



Appendix 9: Training Sessions Summary

Copyright for Print, Broadcast and Multimedia 3 June 2009

Observations

The first copyright course for the OpenSpires project was run by external consultants. The OpenSpires team were keen to see how they presented the material, and were very impressed by both the content and the quality of the teaching. As well as paying attention to the course, the OpenSpires staff were also very interested to hear what kind of questions the attendees would raise, as they would be trying to address common queries in the materials created for the project.

Questions raised by attendees

The full list of questions is reproduced below. The (self-selected) audience was predominantly from administrative and support roles within the University, with few academics in evidence, and the themes raised in the questions tend to reflect this.

- *Who should be responsible for keeping track of the provenance of third party materials in content we put on the web?*
- *Should we note the presence and provenance of third party materials in content we put on the web even when we are sure we have sufficient permissions to distribute?*
- *Is there a difference between the educational and commercial contexts in terms of costs and responsibilities for obtaining IP clearances for materials we put on the web?*
- *Is impromptu speech protected by copyright in the same way as prepared works are?*
- *How do I research the provenance of material I suspect I need to clear?*
- *Can I make small modifications to third party material to escape the responsibility to clear it?*
- *Do I have to clear material if I only make reference to it by title or link to it?*
- *Am I at risk if I reuse material in a way that the originator did not intend, perhaps in order to parody the creator or material?*
- *Who owns works when they are commissioned?*
- *When my department labels content "(c) Department of" is that correct or should it be "(c) University of Oxford"?*
- *Who owns a web site that I run which is the result of collaboration by academics from around the world with no controlling agreement?*
- *Should we seek assignment of ownership for all material we publish on our web site?*
- *Is there really an issue if the material in question is worthless both in terms of money and potential to achieve or improve status?*
- *Who owns works I create in the course of my employment?*

- *How can I accurately compile Copyright Licensing Agency statements when so much digitisation activity takes place without my knowledge?*
- *In terms of responsibilities to the Copyright Licensing Agency, am I responsible for the actions of students not using University property to digitise material?*
- *How can I determine if a piece of material is so 'insubstantial' as to fail to be protected by copyright law?*
- *Can I digitise clips from TV programmes recorded many years ago and include them in a Powerpoint presentation for teaching of students?*
- *If I change someone else's material, have I created a 'derivative work' in the sense the term is used in a Creative Commons licence?*
- *Can I pass the responsibility to clear rights in materials on to a contractor whom I commission to produce material?*
- *Is an email from a copyright owner stating that they permit a certain use enough to legally license the use?*
- *If I own the only copy of something that is protected by copyright, do I also own the copyright?*
- *Can I use photographs I have taken of an artwork on public display?*
- *If publication of a piece of material (for example a photo of a public figure) has been forbidden by a court in a non-UK country, what risk am I running if I put it on a UK-based web site?*
- *Am I infringing anyone's IP rights if I copy the general design or layout of their web site without substantially reproducing the HTML code that produced it?*
- *If I have to pop up external links in a new browser window or tab to avoid any accusations of passing off, how am I to abide by accessibility requirements which forbid spawning new browser windows or tabs?*
- *Is there an overarching web policy that controls how any University of Oxford web site must be constructed?*
- *If I create a web site which provides a 'virtual gallery' of an artist's work at the artist's request, is it my responsibility to take steps to prevent unlicensed use of the resulting images?*
- *Can Creative Commons licences be revoked if a licensor regrets their decision later on?*
- *How should I inform a Creative Commons licensor that I intend to reuse their work?*
- *How can I let others know what I want to happen to my material under a Creative Commons licence?*
- *What happens to my moral rights in a work I license under Creative Commons?*
- *If a web page is – as a whole – available under a No-Derivatives Creative Commons licence, can I reuse an image from the page on its own?*
- *Is University use always counted as Non-Commercial in the sense of the phrase used in Creative Commons licences?*
- *Are there any special problems presented by making available databases on the internet?*
- *Do database rights protect a database's structure as well as its content?*
- *If I take a photograph which happens to have some people in it, do I need their permission before I can publish the photograph?*

Creative Commons, Copyright & Education 27 November 2009

Observations

This course was run by the OpenSpires Legal Officer. There were 24 people booked on to the course and 17 attended on the day. The attendees were mainly non-academic staff and one or two students. There were no academics in attendance. The attendees were from a range of departments including: Continuing Education, Library Services, Engineering Science, OUCS, Clinical Trial Service Unit, Public

Health, Centre for Statistics in Medicine, Biochemistry, Structural Genomics Consortium, OCDEM, Centre for Environment, Department for Education.

The Legal Officer delivered the training session in four sections:

1. The OpenSpires project (approx. 10 mins)
2. An introduction to copyright (approx. 40 mins)
3. An introduction to Creative Commons (approx. 30 mins)
4. Finding OER (presentation approx. 10 mins plus exercise of approx. 40mins)

Section 1 set the scene and explained the OpenSpires project, the reasons for having the course (e.g. increasing Open Content Literacy) and some of the drivers for OER. *Suggestion:* we could include a little more about the OER movement, e.g. who else is involved and what they are doing, recent press coverage, give a screen shot of how to find Oxford's open content etc.

Section 2 covered what is intellectual property? What is copyright? How is copyright licensed? What is 'Fair Dealing'? The section was followed by some sample questions to check attendee's understanding of the key points – most seemed to answer correctly. *Suggestion:* this section is quite content-heavy so it may be worth trying to thin it down a bit (can anything be removed?). The questions section at the end worked well and were a useful check to see if the audience had been listening.

Section 3 covered the Creative Commons licenses and explained the different types. This section provoked many questions from attendees who did not seem to quite grasp the meaning of some of the different types e.g. 'no derivatives'. This section was also followed by some test questions to assess understanding and it seemed to take a little longer for some attendees to grasp some of the points. *Suggestion:* it may be worth spending a little more time on this section to ensure that people fully understand what the six different combinations mean, perhaps testing them a little more.

Section 4 introduced several different websites which attendees could use to source OER followed by an exercise to allow them to source some material which would be useful in their work/study. During this exercise the Legal Officer was available to answer specific queries.

Questions raised by attendees

The attendees were free to ask questions throughout the session, many of these were very specific to their individual areas of work. Here are the main queries that were raised during the presentations (individuals were free to raise questions on a one-to-one basis during the exercise).

- *If I find a picture on the internet which I would like to use on the cover of a prospectus but I cannot find who owns the copyright, what should I do?*
- *If I use a Creative Commons image from Flickr, does it matter how I use it? (e.g. on an item for public display or a leaflet for in-house staff)*
- *Is non-commercial clearly defined?*
- *I am supplying materials via a website for which members pay a subscription (so they do not pay for materials directly, they are a benefit of the subscription), can I re-use copyright material for this purpose?*
- *If a published work is out of copyright because the author has been dead for 70+ years (e.g. Dickens) but the publisher has re-published a more recent edition, are there still copyright issues?*
- *I've heard that some publishers insert deliberate errors to help spot breaches in copyright – what is the situation here?*
- *Under the Creative Commons section there were several questions about the regional licenses (e.g. England & Wales versus US).*

- *I have seen CC0 on the Creative Commons website – what is this?*
- *If I want to use a photograph which is under a CC no derivatives licence can I crop it?*
- *Can I use a photograph which is under a CC non commercial licence on a leaflet which is advertise a course for which students have to pay?*
- *Can I use a photograph of a painting from a gallery or museum?*

Evaluation forms

Attendees were asked to complete an evaluation form at the end of the session. The results were as follows:

(a) During the exercise, how many open content items did you find that could be useful for your learning and/or teaching?

None = 0%
 A few = 53%
 Many = 26%
 No response = 21%

(b) Why did you book onto the course (select all topics that were of particular interest)?

Finding and using OER = 60%
 Publishing OER = 47%
 Understanding copyright = 73%
 Creative Commons = 73%
 Open Courseware = 27%
 Open content literacy = 20%

(c) Please indicate to what extent the aims and objectives of the course were achieved for you?

I understand who owns the copyright of materials produced at Oxford

0% Not at all
 13% Partly
 47% Mostly
 33% Fully
 7% No response

I understand what Creative Commons licences are

0% Not at all
 0% Partly
 67% Mostly
 26% Fully
 7% No response

I understand what I should look for when I am searching for OER

0% Not at all
 13% Partly
 60% Mostly
 20% Fully
 7% No response

I understand how I can use OER

0% Not at all

33% Partly

40% Mostly

20% Fully

7% No response

I consider myself 'Open Content Literate'

0% Not at all

33% Partly

53% Mostly

7% Fully

7% No response