

# Copyright

Be aware of copyright rules and regulations. Copyright protects intellectual property including works of literacy, music, drama, poetry, novels, movies, songs, software and architecture. It does not cover ideas or concepts.

## Adhere to Fair Use Laws

Materials on websites are copyrighted. Material printed in any form is copyrighted. Can you use copyrighted material? It depends. Most authors of original work require credit and permission to use work. Under the **fair use** doctrine, *it is permissible to use limited portions of a work including quotes, for purposes such as commentary, criticism, news reporting, and scholarly reports. There are no legal rules permitting the use of a specific number of words, a certain number of musical notes, or percentage of a work. Whether a particular use qualifies as fair use depends on all the circumstances* (from [www.copyright.gov](http://www.copyright.gov)).

In general fair use sets out four factors to be considered:

1. The purpose and character of the use, including whether such use is of commercial nature or is for nonprofit educational purposes.
2. The nature of the copyrighted work.
3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole.
4. The effect of the use upon the potential market for, or value of, the copyrighted work.

(from <http://www.copyright.gov/fls/fl102.html>)

## Adherence to copyright laws for all material is critical.

If material is used without permission and exceeds the Fair Use Laws, owners may seek payment or sue the state organization. Legal suits can extend from chapter to state to international.

Fair Use Laws apply to any intellectual content- written, video, audio or any other format.

It should be assumed that items such as passages and images in printed materials are copyrighted. Unless specifically stated on a website, ALL passages, images, and audio recordings (including clip art, poems, music, lyrics, and art) are copyrighted whether or not there is a copyright symbol shown. **Citing the source does not give the right to use the work** although credit should be given to the creator of the work. Written permission from the copyright holder stating they give permission to republish their work on a website or in a newsletter should be sought, received, and saved before being used.

If requested, written permission should be made available to Society Headquarters. The Delta Kappa Gamma Society International is not responsible for content on state organization or chapter websites or newsletters.

# Copyright with Creative Commons

Creative Commons is an easy way to show copyright on your website or intellectual property. Choose a license type and follow the provided directions.

<http://creativecommons.org/>

The image shows a screenshot of the Creative Commons website. At the top, there is an orange navigation bar with the Creative Commons logo on the left and links for 'Share your work', 'Use & remix', 'What we do', and 'Blog' on the right. Below this is a grey bar with the text 'Help us build a vibrant, collaborative global commons' and a green 'Donate Now' button. The main content area is white and features a large heading 'Creative Commons Global Summit' with a sub-heading 'Celebrating what's next for sharing and the commons from April 28-30 in Toronto, CA.' and a 'Find out more' button. To the right of the text is a colorful logo for the 'Global Summit Toronto 2017' featuring a circular arrangement of colored dots and the CC logo. Below this is a blue section with three columns of content: 'Share your work' (with a brain icon), 'Use & remix' (with a magnifying glass icon), and 'Get involved' (with a heart icon). Each column lists specific actions like 'Choose license', 'Search', and 'Donate'.

# Help in determining copyright

These sources will help you determine if something is protected by copyright.

[Copyright Calculator](http://www.publicdomainsherpa.com/calculator.html) - <http://www.publicdomainsherpa.com/calculator.html>

[Digital Slider](http://librarycopyright.net/resources/digitalslider/) - <http://librarycopyright.net/resources/digitalslider/>

[Copyright Genie](http://librarycopyright.net/resources/genie/) - <http://librarycopyright.net/resources/genie/>

[Out of Copyright](http://outofcopyright.eu/) - <http://outofcopyright.eu/> - European Union

# Places to find images you can use

Read the directions carefully for these sites and follow their directions on how you may use the items found on their site. Some of these sites have photos for sale at the top of the page to pay for the website. Avoid those unless you are willing to pay the license fee to use them.

## Highly Recommended

[Creative Commons CC Search](#) – find content, including images, music, and video you can share, use and remix through the Creative Commons website.

[Pixabay](#) – is a repository for stunning public domain pictures. You can freely use any image from this website in digital and printed format, for personal and commercial use, without attribution requirement to the original author. There are thousands of images, photos, videos and clipart available.

[Wikimedia Commons](#) – a database over 35, 000,000 freely usable media files, including images, sounds and videos.

[Photos for Class](#) – this site was created for students to use but can be useful for adults. It not only returns Creative Commons photos but also generates automatic citations for those pictures.

## Recommended

[Compfight](#) – search for images on Flickr; make sure that you click the filter to search for Creative Commons works.

[Flickr Creative Commons](#) – please note that only those pictures on Flickr under the Commons are copyright free. Creative Commons attributions are explained.

[Foter.com](#) – hosts over 220 million free Creative Commons images from many online sources.

[Unsplash](#) – Free (do whatever you want) high-resolution photos. The quantity is lower than some websites, but the quality is high.

There is a misperception that any image found on Google is copyright free, which is not true. To narrow your search to only images that are permissible to use in your newsletter or website use the search tools in Google. The following video will explain the process: [Quicker Google Images Search by Usage Rights License](#).



\*For Use by the International Society

RELEASE, WAIVER, INDEMNIFICATION, HOLD HARMLESS

WHEREAS, in return for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Undersigned State Organization of the The Delta Kappa Gamma Society International (hereafter, known as State Organization) agrees to the following:

State Organization agrees to indemnify, hold harmless and defend The Delta Kappa Gamma Society International and any of its Executive Board, Officers or Members, from any and all fault, liabilities, costs, expenses claims, demands or lawsuits arising out of, related to or connected with: actual or alleged claims, demands, causes of action liability loss, infringement on intellectual property, whether brought by an individual or other entity, or imposed by a court of law or by administrative action of any federal, state, or local governmental body or agency, arising out of the individual State Organizations of The Delta Kappa Gamma Society International's actions; and any and all acts or omissions of the State organization. And should any such claim, demand or lawsuit arise or be asserted in any way whatsoever related thereto, whether arising under the laws of the United States or of the State Organization's Government, or under any theory of law or equity, State Organization will indemnify, hold harmless and defend International, from any and all costs, expenses or liability including, but not limited to, the cost of any settlement or judgment made or rendered against International, whether individually, jointly or in solido with State Organization, together with all costs of court and other costs or expenses incurred in connection with any such claim, demand or lawsuit including attorney's fees, penalties, fines, judgments, awards, decrees, and related costs or expenses.

This agreement binds and obligates the State Organization and successors in office of the State Organization until it is otherwise terminated by the agreement of all parties.

Signed this date: \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_(Geographic) State Organization of the Delta Kappa Gamma Society International

\_\_\_\_\_  
State Organization President                      Attested to: \_\_\_\_\_  
State Organization Recording Secretary

Signed this date: \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_  
International President                      Attested to: \_\_\_\_\_  
Executive Director

\* State Organization