

Openness, Law & Creative Commons

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Copyright – in what?

- » Pictures
- » Paintings
- » Movies
- » Music
- » Software
- » Homework
- » Books
- etc. ...

The Rights

- Israeli Copyright Act of 2007, replaced the 1911 Copyright Act and came into force on May 2008.
- Economic Rights:
 - Reproduction
 - Publication
 - Public performance
 - Broadcasting
 - Rental
 - Making of a derivative work
 - Making a work available to the public (i.e. YouTube etc.)
- Moral Right (credit & no distortion)



Copyright Act 2007

- **What works are protected?**
 - Original works
 - Literary works, artistic works, dramatic works or musical works
 - Expressions not ideas
 - Fixed in any form



[Andrew Magill](#)

- **Who is the Owner?**
 - The author (even in case of Commissioned Works, except of a portrait or a photograph of a family event or other private event)
 - The employer
 - The state

**** Unless otherwise agreed****

Copyright Act 2007

Duration of Copyright

- 70 years after the author's death
- State works - 50 years from the date of its making

What is not protected under the 2007 Act?

- (1) Ideas**
- (2) Procedures and methods of operation**
- (3) Mathematical concepts**
- (4) Facts or data**
- (5) News of the day**

** however it shall extend to their expression

- (6) statutes, regulations, Knesset Protocols and judicial decisions of the courts or of any other government entities having judicial authority according to law

Permitted Uses in Libraries and Archives

(a) Copying of a work, a copy of which is already in the permanent collection of a library or archive of the type of libraries or archives as prescribed by the Minister, **is permitted** for the following purposes, **provided that it is not possible to purchase an additional copy of said work within a reasonable period of time and on reasonable terms:**

(1) To make a reserve copy, in any format, of a work already in the possession of the aforesaid library or archive, provided that the said reserve copy is not used as an additional copy to the copies in the library;

(2) To replace a copy of the work held by the aforesaid library or the archive, which has been lost, destroyed or become unusable;

(3) To replace a copy of the work, that had been in the permanent collection of another library or archive and was lost, destroyed or has become unusable.

Permitted Uses in Libraries and Archives

(b) Copying of a work, a copy of which is held in a library or archive as prescribed in sub-section (a), **for a person requesting such copy, is permitted, provided that the request for such reproduction is made by a person, who, if he had made the copy himself, would be permitted by law to do so;** The Minister may prescribe an application form for use by libraries or archives for purposes of this sub-section.

Permitted Uses in Libraries and Archives

(c) Copying of a work by entities of the type prescribed by the Minister, for **purposes of preservation**, is permitted; The Minister may prescribe types of works which will be subject to this subsection, conditions for the execution of copying as well as conditions for the grant of public access to copies that were made in accordance with this sub-section.

Fair Use

Purposes such as:

private study, research, criticism, review, journalistic reporting, quotation, or instruction and examination by an educational institution.

The factors to be considered shall include, inter alia, all of the following:

- (1) The purpose and character of the use;
- (2) The character of the work used;
- (3) The scope of the use, quantitatively and qualitatively, in relation to the work as a whole;
- (4) The impact of the use on the value of the work and its potential market.



Creative Commons Israel

- Established in 2004 under the endorsement of Haifa Center for Law and Technology, Faculty of Law, University of Haifa



Creative Commons

- “Creative Commons is a nonprofit organization that enables the sharing and use of creativity and knowledge through free legal tools.”
- CC Solution
 - free, easy-to-use copyright licenses

Copyright

“All Rights Reserved”

Public Domain

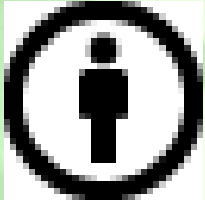
“No Copyright”



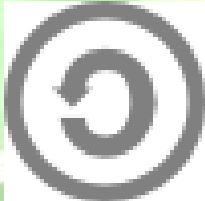
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“Some Rights Reserved”

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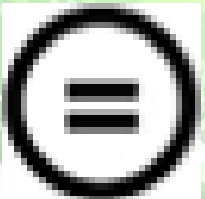
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“No Rights Reserved”

“No Known Copyright”

(Moral Right problem**)**

CC Scholar's Copyright Project

Scholar's Copyright Addendum Engine (SCAE)

Scholar's Copyright Addendum Engine



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[\(get started\)](#)

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Each addendum gives you non-exclusive rights to create derivative works from your Article and to reproduce, distribute, publicly perform, and publicly display your article in connection with your teaching, conference presentations, lectures, other scholarly works, and professional activities. However, they differ with respect to how soon you can make the final published version available and whether you can authorize others to re-use your work in various ways. Below is a summary of the available options.

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You retain sufficient rights to post a copy of the published version of your article (usually in pdf form) online immediately to a site that does not charge for access to the article. (This is similar in many ways to the MIT Copyright Amendment below)

Delayed Access:

You also have the right immediately to post your final version of the article, as edited after peer review, to a site that does not charge for access to the article, but you must arrange not to make the published version of your article available to the public until six months after the date of publication.

Additional Options from MIT

MIT Copyright Amendment:

Developed at MIT, this amendment is a tool authors can use to retain rights when assigning copyright to a publisher. It will enable authors to continue using their publications in their academic work at MIT, to deposit them into the MIT Libraries' DSpace repository, and to deposit any NIH-funded manuscripts on the National Library of Medicine's PubMed Central database. More information is available from [the MIT Libraries](#).

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CC Scholar's Copyright Project

Scholar's Copyright Addendum Engine (SCAE)

Explanations from the website:

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You retain sufficient rights to grant to the reading public a Creative Commons Attribution-NonCommercial license or similar license that allows the public to re-use or re-post your article so long as you are given credit as the author and so long as the reader's use is non-commercial.

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You have the right immediately to post your final version of the article, as edited after peer review, to a site that does not charge for access to the article, but you must arrange not to make the published version of your article available to the public until six months after the date of publication.

MIT Copyright Amendment -

Developed at MIT, this amendment is a tool authors can use to retain rights when assigning copyright to a publisher. It will enable authors to continue using their publications in their academic work at MIT, to deposit them into the MIT Libraries' DSpace repository, and to deposit any NIH-funded manuscripts on the National Library of Medicine's PubMed Central database.

Summary

- Copyright act of 2007
 - Rights
 - Who owns the work?
 - Permitted uses
 - Permitted Uses in Libraries and Archives
 - Fair Use
- Creative Commons Tools
 - 6 Licenses
 - CC0
 - Public Domain Mark
 - Projects
 - Scholar's Copyright Addendum Engine (SCAE)

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