Copyright and plagiarism fall under the common law of intellectual property, which refers to the exclusive rights of individuals to intangible assets including artistic and creative works, ideas, discoveries, inventions and literary expressions.
Why be concerned about copyright and plagiarism?

• Copyright is a legal issue
• Plagiarism is a moral issue
• Both can have severe consequences
Answer the following questions to test your knowledge of copyright and plagiarism.
QUIZ--PLAGIARIST

Which of these famous people were accused of plagiarism:

• Martin Luther King, Jr.
• Alex Haley
• Helen Keller
• Vanilla Ice
• Michael Bolton
• Aretha Franklin

• A,B,C,D,F
• A,B,D,E
• A,B,C,D,E
• B,C,D
• B,D,E,F
• All of the mention
QUIZ—PLAGIARIST—ANSWER

Which of these famous people were accused of plagiarism:

- A. Martin Luther King, Jr.
- B. Alex Haley
- C. Helen Keller
- D. Vanilla Ice
- E. Michael Bolton
- F. Aretha Franklin

Note: Aretha Franklin was not accused of plagiarism but copyright infringement. Helen Keller, though blind and deaf, wrote The Frost King at 12 years old, which later turned out to resemble a story entitled, the "Frost Fairies", from Margaret Canby's book Birdie and His Fairy Friends.
2. Copyright protects things not published, including ideas.

True or false?
2. Copyright protects things not published, including ideas.

True of false?

FALSE

Copyright protects things not published but doesn’t protect ideas.

[https://www.copyright.gov/circs/circ31.pdf](https://www.copyright.gov/circs/circ31.pdf)
Copyright is governed by Federal Law, thus punishable in federal courts.

Copyright laws do not protect ideas, methods, or systems.

Copyright protection is therefore not available for ideas or procedures for doing, making, or building things; scientific or technical methods or discoveries; business operations or procedures; mathematical principles; formulas or algorithms; or any other concept, process, or method of operation.
• Section 102 of the Copyright Act (title 17 of the U.S. Code) clearly expresses this principle: “In no case does copyright protection for an original work of authorship extend to any idea, procedure, process, system, method of operation, concept, principle, or discovery, regardless of the form in which it is described, explained, illustrated, or embodied in such work.”

• In most cases these types of intellectual property would fall under inventions and are subject matter for patents, not copyrights.
Image A is the original Disney Bugs Bunny character, which of these images would be considered copyright infringement if used:

A. Image A
B. Image B
C. Image C
D. Images A & B
E. Images B & C
F. All of the above
G. None of the above

http://www.walsworthyyearbooks.com/idea-file/28460/copyright-infringement
QUIZ—IMAGES—ANSWER

Image A is the original Disney Bugs Bunny character, which of these images would be considered copyright infringement if used:

A. Image A
B. Image B
C. Image C
D. Images A & B
E. Images B & C
F. All of the above
G. None of the above

http://www.walsworthyyearbooks.com/idea-file/28460/copyright-infringement
• With increased image exposure via the Internet, image copyright infringement is front-and-center on the international intellectual property stage.

• Photographers, viewers and potential consumers must understand that copyright laws for images govern distribution, ownership, reproduction and overall usage rights, ultimately carrying weighty punishments for individuals who breach copyright laws. There are a few circumstances when you do not need permission.

• If the image you are using is in the public domain, a U.S. federal government image (though not all government works are in the public domain), or the copyright owner has clearly (and reliably) stated that you may freely use the image without obtaining permission.
The creator of a work of visual art has additional rights set out in the *Copyright Act*. These are called moral rights and allow an artist to have his name on his work and to prevent modifications that may be prejudicial to the artist’s reputation or honor.

A work of visual art is: “a painting, drawing, print or sculpture, existing in a single copy, in a limited edition of 200 copies or fewer that are signed and consecutively numbered by the author,” and “a still photographic image produced for exhibition purposes only, existing in a single copy that is signed by the author, or in a limited edition of 200 copies or fewer that are signed and consecutively numbered by the author.”
5. Which of these newsletter photographs could constitute copyright infringement if they were used on another website or publication?

A _____ B _____
Neither _______
5. Which of these newsletter photographs could constitute copyright infringement if they were used on another website or publication?

A ______ B _____
Both ________
Neither ________

The answer is B, which is a photograph taken by the editor of the newsletter. It is not a stock photograph.
This is an example of Stock photography, a collection of images copyrighted by the photographer or agency controlling the images. While stock photography sites sometimes allowed the images to be used for free you need to know exactly how the site allows use. Some sites allow use due to license agreements, such as Microsoft, etc.
How do you know if it is plagiarism of copyright infringement?
PLAGIARISM

- Failing to credit sources
- Attempting to receive credit for someone else's work (overt or implied)
- Attempting to receive credit for duplicate work (self-plagiarism)

COPYRIGHT INFRINGEMENT

- Using someone's work without their permission
- Violates the other person’s exclusive rights
- Derivative works--altered copyrighted works

EJ Brumfield, PVAMU, 2019
Recycling content from a book and making it into a play without the copyright holders permission would likely be copyright infringement.

Extensive copying of a book with permission but without attribution (citations) would be plagiarism but not copyright infringement.

Extensive quoting without permission and without attribution would be copyright infringement and plagiarism.
PREVENTING PLAGIARISM

• Use anti-plagiarism tools and/or have students use anti-plagiarism software tools (Grammarly, Safe-Assign, TurnIt In, iThenticate, PlagiarismChecker.com.

• Work with librarians, attend a library instruction sessions that discusses how to do appropriate research, search databases and cite resources.
Plagiarism detection is now used in authenticating research grants. In 2013, the NSF investigated 100 cases, most were self-plagiarized, from researchers duplicating their proposals or submitting several similar proposals to improve their chances.

TuritIn, now uses text matching and authorship detection aimed at detecting contract cheating, where students buy or have others write their papers.

Verbatim plagiarism is copying word for word, without citing the source. Mosaic plagiarism is piecing together ideas from various resources and, without citing them.

Accidental plagiarism is often laziness or inadequate studying and mistakes in citations for the paper submitted.

Ej Brumfield, PVAMU, 2019
• All works published in the United States before 1923 are in the public domain. For works published after 1977, life +70 years.

• Works published after 1922, but before 1978 are protected for 95 years from the date of publication. If the work was created, but not published, before 1978, the copyright lasts for the life of the author plus 70 years.

• If a work is created by an employee in the course of his or her employment, the employer owns the copyright.

• When two or more authors prepare a work with the intent to combine their contributions into inseparable or interdependent parts, the work is considered joint work and the authors are considered joint copyright owners.

https://www.copyright.gov/help/faq/faq-general.html
COPYRIGHT OR PLAGIARISM

Big difference:

• Schools enforce plagiarism*
• Courts enforce copyright infringement

*Plagiarism cases can go to court if there are actual damages (money) involved
THANK YOU