

# Course Support for the Development of Social Media Literacy in schools

Copyright – an introduction

Protection

The author's rights

Exceptions and limitations to the copyright rules

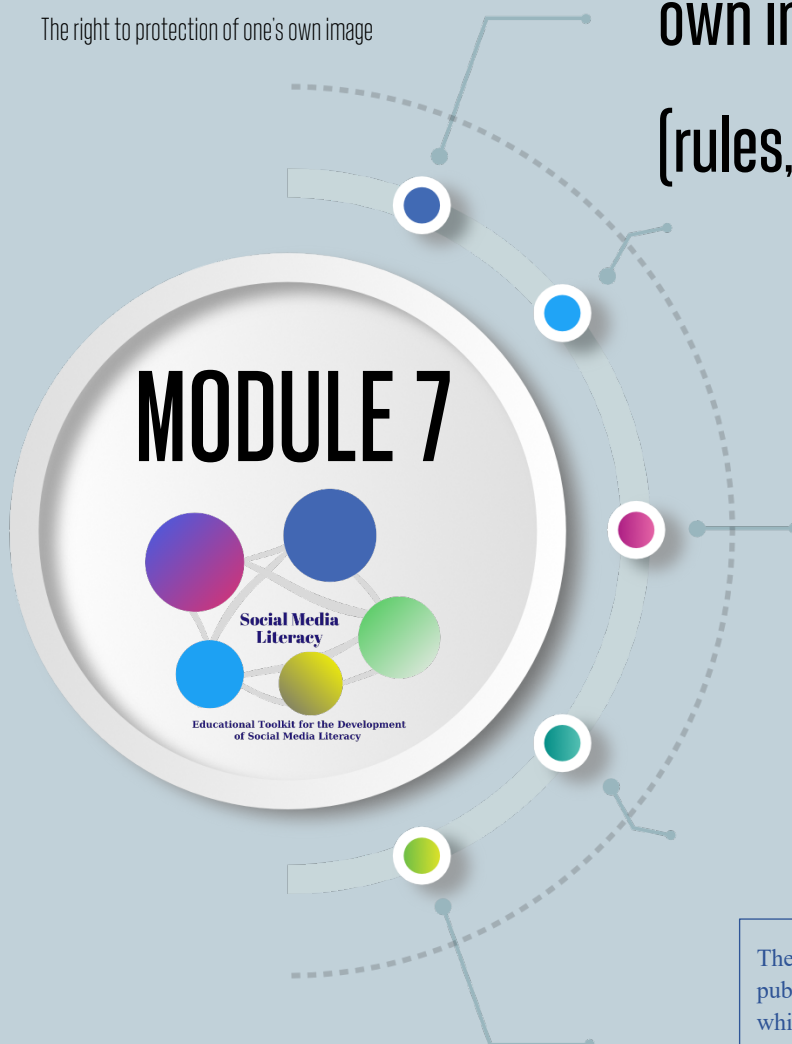
How to legally use copyright protected materials?

What about links to copyright protected content?

Copyright Infringements

The right to protection of one's own image

## Copyright & the right to one's own image (rules, limits, freedoms)



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## Module aim

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Nowadays, teachers no longer solely teach their classes 'offline'. In an attempt to make their lessons more engaging for the students, they regularly turn to social media. This is no unnecessary luxury since a large part of the students' lives takes place there.

Social media is packed with content, such as images, videos, music, text etc. Social media is – much like the entire world wide web – characterised by the ease of sharing and duplicating. Therefore, social media can serve as support material for the lessons, as well as a useful tool to exchange own or existing material. Often students turn to social media to look for certain content in light of their school work (articles, presentations, reports etc.).

It is a common misconception that once you post something on social media, it is out there and free to use by anyone. This is where copyright comes into play. Due to copyright law you cannot simply take any content you encounter on social media and use it for your own purposes. If you do, chances are that the copyright holder will exercise its rights against you.

Nowadays, the use of materials protected by copyright is essential to the learning process. The aim of this module is therefore to familiarise both teachers and students with the concept of copyright. They will be introduced to the basics and essentials of copyright law and will learn how to engage with the legal framework and concepts of copyright. The ability to apply the copyright rules in light of one's own social media activities is central to this module. It empowers students to critically assess which content on social media they can or cannot use and what the risks are of wrongfully using other people's content.

**Number of hours: 2h**

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## Learning Outcomes

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- 7.1 Awareness concerning the fact that you are not free to copy, download or share all information on social media**
- 7.2 Understanding the concept of copyright**
- 7.3 Introduction to the legal framework concerning copyright**
- 7.4 Lawfully making use of social media content, applying the copyright rules, limits and alternatives in a social media context**
- 7.5 The ability to apply creative commons**
- 7.6 Understanding the terms and conditions of various social media platforms**
- 7.7 Awareness regarding the consequences of infringement**
- 7.8 Understanding the right to protection of one's own image and the difference with copyright**





# Training Material

## 01. Copyright – an introduction

### WHAT IS COPYRIGHT?

Copyright is a very important intellectual property right that also applies in a social media context. It grants a creator exclusive control over the use and distribution of his work. A work can be used in many different ways: it can be copied, adapted, recited, exhibited, broadcasted, performed, shared etc. Copyright ensures that only the person who created the work (i.e. the author), may perform such actions with the work. If others want to use the work, they will have to obtain permission from the author and possibly pay a fee. However, there are exceptions to this.

### WHY DO COPYRIGHT RULES EXIST?

The underlying reasons for the existence of copyright rules are twofold:

- A person who has made an intellectual effort to create an original work (e.g. a painting, a poem, a video...) must be granted some kind of ownership of that work. This allows the author to exclusively decide what happens to his work;
- There are also economic motives to justify the existence of copyright protection. Creating works often requires plenty of time, money and effort. The copyright rules ensure that people who make such investments receive compensation for the use of their work, allowing the creators to make a living. In this way copyright is both an incentive to and a reward for creativity, benefitting society at large.

### WHO IS THE AUTHOR?

The author is the person who has actually created the work and is the initial owner of copyright.





The notion of ‘author’ in a copyright context is to be interpreted in a very broad manner, it can be painters, cartoonists, writers (of books, articles, blogs etc.), photographers, composers, songwriters, video makers, illustrators, webdesigners etc. An author is always a physical person and never a legal person (e.g. a company).

In case several people contributed to the creation of the work, every person who has made a substantial contribution to the joint work will be regarded as a co-author and will thus enjoy copyright protection.

## 02. Protection

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### WHAT IS PROTECTED?

Photographs or images, music, text,... Copyright protects a broad range of works such as literary, artistic and scientific works created by individuals. All categories of works can be protected as long as they meet two essential requirements: the work must be expressed in a concrete form and it must be original. The idea can be banal as long as the expression is original.

#### 1. The work must be expressed in a concrete medium:

This means that ideas, thoughts, principles, methods, theories and conceptions, as such, are never protected by copyright. To be eligible for copyright protection, ideas etc. must be expressed in a certain form. This expression does not have to be on paper or another tangible medium, it can also be an oral expression.

#### 2. The work must be original:

A work that is expressed in a concrete form, additionally has to be original in order to enjoy copyright protection. Do note that this does not mean that the work has to be of any artistic value, it only has to be the product of intellectual effort by the author and it should be an expression of the author’s personality. This threshold is usually met if choices were made, and those choices were not automatic. The originality requirement also does not mean that the work has to be novel.





For example: when two persons independently take a picture of the same object or landscape, from the same angle, both of their works are copyright protected. If one of these photographers, however, would have used the other's work as an inspiration, this would be a reproduction or adaptation, for which permission from the original author is needed.

### HOW IS CONTENT COPYRIGHT PROTECTED?

With the creation of the work, authors automatically obtain the copyright to that work. No formalities need to be completed. There is no authority that checks in advance whether the work is original or not. In case a dispute arises, the court will have to rule on this.

### DURATION OF PROTECTION?

In general in Europe, works that are original and expressed in a concrete medium, will be protected for a period of 70 years after the death of the (last surviving) author. After this period, the works will become part of the public domain where they are free to use without the need to ask for permission.

For example: the copyright on the Mona Lisa has already expired, which means that the Mona Lisa is in the public domain, free to be used. However, teachers and students should be careful when posting a picture of this painting on social media. Even though the copyright on the painting has expired, the photographer might still enjoy copyright.

### HOW DO YOU KNOW IF A WORK IS COPYRIGHT PROTECTED?

#### Indications of copyright protection:

- Copyright notice, watermark or the use of creative commons?
- „All rights reserved” mentioned?
- Check databases of collective management organisations

If none of the above, that still does not mean the work is not copyright protected. It is best to always be careful and follow the copyright rules.





### 03. The author's rights

By creating an original work, the author obtains certain exclusive rights: moral rights and economic rights.

#### MORAL RIGHTS

Moral rights are not harmonised at EU level, which means they can be different in each country. They usually include the following rights:

- The right of paternity (i.e. the right to be identified as the author)

For example: a student can demand to be mentioned as the author for his or her essay or picture posted on the school's social media. He or she can also demand that his or her name is not mentioned or replaced by a pseudonym.

- The right to decide on when or whether to make the work public
- The right to integrity (i.e. the right to object to any derogatory action in relation to the work)

These rights cannot be transferred in their entirety, nor in general wording, they always stay with the original author.

#### ECONOMIC RIGHTS

The economic rights allow the author to exploit his work by concluding agreements regarding certain uses of his work. When you would like to use (a part of) someone else's work, you will always have to ask for permission from the author (or his heirs) or the person or organization to which all or certain rights have been assigned (i.e. collective rights management organization). These economic rights can be categorized into two main groups of rights: the reproduction right and the right of communication to the public.

The reproduction right covers any form of use of the work that produces a tangible result, e.g. a copy, a video recording, a book, a CD, a print on a T-shirt,... While the right of communication includes every way of using a work in a non-tangible form, i.e. without obtaining a copy of it (e.g. live performances, communications to the public through media).





The use of social media involves both acts of reproduction and communication to the public. Students or teachers who download, store and/or print material from the internet make reproductions of the works concerned.

For example: A teacher who posts a poem on social media, makes one or more reproductions (e.g. typing, scanning, storing on the computer) and makes a communication to the public (by making the work available to social media users). To the extent that this concerns copyright protected works, the permission of the author must be requested for all these acts. This also applies to works created by students in a school context, these works are allowed to be uploaded on social media on the condition that the students (and their parents) consent to this reproduction and communication.

## 04. Exceptions and limitations to the copyright rules

The basic rule is that any use of a copyright protected work requires the consent of the copyright holder. However, a consistent application of this rule could lead to undesirable consequences for society at large, in particular in the field of culture and education. There are a number of exceptions to the author's exclusive rights, which ensure that users can still perform certain actions without the author's permission. Important to note is that these exceptions can differ from country to country. For a brief overview of the situation in each EU country, check out [https://copyrightexceptions.eu/#Art.%205.3\(a\)](https://copyrightexceptions.eu/#Art.%205.3(a)).

Below you can find the most important exceptions and limitations within a school context.

### 4.1. Illustration for teaching or research

Every EU country has implemented exceptions to copyright for educational purposes but the modalities of this exception can differ in each country (e.g. which types of use are allowed?, is a remuneration required? Etc.).

The exception for the sole purpose of illustration for teaching should be understood as uses of copyright protected works to support, enrich or complement the teaching, including learning activities. In most cases, the concept of illustration would imply the use only of parts or extracts of works, which should not substitute for the purchase of materials primarily intended for the educational market. Unless it is impossible, the source, including the author's name, should be indicated.







The use of copyright protected works under the illustration for teaching exception only applies in the context of teaching and learning activities carried out under the responsibility of educational establishments, including during examinations or teaching activities that take place outside the premises of educational establishments, for example in a museum, library or another cultural heritage institution, and should be limited to what is necessary for the purpose of such activities. The exception covers uses of works made in the classroom and in other venues through digital means, as well as uses made at a distance through secure electronic environments (i.e. username and password protected digital teaching and learning environments).

MORE CONCRETE: WHAT IS ALLOWED IN CLASS?

This copyright exception enables teachers and students to do things like:

- Showing a video, movie or an image in class
  - If in a closed class context (limited audience)
    - No remuneration
  - If during a public exam
    - No remuneration
- Providing a reader with text fragments or copying and distributing newspaper articles
  - If used as an illustration for education
  - To the extent justified by the non-commercial purpose to be achieved
  - It does not detract from the normal exploitation/sale of the work
- Uploading copyright protected materials on e-learning platforms
  - If on a closed transmission network of the school (i.e. with a password and login name), for example Toledo
  - If by educational institutions officially recognized by the government
  - If in the context of the normal educational activities of the school
  - It does not detract from the normal exploitation/sale of the work
  - indication of the source, including the author's name, unless impossible





## 4.2. Quotation

Quotations for purposes such as criticism, polemics, review, education or scientific work are allowed, provided that they relate to a work which has already been lawfully made available to the public, that, the source, including the author's name, is indicated (unless impossible), and that their use is in accordance with fair practice, and to the extent required by the specific purpose.

The most important condition is that it has to concern a quotation or a short clip. The permissible length of such a quotation depends on the circumstances, such as the length of the original work and the purpose of the quotation (e.g. two lines of a poem or 10 pages from a 100 page document).

Quotations within teaching materials are usually allowed, as long as this happens in a non-commercial context.

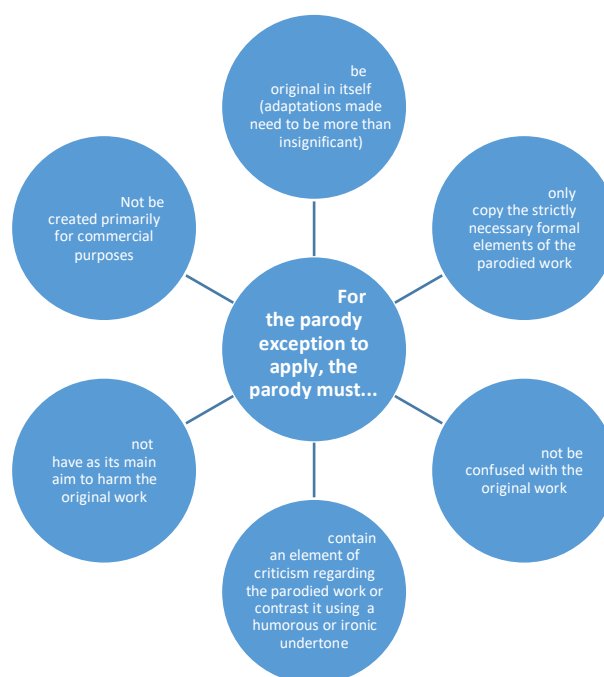
For example: a teacher or student can post part of a geographical map or movie on the school website or social media for purposes of an assignment, while showing the entire map or movie is not permissible.

Every EU country has implemented this exception, however the extent and conditions can differ in every country.

## 4.3. Caricature, parody or pastiche

- Parody: imitation of a work for humorous or satirical effect, commenting on the original work, its subject, author, style, or some other target
- Pastiche: a style imitation in the form of a musical or other composition
- Caricature: a simplified or exaggerated representation, which may be insulting or complimentary and may serve a political purpose or be solely for entertainment





If the parody does not meet these requirements, the work will not be able to enjoy the exception, and will constitute a copyright infringement of the copyright.

EU Member States are free to choose to implement this exception, so again national discrepancies exist.

#### WHAT ABOUT MEMES AND GIFS?

Memes and GIFs internet jokes consisting of adaptations of copyright protected pictures or videoclips (e.g. the photographer or illustrator holds the copyright on the picture or drawing used for the meme). Nevertheless, such content can be made and shared on social media platforms without constituting copyright infringements because they serve purposes of quotation, criticism, review, caricature, parody and pastiche.

#### 4.4. Private use

In most countries, small numbers of copies and/or the making available of copyrighted work for private use is exempted from the copyright rules (including purposes of research or private study).

Teachers cannot rely on this exception within the classroom because this is not considered to be a private environment. However, these exceptions are still relevant for students and teachers in the context of class preparation (teachers) and doing school work (students) at home.



<b>Private copy</b>	<b>Communication or making available for the purpose of private study</b>
Reproductions made on any medium	Communication or making available
By a natural person (no company or organisation)	For the purpose of research or private study
For private use	To individual members of the public
For non-commercial purposes	By dedicated terminals on the premises of publicly accessible libraries, educational establishments or museums or archives
Rightholders receive fair compensation	Works which are not subject to purchase or licensing terms
<i>Apart from the UK, implemented by every EU country</i>	<i>Not implemented by every EU country</i>

## 05. How to legally use copyright protected materials

Not every use of a copyrighted work is an infringement.

### 5.1. Asking permission

#### LICENSING

If you take a photo, create a video or write a text and upload it online, anyone who wants to make use of that photo, video or text will, in principle, have to obtain an individual license with you. And, vice versa, if you have determined that the work you wish to use is copyrighted, you must obtain permission from the author before you may use it. In certain cases you will also have to pay a fee to the author. Authors can choose to rely on collective management organizations to manage their rights. These organizations provide services such as granting licenses to commercial users on behalf of the author, monitoring the use of rights and collecting and redistributing royalties. Do note that collective management organizations are of a national nature and they usually license rights for their own territory.





## HOW TO ASK PERMISSION?

It is possible to ask permission through an official letter or through e-mail.

When you want to use a work you encountered on the internet, try to find an (e-mail)address. If you cannot identify the author of the work, try to find out by sending an e-mail or message to the website on which you found the work.

Important to note is that you need explicit permission from the author or collective management organization. This means that if you do not receive a reply, you cannot use the work.

When you do obtain permission from the author to use his work, you can only use it to the extent you received permission. Therefore, always think carefully about what use you want permission for.

For example: if you have asked permission to use a work for non-commercial purposes, you are not allowed to use that work for commercial purposes.

## 5.2. Terms of use social media

### A LICENSE

A common misconception is that pictures, videos, essays and other materials placed on social media are free to use by anyone. This is not the case when the materials concerned qualify as copyright protected material, i.e. if they are an original expression of the creator's ideas. In this regard, textual posts on social media are often fairly short, which makes it less likely – yet not impossible – to be seen as original.

For example: tweets can only consist of a maximum of 140 characters, which usually results in simple and trivial content which is not copyright protectable. However, if the 140 characters were used in an original way, copyright does apply.

Retweeting a copyright-protected tweet in principle constitutes copyright infringement. However, Twitter's terms of use provide that copyright protected tweets may be reused.

When you create an account on a social media channel, you agree to their terms and conditions. By doing this, you actually sign a license agreement between you and the social media platform. The terms and conditions state that the social networking site will obtain a non-exclusive and unlimited





license to reuse your content. This is necessary to allow social media to function: to show your content and to give other users the opportunity to share your content via a share/retweet button. This does not mean that content on social media is free from copyright, the original creator retains copyright on his original content.

#### HOW TO LEGALLY REUSE SOCIAL MEDIA CONTENT?

On social media you are allowed to share other users' content, but mainly by using the share buttons within the social media channel or on a website. Downloading such content is only allowed for private purposes, in the event of which you are not allowed to upload it again to share with others. Another solution would be to ask permission from the original author to use the content in a way that is different from clicking the share or retweet button.

#### SOCIAL MEDIA PLUGINS ON EXTERNAL WEBSITES

If a website makes use of social media share buttons in the context of an article, you may assume permission to share the content on social media.

### 5.3. Creative commons (CC)

#### WHAT?

The principle underlying copyright is that all rights with regard to a work are reserved to the author: he has the right to reproduce his work and communicate it to the public. If you wish to use his work, you may only do so with the author's permission. Nevertheless, it can be desirable to share your work with a large number of people, for example to make a name for yourself, to enjoy a wider exposure, for the further development of your ideas. In order to stimulate the distribution of copyrighted works via the internet without infringing copyright, the Creative Commons licenses were created.

Creative Commons licenses are standard licenses which can be applied to works such as blogpost, images, videos, artwork, journal articles etc. and which aim to promote the sharing, adapting and reusing of protected works. By using these licenses, it is immediately clear for internet users under which conditions the work may be used, shared and adapted without the need to ask individual permission from the author.

#### SYMBOLS?





CC licenses consist of 4 symbols that set out what you can and cannot do with a copyright protected work.



**Attribution:** this symbol means that you have to attribute the work to the right holder (i.e. mention the author). This is an essential condition that you will have to comply with under every CC license.



**ShareAlike:** any adapted creation can be distributed but it has to be done under the same licensing terms (i.e. the same cc license). The purpose of this license is to ensure that regardless of the shape of the work, it is always licensed for reuse.





**No commercial use:** with this symbol the copyright holder limits the use of his work to non-commercial purposes only. This way he retains the ability to profit from his work by entering in a commercial agreement.







**No derivative works:** this license allows the copyright holder to prevent that his works are adapted or changed.

With these 4 symbols, 6 combinations of licenses can be made:

Licenses	What can you do?	Example: <i>For the cover page of an essay about your favourite hobby you want to use a picture of a monkey playing tennis that you found online. However, you see that the photographer has made use of cc licensing.</i>
	You are allowed to use, spread, adapt etc. the work, even for commercial purposes, as long as you mention the name of the original author.	If you see this license, you are free to use the picture under the condition that you give credit to the original creator.
	You are allowed to use, spread, adapt etc. the work, even for commercial purposes, as long as you mention the name of the original author	If you encounter this license, you can use the picture for your essay but you do not only have to mention the name of the author, you also



	and you share your work under the same cc license.	have to share your work under this license.
	You are allowed to use, spread, adapt etc. the work, as long as it is not for commercial purposes and you mention the name of the original author.	You can still use the picture since you are writing the essay in a school context and are not planning to make money out of using the picture. As always, you need to mention the name of the original author.
	You are allowed to use, spread, adapt etc. the work, as long as it is not for commercial purposes, you mention the name of the original author and you share your work under the same cc license.	See above + you also need to share your work under the identical license.
	You are allowed to reuse the work, both for commercial and non-commercial purposes, as long as you do not adapt the work in any way and you mention the name of the original author.	You can use the picture of the tennis playing monkey, as long as you do not photoshop the picture or make any other adaptations.
	You are allowed to reuse the work, but only for non-commercial purposes and as long as you do not adapt the work in any way and you mention the name of the original author.	See above + not for commercial purposes.





## DURATION

When an author shares his work online under one of the six CC licenses, this license is valid worldwide. The duration of the license corresponds with the duration of copyright, unless the licensee violates the terms of the license (then the license may be terminated with respect to that person).

In case the author changes his mind, he can decide to no longer offer his work under the initial CC license from that moment on. This does not affect those who have used the work under the terms of that license. In the future, however, others will no longer be able to use the work under the former license.

## WHAT ABOUT COPYRIGHT?

Making use of Creative Commons licensing does not mean that the author is giving up his copyright. It only allows a license which gives others permission to distribute, share or even adapt a certain copyright protected work. The difference is that with by using creative commons, you allow anyone to use your work in certain ways in advance, while a regular license only applies to one person in one specific case and not in general.

## 06. What about links to copyright protected content?

Linking to copyright protected websites, images or videos placed online by the original creator himself is allowed, as long as the original link is not intended for a limited/ private audience (e.g. a private Facebook account).

In other words, placing hyperlinks or embedded links on your website, referring to copyrighted works that are freely accessible online, does not require permission from the author because no new public is being targeted. On the other hand, if the copyrighted content is not freely accessible due to technical measures on the original website (e.g. paywall, authentication...) and these measures are circumvented by the hyperlink, this is considered to be a communication to a new public and the author's consent is required.

For example: it is allowed for a school website, in the context of a certain course, to link to a movie trailer on the official YouTube channel of the producer of that movie.





## 07. Copyright Infringements

**Most social media platforms have put in place tools to file copyright infringement complaints.** In the event of complaints, content can be taken down by the social media platform, and this could even result in a law suit.

For example: YouTube's copyright takedown notice:

<https://support.google.com/youtube/answer/2807622?hl=en>





## 08. The right to protection of one's own image

Your image – whether it be in the form of a photograph, video, drawing, painting, sculpture,... – constitutes one of the most important attributes of your personality, as it reveals your unique characteristics and distinguishes you from your peers. Therefore your image is granted protection under the law. The right to the protection of one's image is one of the essential components of personal development. It mainly grants everyone the right to control the use of their image, including the right to refuse publication thereof.

The difference between the right to protection of your image and copyright protection is that everyone has the right to his or her image, regardless of whether it concerns an image that is copyright protected or not.

When you want to take a picture of someone, make a video, or want to depict a person in another way, you need to obtain this person's prior consent. If the person refuses, you cannot do it.

Important to keep in mind that if you obtained consent from a person to depict that person in any way, this does not mean that you have also obtained permission to (re-)use that photo, video, painting...

The need for consent is twofold:

1. Consent to depict the person (e.g. take a photo, record a video, make a painting or sculpture...)
2. Consent to use a depiction of a person

Example: using someone else's photo that was posted on Instagram on your own account, blog or website is not allowed without the permission of the person concerned.

There are some nuances to be made here:

**Nuance 1:** if the person depicted is not recognizable, there is no problem: you can take and use the picture, video etc.





**Nuance 2:** public figures, such as well-known politicians, musicians, actors, athletes or other celebrities, are subject to slightly different rules. Public figures must, to a certain extent, allow photographs or videos of them to be taken and disseminated. People who are in the public eye only for a short period of time – temporary public figures –, such as reality stars, suspects or convicts in a criminal case, also fall under these rules.

Nevertheless, this exception for public persons is limited:

- No commercial use of the depiction of these persons, unless you have their consent. (e.g. taking pictures of a famous sports player during a game is allowed, while selling T-shirts with this picture printed on them is not allowed)
- The private life of these people needs to be respected (e.g. photographs of a member of the royal family cannot be taken nor published when it portrays these members on holiday or any other event which is irrelevant to their role as royal family members)

**Nuance 3:** crowds and public places. If you take a photo or record a video in a public place, it is not feasible to ask permission from all the people present (e.g. a photo of a demonstration or the crowd of a tennis match). In such cases you can take and use the picture without consent, however, people in the picture have the right to object in certain situations. That is unless a specific person is clearly central to the image or video, then you do need permission of this person.

Finally, always remember that if you did not take the picture yourself, you also need to keep in mind the copyright rules before sharing.

For example: a celebrity was photographed by a paparazzo and the picture was shared online. This is allowed because of the public status of the celebrity. However, you are not free to use this picture (in principle not even the celebrity him-/herself can post the photo) because the paparazzo has copyright on the picture.





## Resources

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### Teaching copyright - general information:

<https://www.copyrightuser.org/>

[https://ec.europa.eu/commission/presscorner/detail/de/MEMO\\_14\\_79](https://ec.europa.eu/commission/presscorner/detail/de/MEMO_14_79)

<https://euipo.europa.eu/ohimportal/nl/web/observatory/faqs-on-copyright-hu>

<https://www.europarl.europa.eu/news/en/press-room/20190321IPR32110/european-parliament-approves-new-copyright-rules-for-the-internet>

[https://www.communia-association.org/wp-content/uploads/2017/09/1\\_green\\_FIN.pdf](https://www.communia-association.org/wp-content/uploads/2017/09/1_green_FIN.pdf)

<https://en.mediawijs.be/?fbclid=IwAR1gFaBEclnLFKVXYcAHHCfLmCBo6semocjNY1e1A2A3I134qjE85Fa8otU>

<https://mediawijs.be/dossiers/dossier-medi makers/auteursrecht-hoe-werkt-dat> (Dutch!)

<https://www.eff.org/teachingcopyright> (careful, this is US copyright!)

### Copyright exceptions:

[https://copyrightexceptions.eu/#Art.%205.3\(a\)](https://copyrightexceptions.eu/#Art.%205.3(a))

<https://www.hiig.de/en/not-always-irreconcilable-meme-and-copyright-law/>

### Creative commons:

<https://creativecommons.org/licenses/by-nc-sa/4.0/>

[https://www.youtube.com/watch?v=\\_Q3sbk7Zi1Q](https://www.youtube.com/watch?v=_Q3sbk7Zi1Q)

<https://creativecommons.org/about/videos/>

### Copyright vs right to one's own image:

[https://www.youtube.com/watch?v=wuzt-49\\_WMA](https://www.youtube.com/watch?v=wuzt-49_WMA)





## Learning Snacks

### Copyright is a very important player in the rulebook for social media

Copyright rules are definitely something to be reckoned with when operating in a social media environment. Since copyright exists automatically when an original work is created, copyrighted material is omnipresent online. It is important that both teachers and students are aware of this.

### Copyright should not have a deterrent effect

Copyright rules are not there to discourage you from using other people's creations, it just urges you to do it in a correct and fair manner respecting the moral and economic rights of the author.

### Basic rule = ask permission

As a basic rule for using other people's copyright protected works, you should always ask for their permission. If you obtain explicit permission you can only make use of the work within the limits of the permission that was granted. If you do not obtain explicit permission you cannot use the work, unless one of the copyright exceptions applies.

### Copyright exceptions

Copyright is no absolute right. There are quite some exceptions to the copyright rules in a school context (Private copy, private studying, Illustration for teaching or research, quotation, parody). It is important to check your national law on this because the extent and conditions of these exceptions can differ in each EU Member State.





## Social media terms of use

It is important to understand to what you are agreeing when signing up to a social networking websites. Social media platforms are not the owners of the content you post there, nevertheless, by signing up you sign an agreement that grants the platform a copyright license to use your works and to make them available to other users.

## Creative Commons

Creative commons are standard licenses that anyone can use to indicate what other people are allowed to do with your copyright protected work. This prevents that potential users of such works have to ask for permission. Understanding and using this licensing systems facilitates the lawful sharing of copyrighted content online.

## Linking

In principle linking to copyrighted content is allowed, unless this content does not originate from a place where it is freely accessible to the public. If the latter is the case, permission from the original author is necessary.

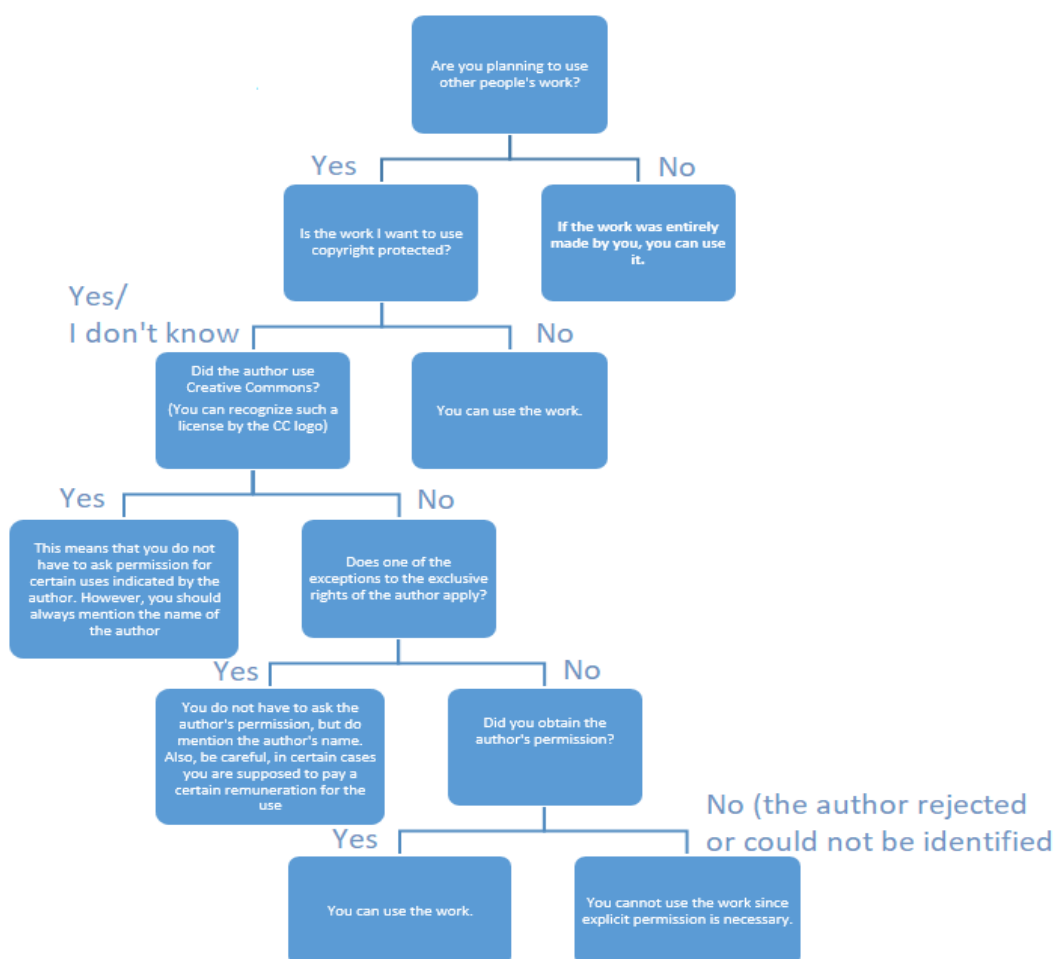
## Right to protection of one's own image

For taking your picture or video and for using this picture or video separate consent is required. This means that if you agree that someone can take your picture, this does not mean that you automatically agree with this person publishing the picture on social media. There are some exceptions to this (see content above).





## Infographics





## Activity plans with students

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### 01. Activity 1: To what are we all agreeing?

Description: Look at terms of service of social media platforms and compare them.

### 02. Activity 2: Creative Commons explained

Description: Applying and practicing the use of Creative Commons and the exceptions on their own work

## Activity assessment

You can easily assess whether students have understood the notion of copyright by applying tests with short questions whose answer is true or false, as in the examples below:

1. Everything you post on social media is copyright protected. (**False** ☐ for social media posts to be copyright protected they should be an original expression of ideas. This rules out everyday speech)
2. For a work to enjoy copyright protection, there should always be a copyright notice on the work. (**False** ☐ copyright protection automatically applies when an original work is created)
3. As long as you are able to prove that you asked permission from the author to use his work you are free to use it, even if you did not receive a reply. (**False** ☐ no reply = no permission)
4. Social media channels do not own your content. (**True** ☐ they only have a license to exploit the images, videos, poems etc. you post but they do not own it)
5. If I am the subject of a photograph taken by somebody else, copyright rules ensure that I can use this photograph freely. (**False** ☐ according to copyright law it is the photographer, i.e. the person taking the photo, who enjoys copyright protection on the photograph)
6. Due to their public status, you can freely use pictures of your favourite celebrity within your Powerpoint presentation. (**False** ☐ unless otherwise arranged, the photographer, paparazzo or their employers are the copyright holders regarding this picture, not the celebrity himself)
7. The copyright exception with regard to illustration for teaching allows teachers to place a copyright protected documentary on platforms such as Toledo and Blackboard? (**True** ☐ as long as the platforms are closed for people outside of the class)
8. The copyright exception with regard to illustration for teaching allows teachers to place a copyright protected documentary on the school website? (**False** ☐ school websites are openly accessible to the public and therefore this is not allowed)
9. Even though pictures and drawings do enjoy copyright protection, making and sharing memes on social media is allowed under the parody exception? (**True**)

10. Due to copyright law I am not allowed to share a joke made up by one of my friends and posted as a Facebook status? (**False** ☐ by signing up to the social media platform, your friend has granted Facebook a license and this way agreed with these types of content use)

11. The right to one's own image is twofold and allows me to consent or not with someone taking my picture/video/..., and to consent or not with someone using (e.g. posting on social media) my picture/video...? (**True**)