

# Reflect, Share, Inspire

Whistle-stop tour of  
copyright and open licensing



Digital  
Skills for  
Heritage

naomi korn

A S S O C I A T E S

# Whistle Stop Tour of Copyright and Open Licensing

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## Copyright

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## Disclaimer:

The information provided within this presentation is an opinion and should not be construed as legal advice.

Naomi Korn Associates is a UK-based leader specialising in copyright, data protection, and licensing. Since 2003, we have worked with the cultural, heritage, charity, education and private sectors across the UK and internationally.

We support our clients to comply with the law. We also help them to use & exploit their assets commercially through better rights and privacy management. We do this by integrating our legal, commercial, information governance and technical expertise into our clients' practices.

The team, headed up by Naomi Korn, Founder and CEO, brings together a range of world-renown specialists who have built a reputation of excellence amongst charities, education, and cultural heritage.

# Who we are



# Today's Objectives

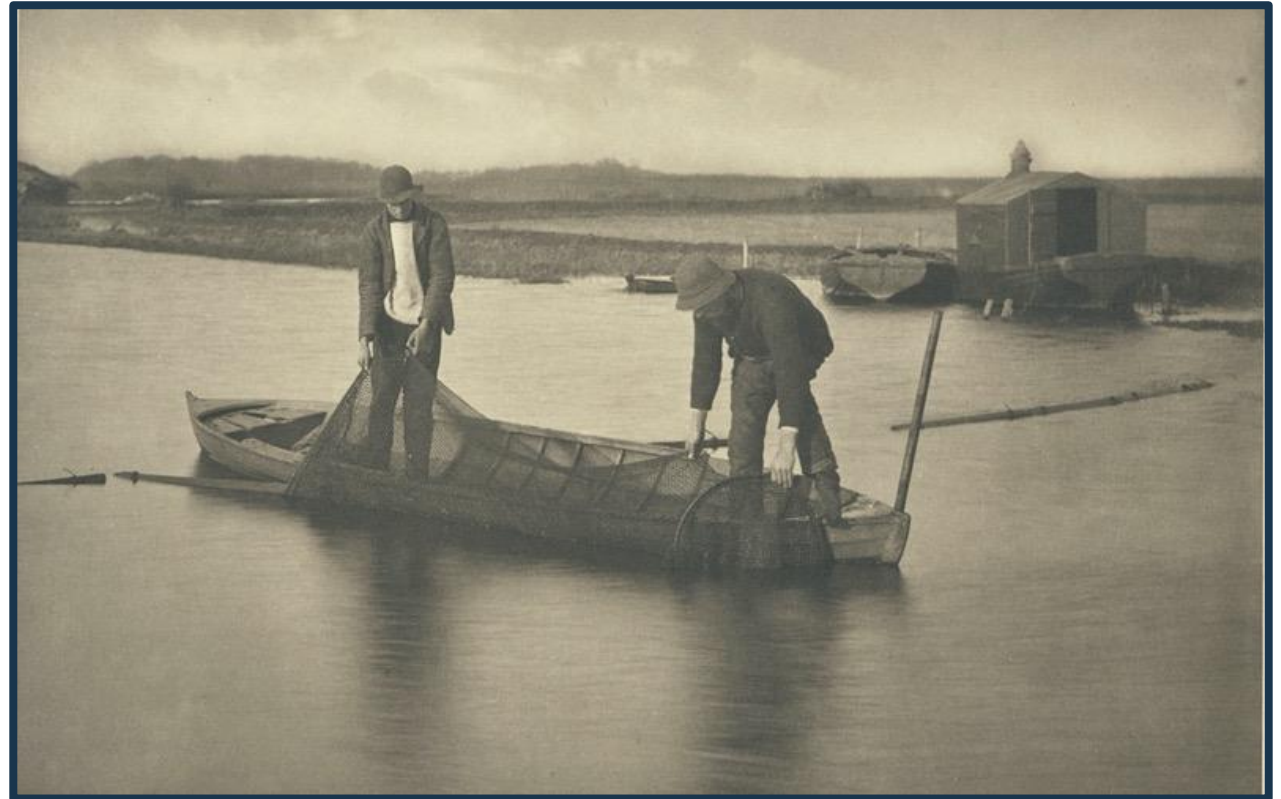


- Explain how open licences facilitate the sharing and reuse of copyright works
- Consider the different types of Creative Commons licences that are available
- Discuss the National Lottery Heritage Fund's Creative Commons Licence requirements
- Provide best practice guidance to help you identify which content requires permission before sharing
- Consider what you need to do when seeking permission to use other people's in-copyright content in your open licensed assets.

# Introduction to Copyright



- Automatic
- Original
- Exclusive right to permit (or not) others from:
  - ✓ Copying
  - ✓ Broadcasting
  - ✓ Performing
  - ✓ Disseminating
  - ✓ Renting
  - ✓ Making available to the public
  - ✓ Communication to the public
- Copy-right
- Financial benefits too

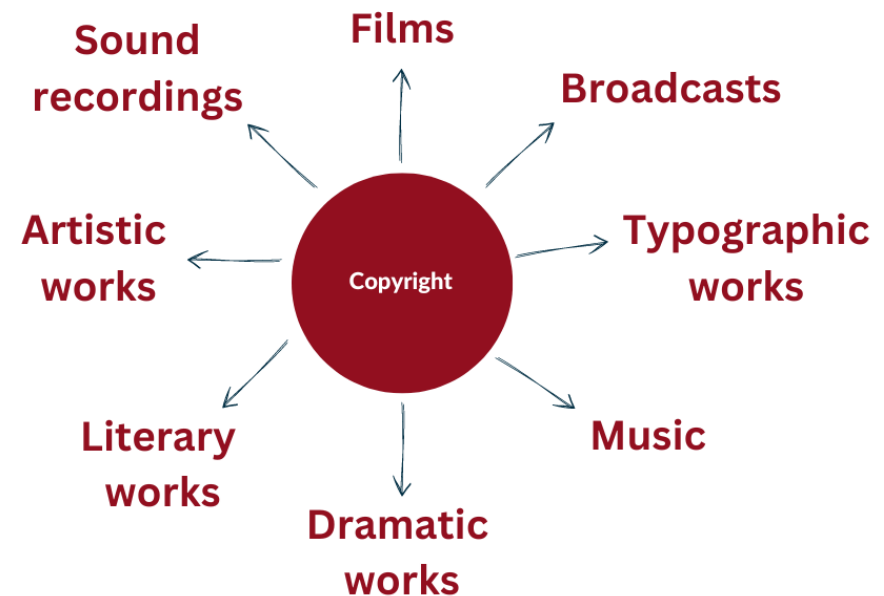
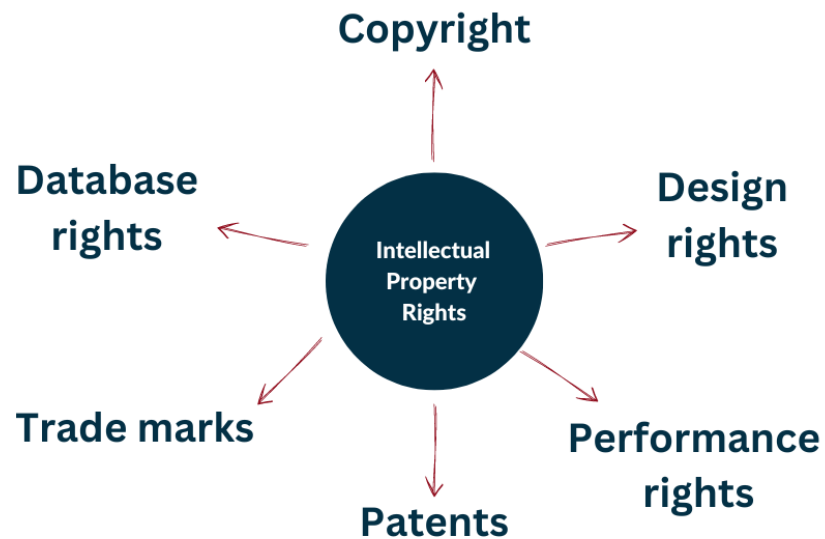


“Taking Up the Eel-Net”, Photograph by Peter Henry Emerson, 1886  
Digital image courtesy of the Getty's Open Content Program



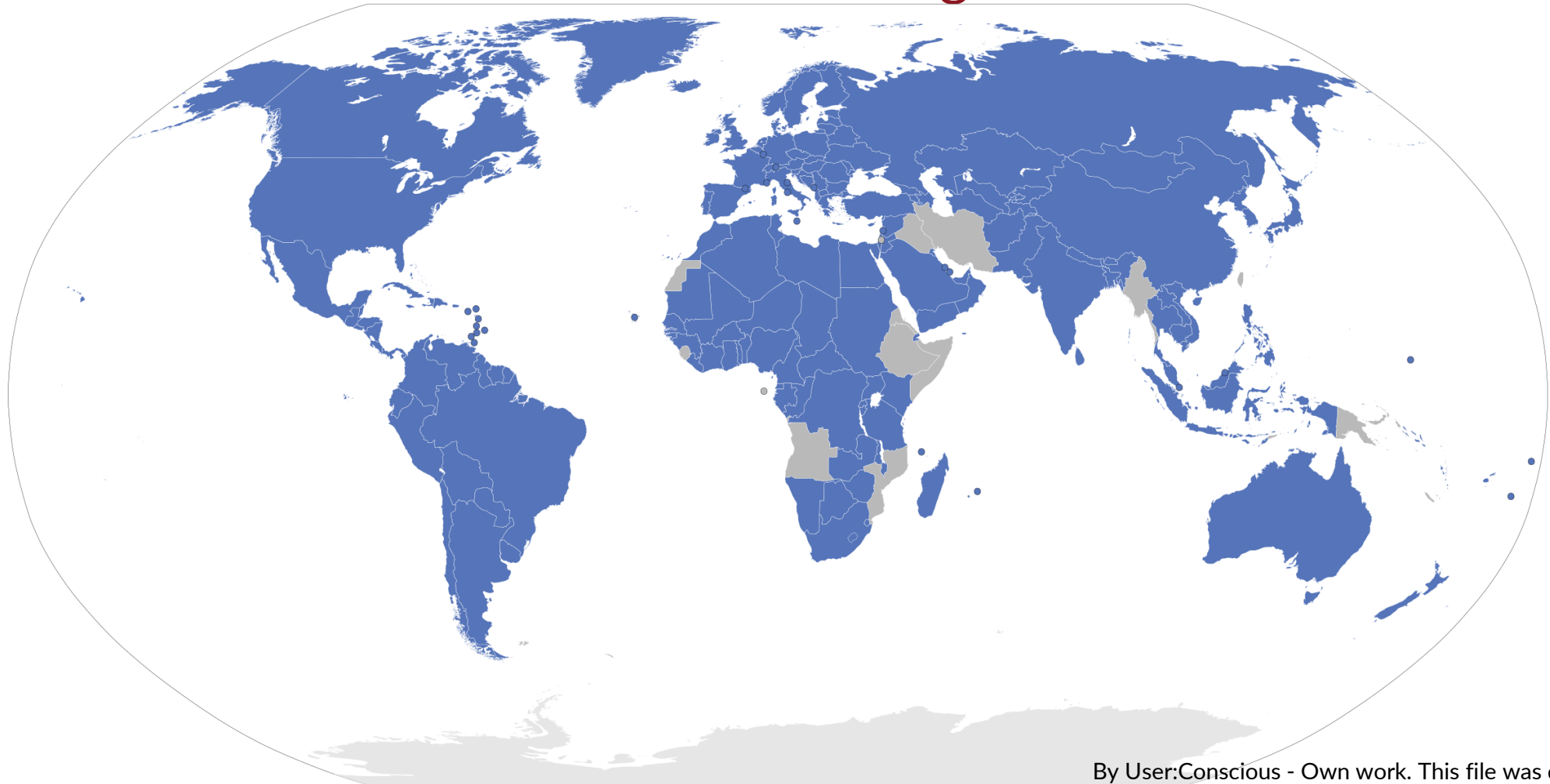
# Layers of rights and multiplicity

- There are different types of IP rights (including copyright)
- Within copyright: 8 categories of works (including music)
- Music can itself include more than one category of copyright works





# Berne Convention Signatories



# UK Copyright Exceptions



# Exceptions

- Certain specified uses defined in the Copyright Designs and Patents Act 1988.
- In 2014 the CDPA 1988 act was amended to include new exceptions.
- Some exceptions only apply to museums, libraries, archives and educational establishments.
- Several exceptions must qualify as 'fair dealing'

# What are licences?



Licences are the tools through which a rights holder can enable reuse of their intellectual property assets. A licence between two parties codifies the expectations of each person; what the rights holder will allow another person to do, as well as what that person is permitted to do with that material.



# Role of Licences



# Open Licences Versus Closed Licences



Free : Charged

Optimum Access : Restricted Access



# Open Access

**Open access (OA)** is a set of principles and a range of practices through which [research](#) outputs are distributed online, free of access charges or other barriers.<sup>[1]</sup> With open access strictly defined (according to the 2001 definition), or [libre](#) open access, barriers to copying or reuse are also reduced or removed by applying an [open license](#) for copyright.<sup>[1]</sup> [WIKIPEDIA]



# Creative Commons

Licensing framework: over 2 billion items online



Clear, standard way to give permission to all users to share creative works



7 types of CC licences



Person licensing content must have the right to do so



Can be used on any type of digital output



## Types of Creative Commons licences



- CC 0
- **CC BY**
- CC BY SA
- CC BY NC
- CC BY ND
- CC BY NC SA
- CC BY NC ND





# Choosing a CC Licence



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## Share your work

Use Creative Commons tools to help share your work. Our free, easy-to-use copyright licenses provide [a simple, standardized way to give your permission to share and use your creative work](#)—on conditions of your choice. You can adopt one of our licenses by [sharing on a platform](#), or choosing a license below.

## Choose a license

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<https://creativecommons.org/share-your-work/>

# Case Study 1.

Oral history recordings capturing voices of older LGBTQI community members from Manchester.



## Case Study 2.

A game commissioned by a museum that uses its collections including 3D scans



## Case Study 3.

Digitised collections of photographs from coal mining communities in the NE of England (1880's – 1980's).



## Case Study 4.

Educational resources about the Holocaust created in partnership between a local authority funded museum in North London and a primary and secondary school in the region.



## Case Study 5.

A community produced tapestry about climate change created by women living in a women's refuge.



## Useful resources

**Heritage Digital** – an initiative aimed to increase the amount of free digital skills training and support available to heritage organisations:  
[www.charitydigital.org.uk/heritage-digital](http://www.charitydigital.org.uk/heritage-digital)

**The National Archives Data Protection Toolkit for Archives** – a toolkit to help archivists deal with requests to access personal data found within an archive service's collection. Request to access the toolkit here:

<https://www.nationalarchives.gov.uk/archives-sector/training-and-events/>

[www.naomikorn.com/resources](http://www.naomikorn.com/resources)



## Useful resources

**Intellectual Property Office** - Intellectual property rights resources, information and updates on UK legislation:  
[www.gov.uk/government/organisations/intellectual-property-office](http://www.gov.uk/government/organisations/intellectual-property-office)

**Copyright User** - A website providing guidance and resources about using copyright resources:  
[www.copyrightuser.org](http://www.copyrightuser.org)





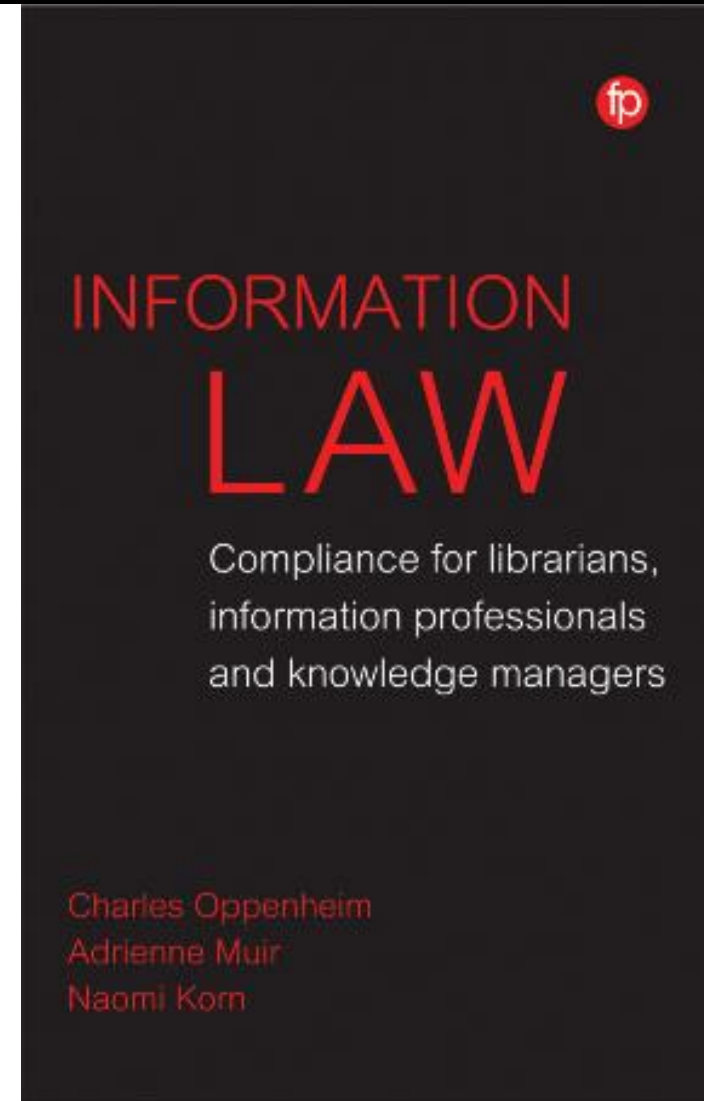
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# Any questions?

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