

COPYRIGHT THE CARD GAME

An Introduction to Copyright



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copyrightliteracy.org



COPYRIGHT THE CARD GAME

Time	Arrival and registration
9:15-9:30	Registration and introductions
9:30-11:00	Copyright the Card Game Round 1: Copyright works
	Copyright the Card Game Round 2: Copyright usages
	Copyright the Card Game Round 3: Copyright licences
11:00-11:15	Quick break
11:15-12:00	Copyright the Card Game Round 4: Copyright licences, exceptions and risk
12:00-12:15	Wrap up

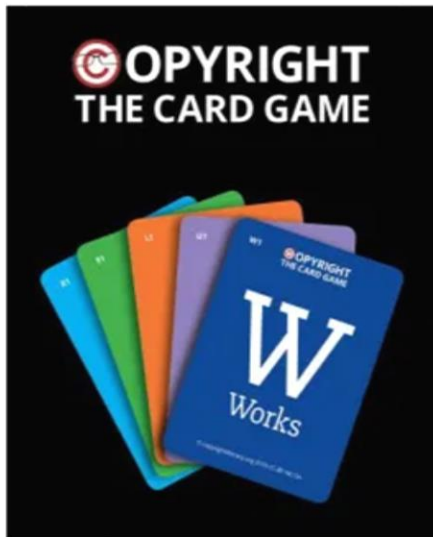
INTRODUCTIONS



Team 1	Team 2	Team 3

COPYRIGHT: THE GAME

Copyright the Card Game Online



We are developing a version of Copyright the Card Game to be used in online training. This is designed to be played by a group of players divided into smaller teams using a virtual classroom platform such as Zoom, with break out room functionality. The game is facilitated by a trainer in a similar way to how it is played in a face to face classroom.

To facilitate the smooth running of the online workshop four PDFs are available to correspond to each round of the card game. It is recommended that players download these or have these files open on a separate screen or device while playing the game. This is to simulate having a deck of cards available in the room

<https://copyrightliteracy.org/resources/copyright-the-card-game/copyright-the-card-game-online/>

THE RULES



Each round will focus on one 'suit'

Each team will have a deck of cards

Each team must nominate a card handler

Teams should confer and agree answers

Answer the scenarios by selecting the relevant cards

Works

WHY CONSIDER TYPES OF COPYRIGHT WORK?



- Different durations
- Different layers of rights
- Different owners within content
- Different licences
- Some exceptions work specific

COPYRIGHT WORKS (1)



Literary



Artistic



Musical



Dramatic



Broadcast



Sound Recording



Film

COPYRIGHT WORKS (2)



Typography



Public Domain



Crown Copyright



Database



Moral Rights



Performance



Non Qualifying

Work related

ROUND 1



Use your “Works” cards to identify what types of works are in the object your team has been given

Usages

WHY CONSIDER TYPES OF COPYRIGHT USAGE?



- They are the CDPA 'restricted acts' as defined in law
- The 'restricted acts' must be 'mapped' onto any activity to understand licences and exceptions available

COPYRIGHT USAGES



Copying



Issuing copies to the public



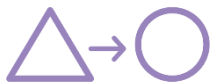
Rental or Lending



Public Performance



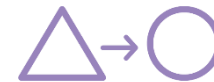
Communication to the public



Adaptation

**Using your “Usage” cards,
decide what types of usage
apply in the following
scenario.**

What types of usages apply?



1. A student union plays music videos in one of its bars

What types of usages apply?



1. A tutor adds a link to an article on Academia.edu for her students to read

Licences

WHY CONSIDER TYPES OF COPYRIGHT LICENCE?



Licences

- + **First point of call**
 - + Can effectively provide zero risk
 - + May already have paid for them
- **They all involve limitations**
 - Not carte blanche
 - Relationship with exceptions

COPYRIGHT LICENCES (1)



CLA (Copyright Licensing Agency)



NLA Media Access



ERA (Educational Recording Agency)



Filmbank / MPLC



Library E-resources



Creative Commons

COPYRIGHT LICENCES (2)



Licences



'Bespoke' permission



Website Terms & Conditions



UK Orphan Works Licence



You own the copyright



You made it as an employee

Licence related

COPYRIGHT LICENCES (3)



Software Licences



Open Government Licence*



PRS/PPL (music)

*Equivalent to Creative Commons Attribution Licence (CC-BY)

**Using your “Licences” cards,
decide what types of
licences apply in the
following scenario?**

What types of licence might apply?



A librarian taking extracts of published literary works and uploading them to an online reading list for the use of registered students

What types of licence might apply?



1. A local records office wants to digitise a collection of historic photographs taken by an unknown photographer in the 1970s

Coffee break



Exceptions

DISCLAIMER

The following slides are intended to give an overview of the key UK copyright exceptions for those in higher education institutions. They are not comprehensive, nor do they provide full details of the provisions within the relevant legislation (most notably [Copyright, Designs and Patents Act 1988](#)).

The slides are for information purposes only and do not constitute formal legal advice.

If you find anything in the slides which appears to be inaccurate or misleading please contact ukcopyrightlit@gmail.com

FAIR DEALING



Determines whether usage is lawful or infringing based on how a 'fair minded and honest person' would deal with the work.

- ✂. Does using the work affect the market for the original work? Does it affect or substitute the normal exploitation of the work.
- ✂. Is the amount of the work taken reasonable and appropriate? Was it necessary to use the amount?

KEY EXCEPTIONS TO COPYRIGHT 1

E

Exceptions

S29 – Research or Private Study



S29a – Text & Data Mining



S30 – Quotation



S30A – Caricature, Parody or Pastiche



S31A-F - Accessible Copying



S32 – Illustration for instruction



KEY EXCEPTIONS TO COPYRIGHT 2

E

Exceptions

S34 – Educational Performance



S35 – Recording of Broadcasts



S36 – Educational Copying of Published Extracts



S40B - Dedicated Terminals



S41 – Library to Library Copying



S42 – Library Preservation



KEY EXCEPTIONS TO COPYRIGHT 3

E

Exceptions

S42A – Library Copying for Users



S43 - Library copying of unpublished works



S45-50 – Public Administration



S44B - Orphan Works



COPYRIGHT EXCEPTIONS

E Exceptions



© rphan



NON-CONTRACTUAL OVERRIDE



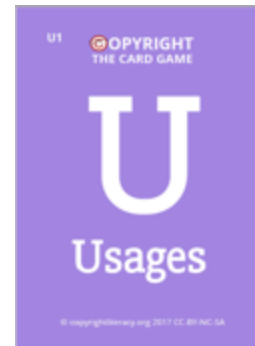
“To the extent that a term of a contract purports to prevent or restrict the doing of any act which, by virtue of this section, would not infringe copyright, that term is unenforceable.”

Copyright, Designs and Patents Acts 1988

ROUND 4



The final round uses all the cards:



ROUND 4



- 1. Consider the following scenarios within your teams**
- 2. We will supply 'Works' and 'Usages'**
- 3. Play the relevant 'Licences' and 'Exceptions' cards**
- 4. Choose a level of risk from 0 to 5 and play the corresponding card**

ROUND 4



1. You are a lecturer in a university teaching students economics, exploring the causes of the financial crisis. You find some charts in a World Bank report:

<https://openknowledge.worldbank.org/handle/10986/20758>

You wish to include these in your PowerPoint slides that you will use in the lecture to explore some of the possible causes of the crisis and the impact it had in specific countries.

ROUND 4



A blind student needs an accessible version of a 40-page pamphlet held in your library's collection.

They want a version suitable for use with their screen reader software and have asked ARACU – the University's accessibility unit - to make a digitised version for them. The pamphlet is not covered by the CLA Licence and is not available in digital form.

ROUND 4



A film lecturer wants to give her students access to an experimental art film from the 1960s. It is no longer commercially available, is not on any streaming services but the lecturer has a copy on DVD. She has format shifted the film to a digital file and wants to host it on the VLE for the duration of the module.

CHRIS AND RACHEL'S 3 TOP TIPS



1. First start by considering the **works** and **usages**
2. Then consider **licences** and if there are none that apply, look at **exceptions**.
3. You will always need to make a **risk** assessment. If relying on exception consider what is '**fair**'.

LINKS

[Copyrightliteracy.org](https://www.copyrightliteracy.org)

[Copyright, Designs and Patents Act 1988](#)

[IPO Copyright Guidance](#)

[Jisc Copyright Guidance](#)

[Copyrightuser.org](https://www.copyrightuser.org)

[Copyrightuser.org libraries guidance](#) **(Morrison & Secker)**

[Association of University Administrators guide to copyright](#)
(Morrison & Secker)

CREDITS



These slides and accompanying cards are (apart from any images contained within) © Chris Morrison and Jane Secker (@UKCopyrightLit) 2019 and are available for reuse under a [Creative Commons Attribution, Non-Commercial, Share Alike 4.0 licence](#).

[**DOWNLOAD THE FULL CARD GAME RESOURCES HERE**](#)

UK Copyright Literacy:

<http://copyrightliteracy.org>



Thank you!



ukcopyrightlit@gmail.com

FURTHER READING

Cornish, Graham (2019) *Copyright: Interpreting the Law for Libraries, Archives and Information Services*. Facet Publishing: London. Sixth Edition.

Padfield, Tim. (2019) *Copyright for Archivists and Records Managers*. Facet Publishing: London. Sixth Edition

Morrison, C and Secker J. (2015) Copyright Literacy in the UK: a survey of librarians and other cultural heritage sector professionals. *Library and Information Research*. 39 (121)
<http://www.lirjournal.org.uk/lir/ojs/index.php/lir/article/view/675>

Morrison, C and Secker, J (2016) Exceptions for libraries.
<http://www.copyrightuser.org/educate/intermediaries/libraries/>

Morrison, C.M. & Secker, J. (2017). Understanding librarians' experiences of copyright: findings from a phenomenographic study of UK information professionals. *Library Management*, 38(6/7), pp. 354-368. doi: 10.1108/LM-01-2017-0011 Available at: <http://openaccess.city.ac.uk/17385/>

Gadd, E.; Morrison, C.; Secker, J. (2019) Understanding the value of the CLA Licence to UK Higher Education. Universities UK / GuildHE Copyright Negotiation and Advisory Committee. Final report. Available at <https://ukcopyrightliteracy.files.wordpress.com/2019/07/cnac-research-project-report-final-with-logos-1.pdf>

Gadd, E.; Morrison, C.; Secker, J. (2019). The Impact of Open Access on Teaching—How Far Have We Come? *Publications*, 7, 56. <https://doi.org/10.3390/publications7030056>

Secker, Jane , Morrison, Chris and Nilsson, Inga-Lill (2019). Copyright Literacy and the Role of Librarians as Educators and Advocates. *Journal of Copyright in Education & Librarianship*, 3(2), doi: 10.17161/jcel.v3i2.6927

Secker, J and Morrison, C. (2016) *Copyright and E-learning: a guide for practitioners*. Facet publishing: London.