy for others to copy and share his video, he was using _____.

Answer: CREATIVE COMMONS

8. Books, movies, music, websites, games, and pieces of art are all examples of _____.

Answer: CREATIVE WORK

A Creator's Rights

Directions

In this activity, students explore the meaning behind a Creative Commons license. For more on Creative Commons, see **411 for Creators Student Handout – Teacher Version**. For Step 4, you can either have pairs of students go online, or you can visit the Creative Commons website as a class. The goals of this activity are for students to: (1) recognize that Creative Commons is a kind of copyright license in which creators can have people copy and share their work as long as the creators get credit, (2) discover the specific ways creators can license their work using Creative Commons, and (3) understand that they should be mindful and respectful of copyright licenses and how creators want their work to be used. Sample student answers are listed in italics.

1. Who created this video? **Common Sense Media**
2. Draw the symbols at the end of the video in the space below.
(Students should see the following symbols and draw them on their handouts.)



CC = *Creative Commons, an organization that made this new form of copyright that allows creative work to be used in a more flexible way (Creative Commons)*

BY = *You must give credit to the author in the way they've described in the license (By the Author)*

NC = *You can't use this work if you earn money from it by selling it (Non-Commercial)*

ND = *You can copy and use this work as is, but you can't change it or build on it (Non-Derivative)*

3. Copy the website URL listed at the end of the video. (<http://creativecommons.org/licenses/by-nc-nd/3.0>).
4. Visit the website. Can you find out what the symbols mean? Write the meaning of each symbol next to your drawing above. Write the name of each license below its symbol.

Attribution-NonCommercial-NoDerivs (Derivative Works)

5. If you wanted to use this video, what does the Creative Commons license say you can and can't do? Use your own words. (Guide students to make the connection that Creative Commons is a kind of copyright that helps creators share their work more freely than a regular copyright license. Creative Commons helps authors pick and choose the ways that others can use their work. The only catch is that students must acknowledge and give credit to the Creative Commons work they use.

You can:

- *Copy the video*
- *Share it*

You can't:

- *Change it in any way*
- *Build on it or change it*
- *Use it to make money*

Use Common Sense!

Creative Commons is a way that authors can be specific about how their work can be used. Some authors are stricter than others about their work. Remember, when you want to copy, paste, share, or use something, you should follow these steps:

1. **ASK:** How does the author say I can use the work? Do I have to get the creator's permission first?
2. **ACKNOWLEDGE:** Did I give credit to the work I used?
3. **ADD VALUE:** Did I rework the material to make new meaning and add something original?

A Creator's Rights

.....

1. The word *plagiarize* means:

- a) Copying or slightly changing someone else's work and then saying you created it
- b) Copying or slightly changing someone else's work and then giving that person credit
- c) Downloading material illegally from the Internet

2. A _____ is a law that helps protect your control over your creative work.

- a) piracy
- b) copyright
- c) permit

3. Ellen wants to keep some control over the photos she puts online, but she also wants to make it easy for people to share and use them. Ellen should use _____.

- a) Creative Commons
- b) public domain
- c) Collective Copies

A Creator's Rights

1. The word *plagiarize* means:

- a) Copying or slightly changing someone else's work and then saying you created it
- b) Copying or slightly changing someone else's work and then giving that person credit
- c) Downloading material illegally from the Internet

Answer feedback

The correct answer is **a**. You can avoid plagiarizing by properly crediting other people's work.

2. A _____ is a law that helps protect your control over your creative work.

- a) piracy
- b) copyright**
- c) permit

Answer feedback

The correct answer is **b**. A copyright legally protects your rights to your creative work, and tells other people how they can use it.

3. Ellen wants to keep some control over the photos she puts online, but she also wants to make it easy for people to share and use them. Ellen should use _____.

- a) Creative Commons**
- b) public domain
- c) Collective Copies

Answer feedback

The correct answer is **a**. A Creative Commons license is a kind of copyright that makes it easier for people to copy, share, and build on your creative work, as long as they give you credit for it.