



# Digital Copyrights for E-Learning

[www.diceproject.ch](http://www.diceproject.ch)

30<sup>th</sup> April 2013, USI-Lugano

Anna Picco-Schwendener



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# THE DICE PROJECT



Digital Copyright for E-Learning  
[www.diceproject.ch](http://www.diceproject.ch)








Support CH-Higher Education Institutions in managing copyright issues correctly when using digital materials



- **DICE Methodology (4 questions)**
- **Online Case Study Tool**
- **(Handbook, Website, Seminars/Workshops)**



# DICE METHODOLOGY – 4 QUESTIONS

1

## WHERE?

... is the content used?



2

## PROTECTED?

Is the content protected by copyright?



3

## WHO?

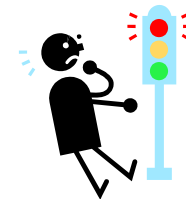
... is the rights holder of the content?



4

## WHAT FOR?

... is the protected content used?



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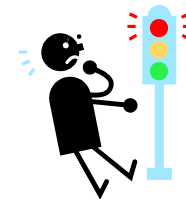
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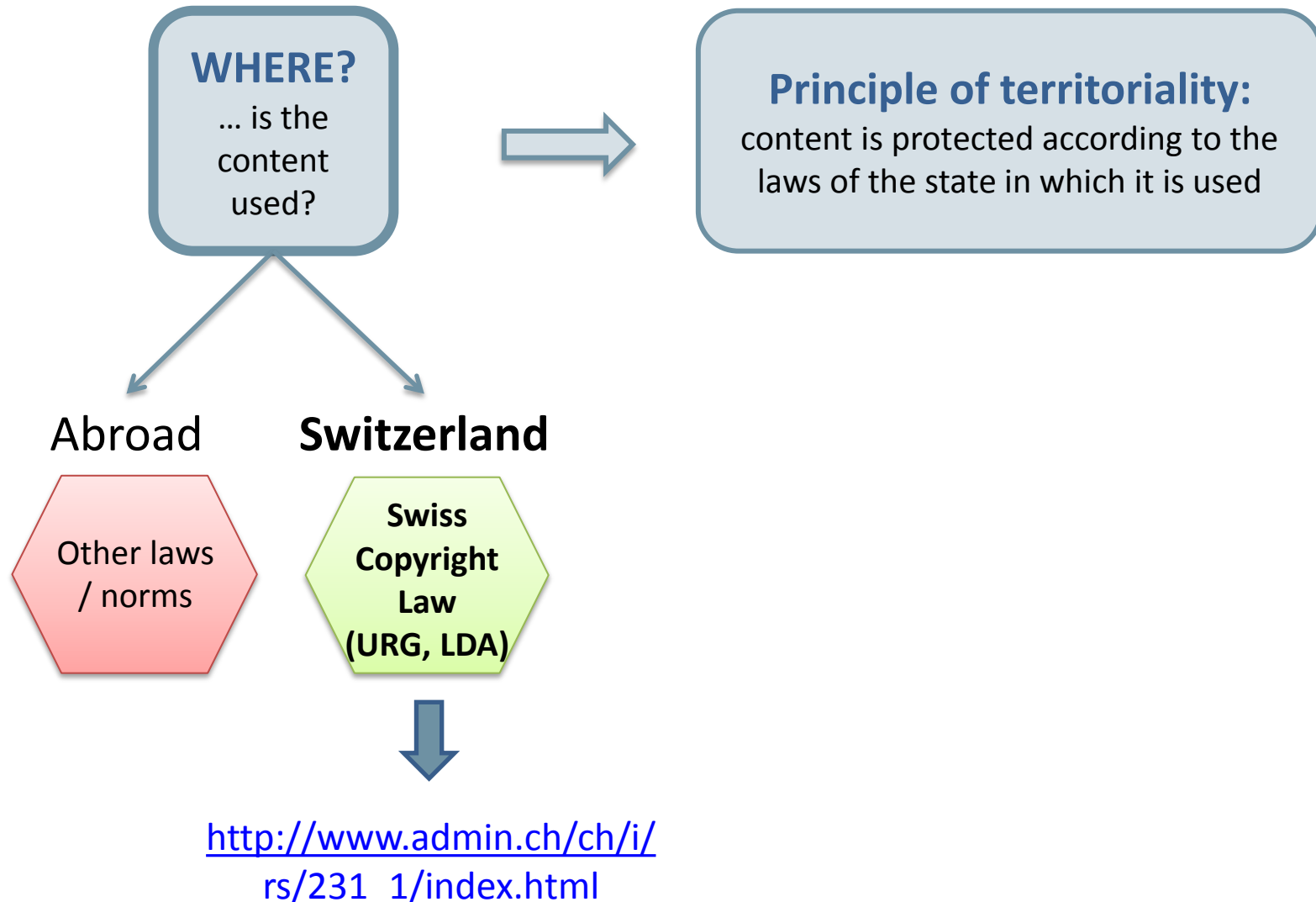
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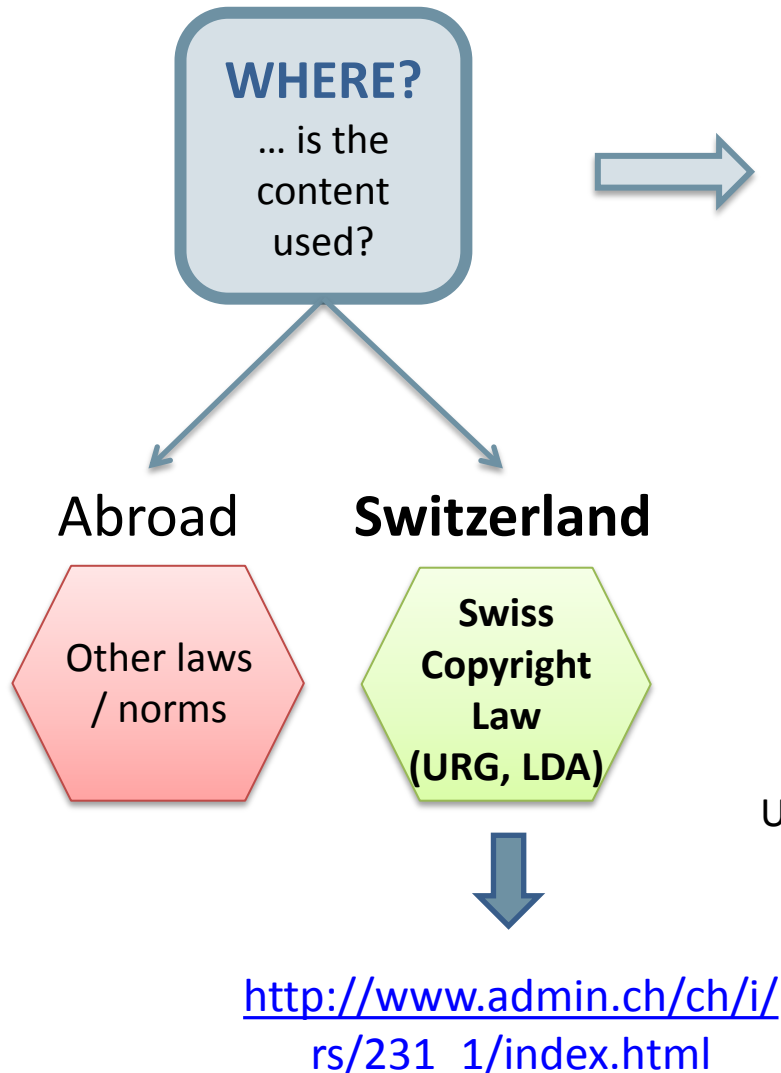
# 1) WHERE is the content used?

1 2 3 4

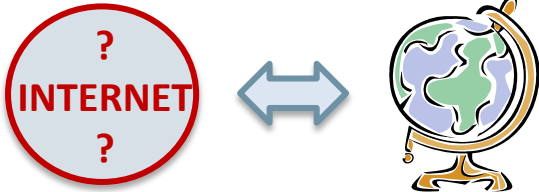


# 1) WHERE is the content used?

1 2 3 4



**Principle of territoriality:**  
content is protected according to the laws of the state in which it is used



**Global Audience**  
(law of which country? Terms of Use)

Use **cannot** be limited to some locations / countries  
→ But I can decide **to who** I give access (username & password)

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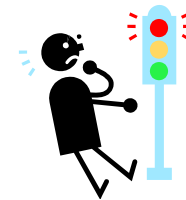
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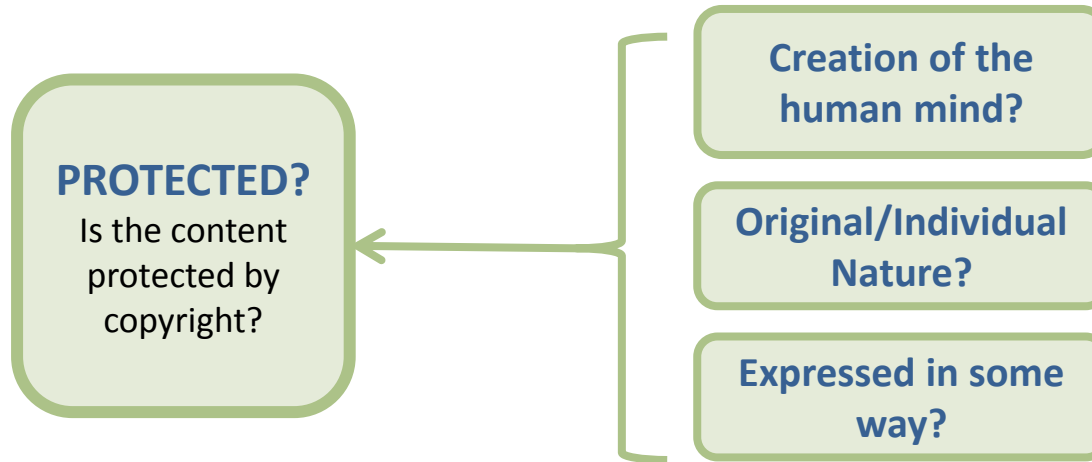
## WHAT FOR?

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## 2) Is the content PROTECTED by copyright?

1 2 3 4



"Works shall mean literary and artistic creations of the mind, irrespective of their value or purpose, that possess an individual nature ."

(Art. 2 I LDA)



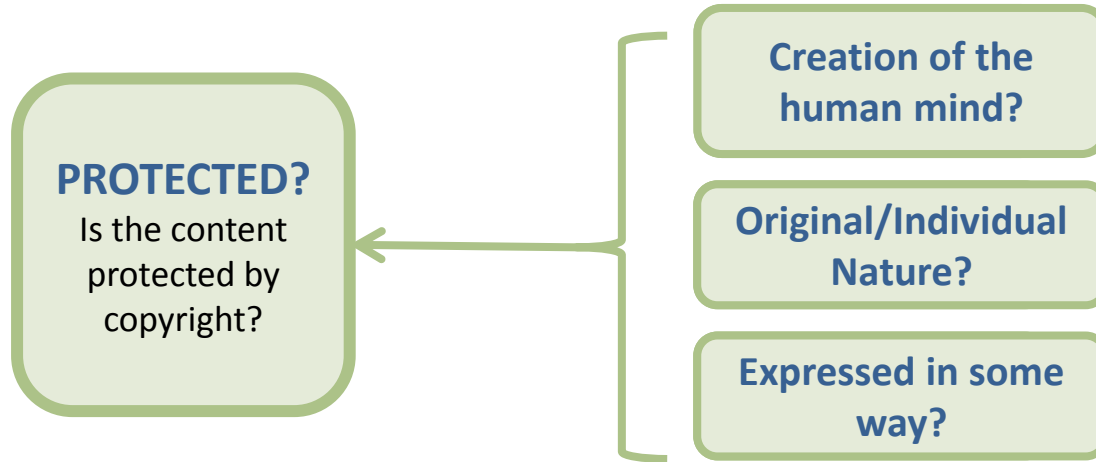
- Literary, musical or choreographic works
- Paintings, sculptures, graphics
- Films, audio-visual works
- **Electronic** works

- Natural Phenomena
- Standard texts of business letters, instruction manuals, laws, judgments of courts,
- Teaching method, Selling method



## 2) Is the content **PROTECTED** by copyright?

1 2 3 4



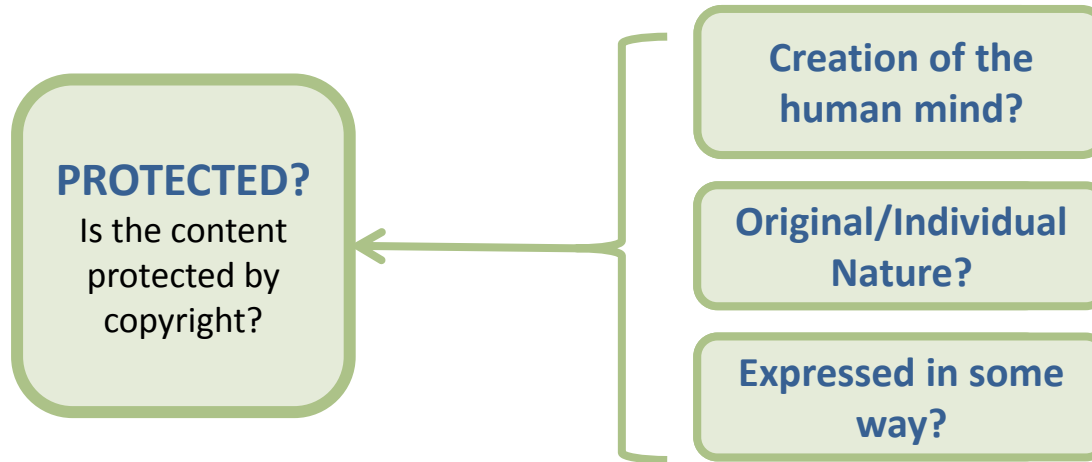
**No need to take specific actions  
to apply copyright to a work**

A work is automatically protected by the CH Copyright Law

© has no influence on copyright

## 2) Il contenuto è PROTETTO dal diritto d'autore?

1 2 3 4



### Duration of protection

70 years after death of author  
& work has not been re-published  
→ work becomes of **public domain**

**Computer Programs:** 50 years

**Films:** from the death of director

**Unknown author:** 70 years after 1<sup>st</sup> publication

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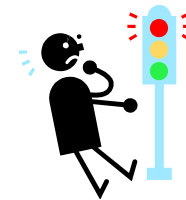
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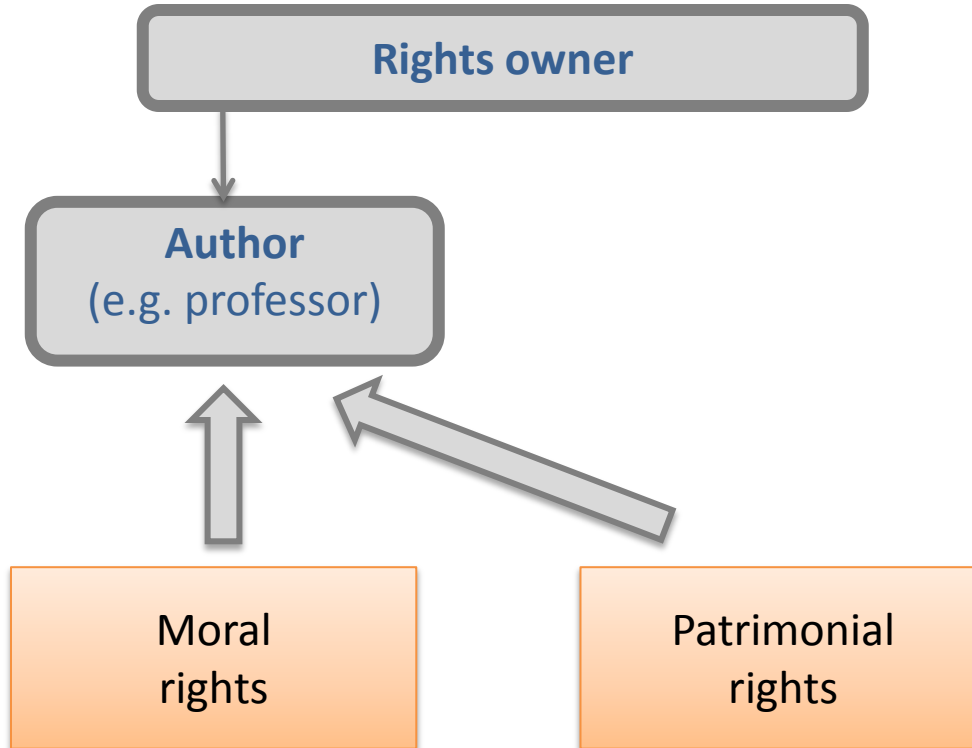
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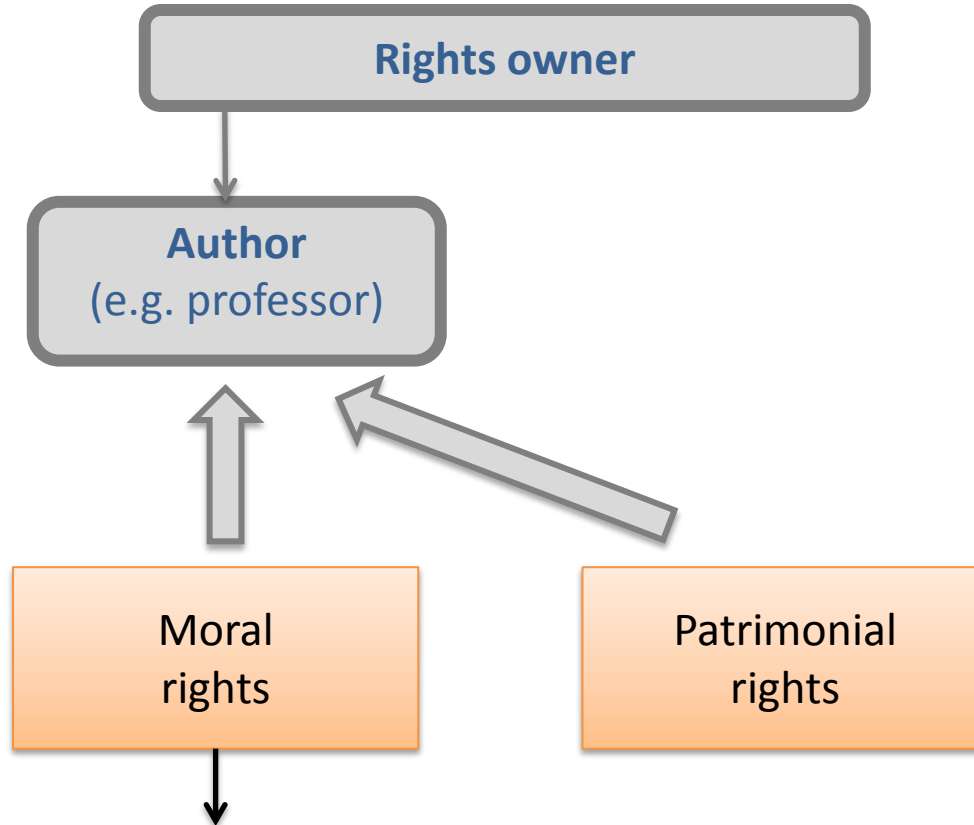
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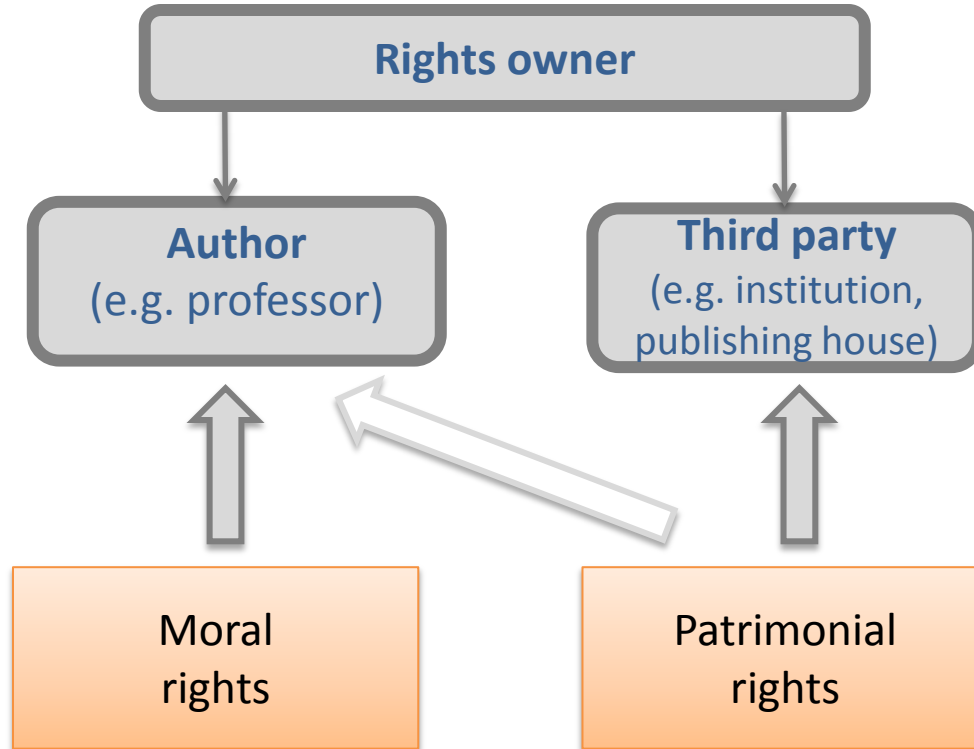


**Protect the bond the author has with his/her work** (exclusive, absolute, inseparable)

- Right of paternity = exclusive right to be identified as the author
- 1<sup>st</sup> publication (whether, when, how, under what name)
- Right to Integrity of the work

### 3) WHO is the rights holder of the content?

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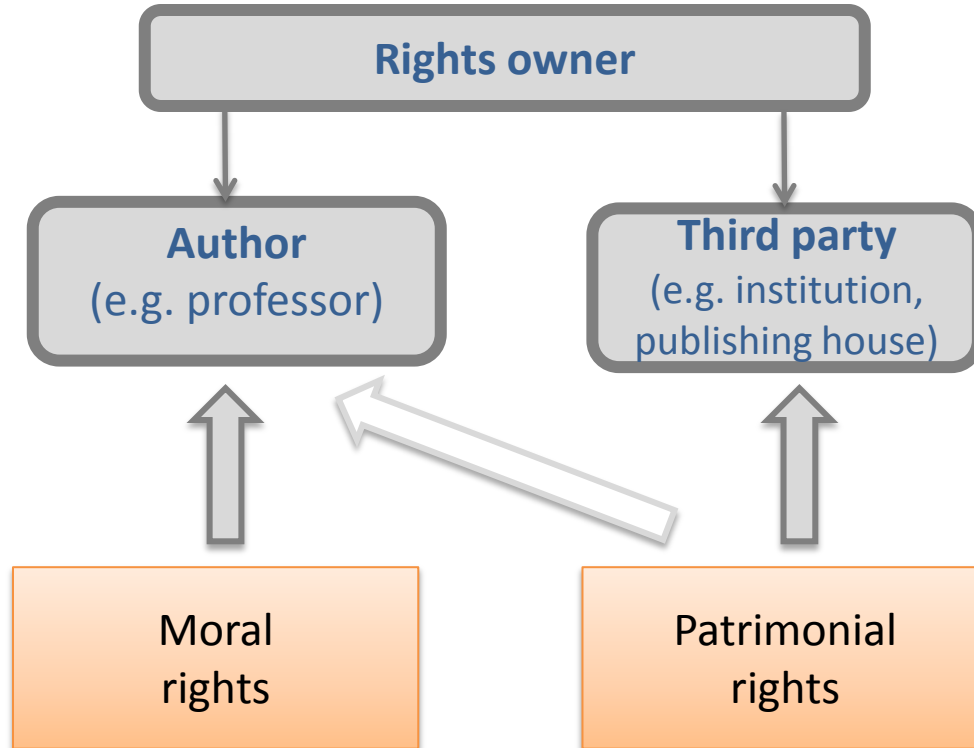


#### **TRANSFER RIGHTS (contract):**

- Which rights? (all / some rights?)
- For what?
- For how long? (duration)
- For which countries?
- At what cost?

### 3) WHO is the rights holder of the content?

1 2 3 4



The rights holder has the exclusive right to decide, when, how and under what condition his/her work can be used.

→ **ASK FOR PERMISSION TO USE A WORK**  
(reproduction, translation, adaption, distribution, sale, **upload**)

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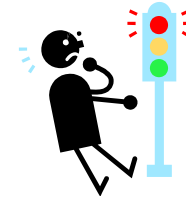
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## 4) **WHAT** is the protected content used **FOR**?

1 2 3 4

EXCEPTIONS



RULE



# 4) WHAT is the protected content used FOR?

- 1
- 2
- 3
- 4

EXCEPTIONS



RULE



Other usages



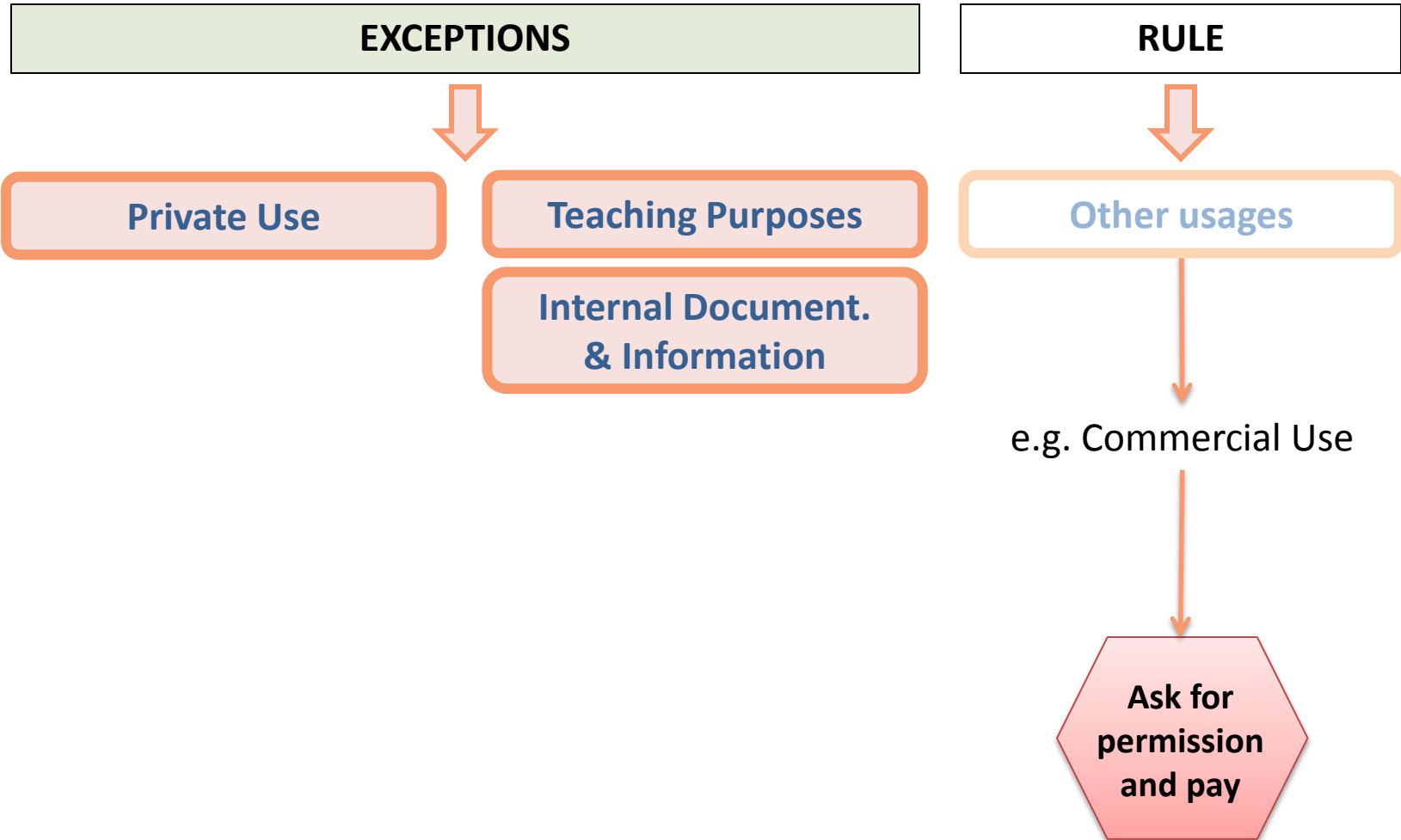
e.g. Commercial Use



Ask permission and pay

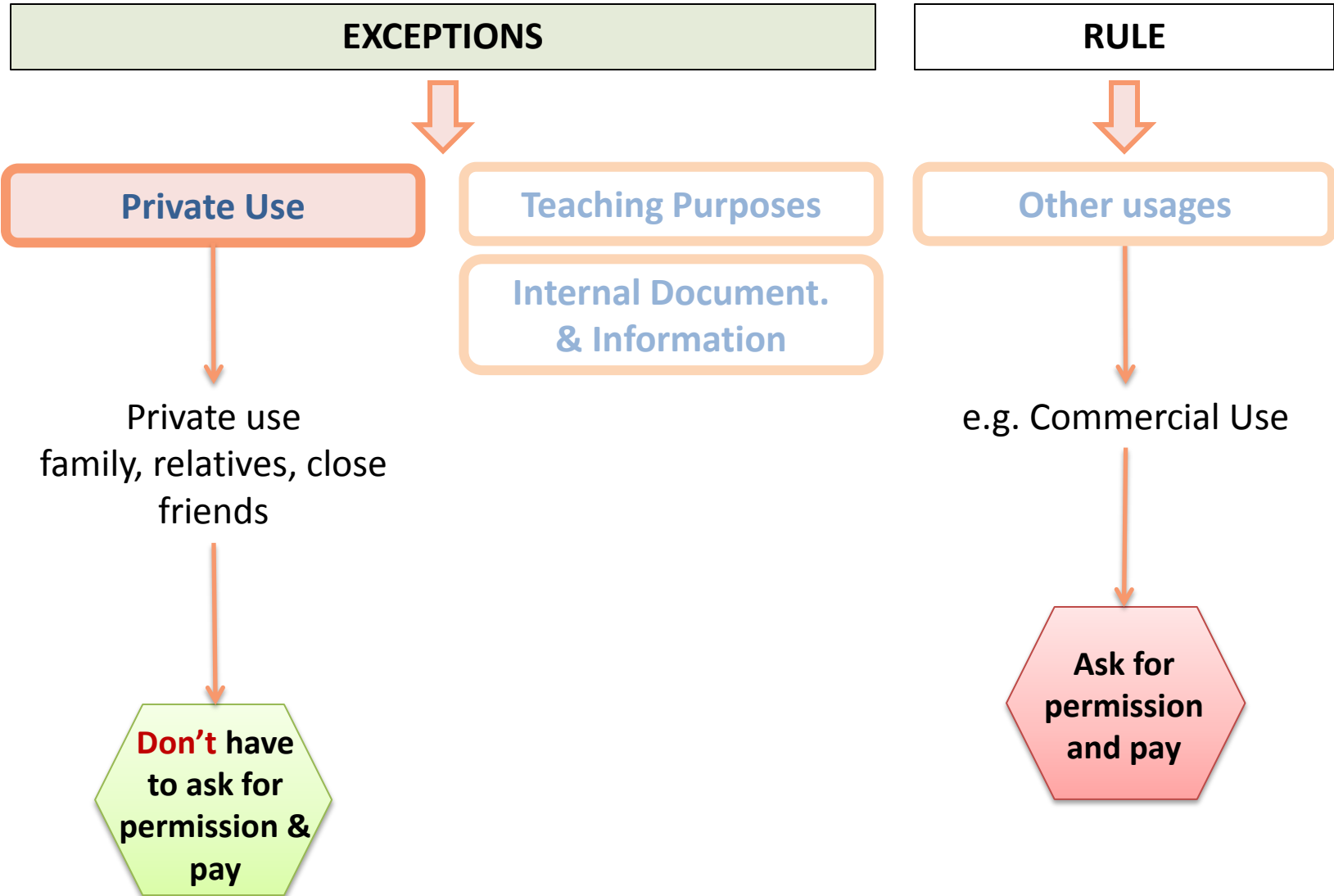
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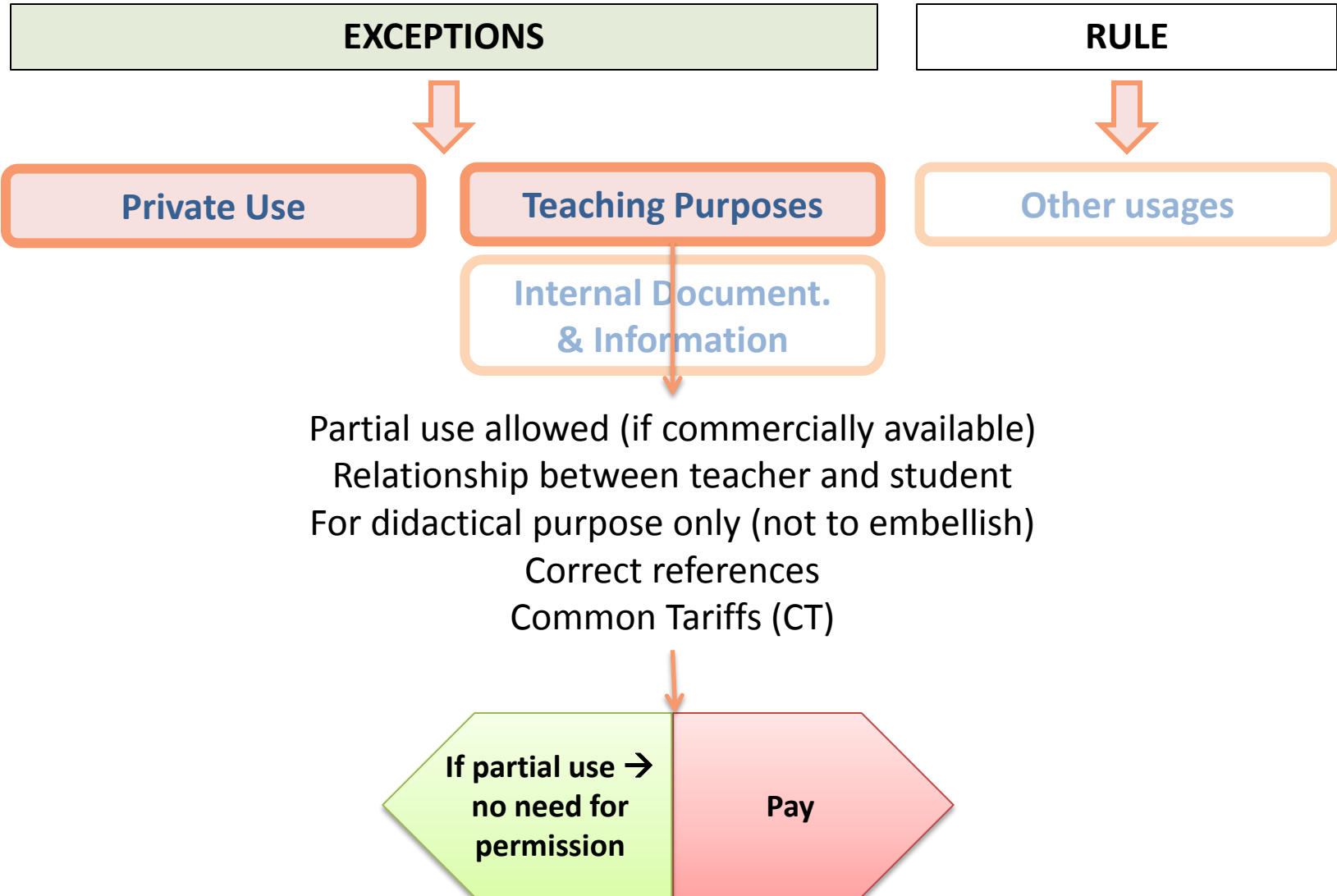
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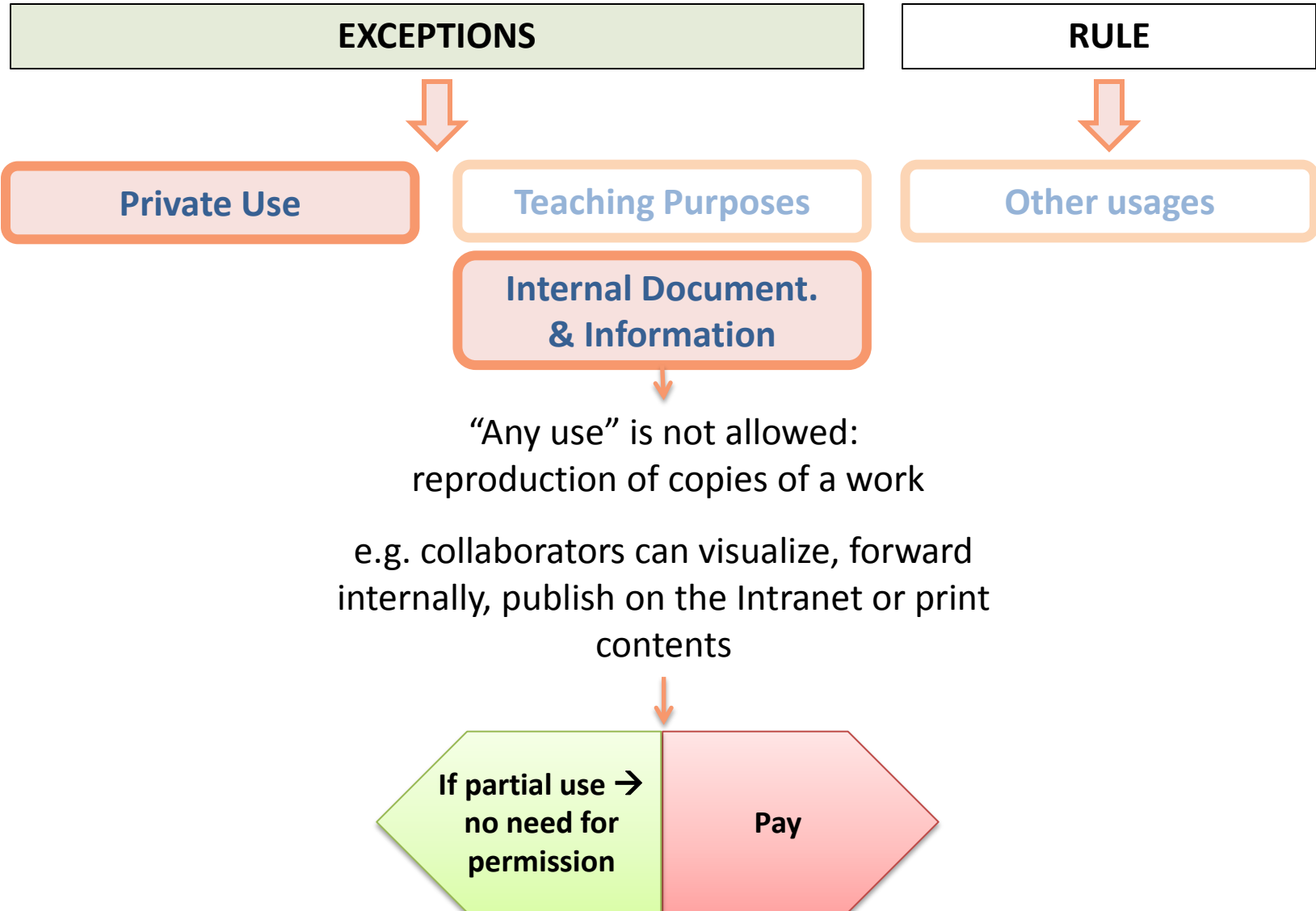
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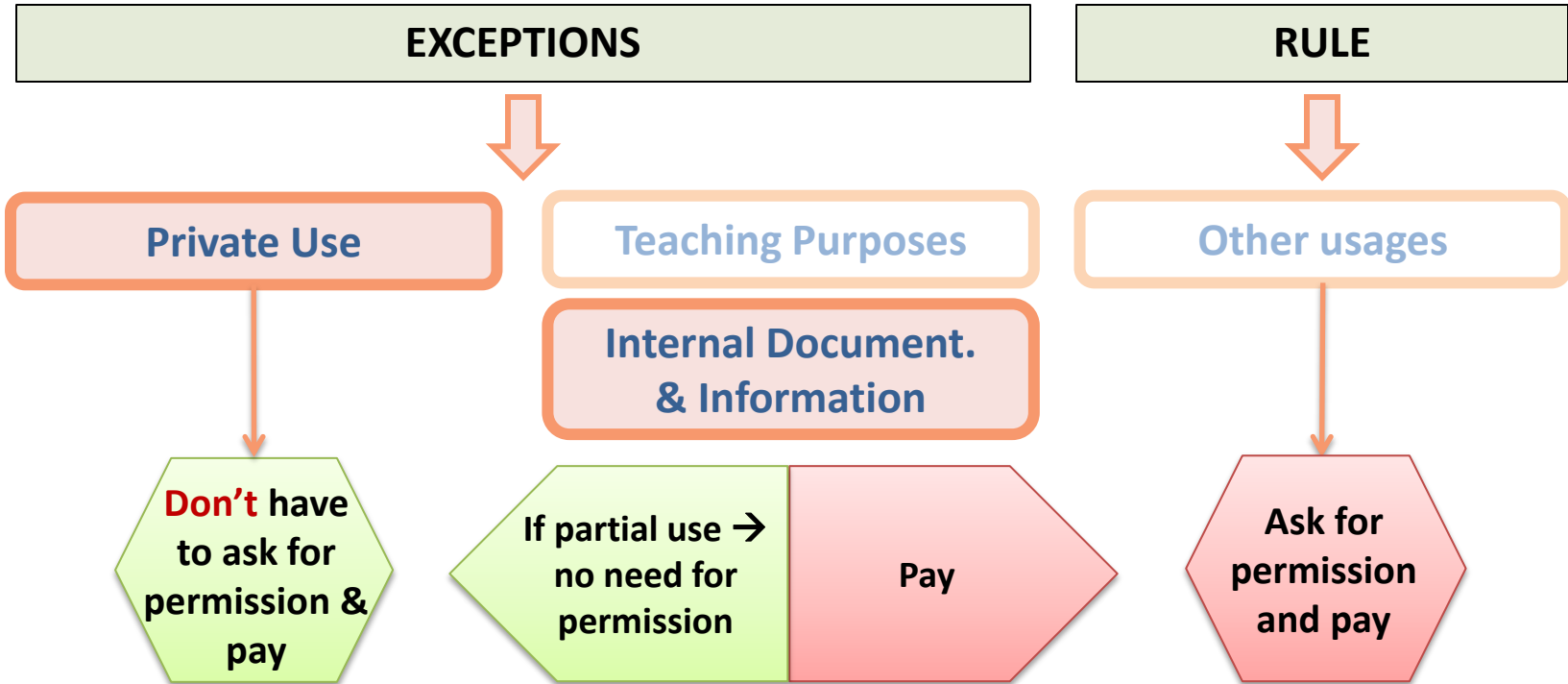
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## Why? / What for?

To promote sharing and reuse of creativity and knowledge









Developed in particular to work with the **Web / Internet**

## Licenses & Modules

Various levels:  
From **retaining all rights** to the **relinquishing all rights** (public domain)

### Modules:

- BY  = Attribution (to the author)
- NC  = Non-Commercial
- ND  = No-Derivatives
- SA  = Share Alike
-  = Public domain works
- 

<http://creativecommons.org>  
<http://creativecommons.ch>



## 6 current licenses:

- **BY** = Attribution



- **BY-ND** = Attribution; No-Derivatives

- **BY-NC** = Attribution; Non-Commercial

- **BY-NC-ND** = Attribution; Non-Commercial; No-Derivatives



- **BY-NC-SA** = Attribution; Non-Commercial; Share Alike

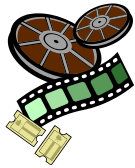
- **BY-SA** = Attribution; Share Alike

## Be careful:

- **CC Licenses are ...**
  - Non exclusive
  - Not revocable
  - Do not affect moral rights
- **CC Licenses do not substitute the copyright law**
- CC Licenses can be used for **any type of work** (including educational resources, music, pictures, databases, electronic works, ...)
- CC Licenses can be used **free of charge**
- **No registration is needed** (no DB of CC works)
- A CC license terminates automatically upon a violation of its conditions

# ELECTRONIC WORKS

## How to best protect your electronic works on the Web?



They are **automatically protected**, but ...

- **Raise Awareness** of the user / indicate:
  - Put a note or use © on the 1<sup>st</sup> page of a work / website
  - They don't have additional value from a legal point of view
- **Be aware**, that works published on the Internet are accessible to everyone → becomes difficult to control what they do with it (to restrict use: **username & password**)
- Use **CC licenses**



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Thank you!

