

Legal Considerations

Audio Descriptive Text

Title: Professional Development 201: From Basic to Dynamic. Before the Webinar - Visuals; Legal Considerations. Image of PD practices: Sustain, Design, Promote, Deliver, Follow Up, and Evaluate. CDC logo.

Video Summary

The use of copyrighted material is handled on an individual basis; some instances may be considered fair use.

Audio Script

There are legal considerations when using photos, illustrations, and videos. The use of copyrighted material in presentations is a confusing topic that often produces many questions without a lot of straightforward answers. The simplest answer to the question is this: if you have any doubt about whether the work you want to use is covered, contact the copyright holder first and ask permission. Or, don't use copyrighted work in your events.

Copyright issues are handled on an individual basis. In other words, not all instances of use are the same. Some instances may fall under the legal doctrine known as "fair use."

There are four factors taken into consideration when determining fair use of a copyrighted work.

- **Purpose of the use:** Just because a video clip is being used for educational purposes does not make it fair use. However, nonprofit educational use is distinguished from commercial use under the law.
- **Nature of the copyrighted work:** Nonfiction or factual works are more likely to fall under the protection of fair use than fictional or creative works.
- **Amount of the work being used:** Shorter, smaller reproductions are more acceptable under fair use. A five-second clip is likely to be more acceptable than a five-minute clip, and
- **Market effect on the original work:** The number of times the work is used (and the number of people it is shown to in this new context) will have an impact on fair use. The broader the distribution of a webinar, the less likely it is to be protected.

For more information, visit the:

- OWL Purdue Online Writing Lab, and
- The Webinar Blog, *Web Conferencing Tips, News, and Opinions*.

Now that we have covered many aspects of designing the presentation for online delivery, let's review.