



The Changing Web and COPYRIGHT

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The Web is in a constant state of flux. Along with the Web, copyright practices, too, are evolving. Wikis are being quoted in school papers; blogging and RSS feeds are in use in some classrooms, as well as by private citizens; and “podcast” has become both a noun and verb in popular culture. Faculty, administrators, and students need to understand how new technologies impact our interpretation of copyright. While this article can give only a short definition of each innovation and then briefly discuss application of copyright law, your school librarian can help you answer the specific questions that arise in your classrooms and professional work.

Wikis

A wiki is, simply put, a collection of “...collaborative Web pages that allow users to modify entries...” The

owner of a wiki can manage who will edit it; some owners let anyone edit (Underwood 2006).

While probably the most well-known wiki is the online encyclopedia, Wikipedia, Lauren Barack points out that “Libraries and schools have adopted wiki formatting for many of their former Web sites, allowing students to access homework assignments, letting schools send updates to parents, and making it easy for classes to collaborate” (Barack 2006).

By its very nature, a wiki appears to be a copyright-free zone, since one can change and revise the wiki’s entries easily. However, in reality, that is not the case. Instead, what Wikipedia calls “copyleft” applies. For example, “Wikipedia content can be copied, modified, and redistributed so long as the new version grants the same

freedoms to others and acknowledges the authors of the Wikipedia article used...” Thus, with copyleft (as well as with open source) a particular work is limited to uses defined as appropriate by the work’s owner. Use of such content is interpreted in much the same way as license. Indeed, Wikipedia in its official copyright policy, “...grants free access to (our) content in the same sense as free software is licensed freely.” It also states that “Permission is granted to copy, distribute and/or modify this document...” under specific terms that the owners define. The object of this sort of access, according to Wikipedia, is that “...articles therefore will remain free forever and can be used by anybody...” (Wikipedia 2006)

Thus, while such a wiki may constantly change depending on who creates or revises entries, the

type of use stated by the original creator applies. So, are all wikis copyleft? In the public domain? If a wiki owner explicitly states the type of use on the site, follow those instructions. If an owner does not define the permission, then in terms of copyright, treat the content much as you would any other website.

Blogs

A blog is "...a common word to describe a weblog, or web site where people post thoughts and information about news or topics of interest" (West 2006, 54). "Vlogging is short for video blogging, also known as vodcasting" (Paul 2005). Blogs and vlogs are becoming more widespread in the K–12 school environment, including libraries because they can be used to

- get information quickly to anyone with an Internet connection,
- post sample assignments, and
- allow "...for enhanced comprehension and communication among students..." (Poling 2005).

Are blogs copyright protected? Well, unless the blog site contains a statement that the blog is in

Blog Copyright Statement Examples

Lita Blog <litablog.org/lita-blog-acceptable-use-and-copyright-statement>

St. Petersburg College Library Blog Acceptable Use and Copyright Statement <www.spcollege.edu/central/libonline/book_image/SPCLBcopyrightstatement.htm>

Jagaimo <www.jagaimo.com/copyright.aspx>

the public domain, copyleft, or a similar state, readers of a blog should assume that copyright law applies. This means that the user should look to statutory exemptions, such as fair use and classroom exemptions, as well as copyright guidelines (again dealing with fair use and classroom exemptions), obtaining permission, etc., when using and copying from a blog.

RSS Feeds

RSS means "really simple syndication." News channels, such as ABC, NPR, and others, provide RSS capabilities via the Internet. With an RSS feed, a computer user can obtain "...just the news you want..." (Underwood 2006) For example, if you are interested only in American politics and in basketball in the Ukraine, then only current news on these two subjects will be sent to you via the feed. Because the RSS feed includes news from communication giants, assume that what you receive is copyrighted and treat it as such.

A school might choose to create an RSS feed of its own. In such a case, can those developing the RSS feed borrow from other Internet news sites? Well, that depends on the copyright policies for each of the originating websites. Because not all Internet news sources are willing to give away their material, the school RSS feed developers need to read the documentation/copyright policy for each site from which they consider borrowing. If a site states that schools or others have permission to borrow from it, then the developers can do so. If no such permission is granted, then the school RSS feed developers need to find material from another source. However if those developing the school RSS feed create their own news items, there should be no problem with using news that they have self-generated.

In addition, if the news articles are in the public domain, borrowed from a copyleft or open source site (whose copying criteria the RSS school creators follow), or the school has a license or obtained permission to use the articles in an RSS feed, then everything is OK. Otherwise, statutory exemptions, such as fair use, may come into play. As the Web article, "The Copyright Debate and RSS," states, "Offering a feed for syndication does not in fact grant any legal rights to anyone to reuse the feed's content beyond what the Copyright laws grant as Fair Use" (RSS Specifications 2007).

The various parameters discussed in this section also hold true when a school librarian or other educator wishes to develop an RSS feed with results from a de.licio.us or other social bookmarking search. For more on social bookmarking sites and copyright, see "Social Bookmarking Web Sites" below.

Podcasting

The term "podcasting" is "... derived from the ipod (Apple Computer's popular device for playing compressed audio files) and 'broadcasting'... Podcasting allows for audio files that would have been previously downloaded and played on a personal computer to be automatically downloaded and listened to on portable music playing devices (such as the iPod and other MP3 players)" (Crofts et al. 2005). RSS software and blogging are both instrumental in making podcasting possible. A podcast is essentially audio-blogging, with RSS software managing the audio files (see discussions of blogs and RSS feeds above). While most podcasters listen to music on their MP3 players, the process works with any audio; as a result, educators can support the curriculum by providing students with speeches from history, verbal

directions to math problems, etc. Concerning copyright, podcasting is iffy. Unless the music, speeches, etc., are in the public domain, copyright law applies. When using an MP3 player for any purpose, according to Crofts et al. (2005), it is best to obtain the content

- from a reputable Internet site,
- with public performance rights or another license, or
- with permission from the copyright owner(s),

even if that means that you have to pay for it!

An excellent Web article, "Podcasting Legal Guide: Rules for the Revolution," discussing podcasting and copyright law is available online (Vogele 2007).

Social Bookmarking Websites

Social bookmarking sites, such as del.icio.us and Ma.gnolia, "...store your bookmarks online, which allows you to access the same bookmarks from any computer and add bookmarks from anywhere...use tags (one

word descriptors) to organize and remember your bookmarks...(and) see the interesting links that your friends and other people bookmark, and share links with them in return" (De.licio.us n.d.).

Social bookmarking sites can also create confusion when considering copyright law. When using lists of URLs the basic interpretation of copyright law is that "lists of links are copyrighted unless otherwise specified" (Butler 2004, 76). This means that whoever creates or owns a list of bookmarked links has the right to decide whether or not others can use it, as well as how they can use it. Additionally, social bookmarking sites may have their own copyright policies. These may state that the site follows copyright law (De.licio.us n.d.) or state specifics, such as "All avatar images uploaded by Ma.gnolia members must not violate the copyright on those images, if any. Ma.gnolia reserves the right, and will remove any avatar images that are reported to us as violating copyright" (Ma.gnolia 2008). What does all this mean? Well, it means that social bookmarking sites may provide their users with links from other users, and

it is best for members of these sites to use the provided links individually, rather than copying a list of them verbatim from the site.

So, where does this leave us as educators when it comes to wikis, blogs, RSS feeds, podcasting, social bookmarking sites, and copyright? Although copyright law is fighting to keep up, it is usually behind when it comes to rapidly evolving technology. Therefore, do the best you can to apply copyright law, as you know it, to the new technologies that you wish to use with your students. And, check with your school librarian who is there to help you!

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Works Cited

Barack, Lauren 2006. "Google Goes Wiki." School Library Journal Extra Helping. <www.schoollibraryjournal.com/article/CA6388927.html> (accessed November 8, 2006).

Butler, Rebecca P. 2004. *Copyright for Teachers and Librarians*. New York: Neal-Schuman.

Crofts, Sheri, Jon Dille, Mark Fox, Andrew Retsema, and Bob Williams. 2005. "Podcasting: A New Technology in Search of Viable Business Models." *First Monday* 10, no.9. <firstmonday.org/issues/issue10_9/crofts/index.html> (accessed September 27, 2005).

De.licio.us. n.d. "What is De.licio.us?" <del.icio.us/about> (accessed May 26, 2008).

Ma.gnolia. 2008. "Copyrighted Materials." <ma.gnolia.com/tos> (accessed May 26, 2008).

Paul, Josh. 2005. "What is Vlogging (and How to Get Started)." O'Reilly Digital Media. <digitalmedia.oreilly.com/2005/07/27/vlog.html> (accessed November 9, 2007).

Poling, C. 2005. "Blog on: Building Communication and Collaboration Among Staff and Students." *Learning and Leading with Technology* 32, no.6, 12.

RSS Specifications. 2007. "The Copyright Debate and RSS." <www.rss-specifications.com/the-copyright-debate.htm> (accessed November 10, 2007).

Underwood, J. 2006. ITAAR Workshop. DeKalb, IL: Northern Illinois University.

Vogele, Colette, Mia Garlick, and The Berkman Center. 2007. "Podcasting Legal Guide: Rules for the Revolution." <wiki.creativecommons.org/Podcasting_Legal_Guide> (accessed July 7, 2008).

West, Richard E., Geoff Wright, Bruce Gabbitas, and Charles R. Graham. 2006. "Reflections from the Introduction of Blogs and RSS Feeds into a Preservice Instructional Technology Course." *TechTrends* 50, no.4, 54-59.

Wikipedia. 2006. "Copyrights." <en.wikipedia.org/wiki/Wikipedia:Copyrights> (accessed November 19, 2006).