

What's Mine is Mine

Eric L. Isaacson

Ideas have always been one of those things that just make the world keep ticking. It was an idea that got us rolling with the wheel. It was a flock of ideas that built the printing press. Today, it's still one little idea after another that advance technology, medication, travel. Education is the sharing of ideas and the development of new ones. In the world of commerce, an idea gains an enormous amount of value. With value, that idea must be kept safe. In 1790, the United States government enacted the first law to protect tangible ideas from being stolen. Today, copyright laws protect ideas and the works they create.

Copyrights have, for a very long time, have protected written works, photography, works of art, and video and audio recordings. Today, we view a newer realm which contains billions of ideas only a click away. Most of this can easily be cut, copied, and pasted wherever one pleases. A relative few stop to think of the laws they might be breaking when they use an image from somebody's website or use another's video for a presentation.

There are several aspects of copyright law. The first requirement for something to be copyrighted is that it must be tangible. An idea cannot be copyrighted until it has been put on paper or recorded in some other way. It must also be one's own original work. Spoken word is not copyrighted until it recorded in print or audio.

To copyright one's work, it only needs to be tangible. If so, it is already copyrighted. A copyright notice will more and different damages in the case of a law suit, but is not required. A correctly displayed notice might look like this:

“Copyright 2007 by Eric Isaacson”

A “©” can be used in place of “Copyright” but the commonly used “(C)” has never been given legal force. “All rights reserved” is no longer required but in some countries, it may be useful to include “moral rights” (Templeton, 10 Big Myths). Registering a copyright gives added validity and makes it much more powerful in a law suit.

In any copyright case, stealing somebody else’s work won’t get you very far. If the content is worth money, its copyright legitimacy is not increased. However, the damages are taken into a higher consideration within the courts.

There are “Fair Use” laws that allow some “borrowing” in many cases. In the name of free speech and education, works can be copied freely for many purposes including: teaching, researching, commenting, criticizing, parodying, and relating news. When used, the content from any piece should be restricted to the need. For instance, an entire book cannot be copyrighted under fair use but a page could. Fair use can be very sketchy as many people try to justify their use as fair use.

These laws apply to the web much like anything else. Copyright protects the unauthorized copying of links, original text, graphics, audio, video, html or other unique markup language sequences, email, lists of web sites compiled by an individual or organization, and all other unique elements that make up the original nature of the material (Montecino). This restricts the kind of actions one might take when building their own web page or merely surfing the web.

In most cases, linking to another website is okay, but it’s always a good idea to ask first. For instance, an organization with high moral standings probably wouldn’t want an affiliating link from a website of sexual content. While most graphics are protected, there are a variety of free graphics that can be used.

There are many things that cannot be done on the web. Here is a list from www.gmu.edu describing the things that cannot be done:

- Put the contents of another person's or organizations web site on your Web page.
- Copy and paste information together from various Internet sources to create "your own" document. [You CAN quote or paraphrase limited amounts, if you give credit to the original source and the location of the source. This same principle applies to print sources, of course.]
- Incorporate other people's electronic material, such as e-mail, in your own document, without permission.
- Forward someone's e-mail to another recipient without permission
- Change the context of or edit someone else's digital correspondence in a way which changes the meaning
- Copy and paste others' lists of resources on your own web page
- Copy and paste logos, icons, and other graphics from other web sites to your web page (unless it is clearly advertised as "freeware." Shareware is not free). Some organizations are happy to let you use their logos, with permission - it is free advertising. But they want to know who is using it. They might not approve of all sites who want to use their logo (Montecino).

In most cases, a company is not going to file a law suite against somebody for putting their company logo on a personal home page. You can probably get away with posting something from your friends e-mail without permission. Only in cases where there is money is at stake, does copyright really come into play. However, it's still a risk every time even a link is placed without consent. Common courtesy needs to come in to play. Somebody worked hard to produce what is so easy to steal or take credit for. Think about it.

Works Cited

- Field, Thomas G., Jr.. "Copyright on the Internet." Pierce Law Center. 23 Jul 2006. Pierce Law. 14 Jun 2007 <<http://www.piercelaw.edu/TFIELD/copyNet.htm>>.
- Montecino, Virginia. "Copyright and the Internet." Mason academic research system. 1996. George Mason University. 14 Jun 2007. <<http://mason.gmu.edu/~montecin/copyright-internet.htm>>.
- Skvarka, Christopher B. "The Mystery Behind the ©." 1996. University of Pittsburgh. 14 Jun 2007. < <http://www.pitt.edu/~skvarka/education/copyright/>.>
- Templeton, Brad. "10 Big Myths about copyright explained." Brad Templeton's Home Page. 14 Jun 2007.<<http://www.templetons.com/brad/copymyths.html>>.
- Templeton, Brad. "A brief intro to copyright." Brad Templeton's Home Page. 14 Jun 2007. <<http://www.templetons.com/brad/copyright.html>>.