



THE UNIVERSITY OF
MELBOURNE

UNIVERSITY COPYRIGHT OFFICE

Copyright & Events Management

The University hosts a wide variety of public events each year, such as Open Day, conferences, public lectures and concerts, to promote the University. As part your event you may wish to use films, music or images created by other people. You may also decide to record the event to make it available on a website or to be used for other purposes. Dealing with copyright is an important part of events management. This guide explains how to effectively manage copyright as part of your event.

Recording Your Event



Microphone by visual dichotomy
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Many event organisers would like to make an audio or video recording of their event. The recording can then be used for a number of purposes such as making it available on the University website or iTunes U for people who could not attend the event. If you do intend to record your event, you will need to get permission from all of the presenters or the performers involved. You should also make it clear to them how the recording will be used.

Some presenters or the performers may own copyright in their performance or presentation (see <http://www.unimelb.edu.au/copyright/information/new/general/c101/ownership.html> for more information on copyright ownership).

Presenters, such as lecturers and speakers, and performers, such as musicians, singers, dancers or actors etc, will also hold performers' rights. Performers' rights include:

- the right to control whether or not their performance is recorded or communicated online,
- the right to decide how the recording of their performance is used.
- ownership of copyright in any sound recordings of their live performance
- moral rights relating to their performance

A performance as defined in the Copyright Act includes both dramatic and musical performances as well as public lectures, conferences and speeches etc.

The Audio-Visual Consent Deed http://trs.unimelb.edu.au/docs/unimelb_av_consent.pdf can be used to gain consent from presenters and performers.

It is not necessary to get consent from members of the audience who might incidentally be included in the recording, for example by asking a question or appearing in the background. However, it is recommended that you inform members of the audience that the event will be recorded so that individuals can request that they not be photographed, filmed or otherwise recorded. You can use signage or make an announcement at the start of the event.

If you are recording your event and the event includes third party copyright material for example music, films or images, either you or the presenter will need to ensure that they have the necessary rights to use the material and allow it to be including in the recording. For more information see *Using Copyright Material* below.

For more information on recording your event see: *Events Recording and Support* <http://trs.unimelb.edu.au/event/specialevent.html>



Cardinal Room at UIC by Steven Vance
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Taking or Using Photographs of People

The subject of a photograph does not hold any copyright in the photograph, copyright is owned by the photographer. Under Australian copyright law you do not need to seek copyright permission to use a person's image. You may, however, need to consider other legal issues such as privacy when using a photograph of a person. A photograph of a person, where they can be clearly identified, is considered personal information and is likely to be protected by both state and federal privacy laws. It is University policy that consent must be obtained from the subjects of any photographs being used for University purposes.



Supreme box camera by al dekleine
http://www.flickr.com/photos/al_dekleine/3473280806/ Licensed under
Creative Commons

If you are taking photographs of people at your event and you intend to publish or use these photographs, either electronically or in print, you should get written consent from the people in the photograph. Likewise, if you use existing photographs of people as part of your event, e.g. in publications, brochures or posters etc, you will need to get their consent. The University has a Photo Consent Release Form <http://www.unimelb.edu.au/unisec/privacy/pdf/photo-use.pdf> that can be used for your event.

If you are taking photographs of the large groups of people attending your event, for example crowds attending Open Day, it may not be possible to get consent from every person in the photograph. You should post signage at the event indicating that photographs may be taken and give people the option of not being photographed.

You should be especially carefully when using photographs of children or indigenous people, as cultural sensitivities may also apply.

Further information is available on privacy from the University Privacy Office <http://www.unimelb.edu.au/unisec/privacy/> or the Victorian Privacy Commission

website at www.privacy.vic.gov.au/

Using Copyright Material at Your Event

You may wish to use copyright material created by other people, such as images, music or film, as part of your event. In some cases, this material may be incidental, for example background music, or it may be a key part of the event, for example a publication or poster. You can use material created by other people, as part of your event if:

- The University owns copyright in the material. See *Copyright Ownership at the University of Melbourne* <http://www.unimelb.edu.au/copyright/information/new/general/c101/ownersh.html#uomowner> for more information.
- Copyright has expired. See *Duration of Copyright* <http://www.unimelb.edu.au/copyright/information/new/general/c101/duration.html> for more information.
- The material is licensed under Creative Commons or a similar open licensing scheme. See *Copyright Friendly Material* below.
- You are using an insubstantial portion.
- You are using the material for the purposes of criticism and review or for parody or satire.



Presentation and schedule by Andyp uk
<http://www.flickr.com/photos/andypiper/561849829/> Licensed under Creative Commons

Acknowledge Your Sources!

The Copyright Act also provides creators with 'moral rights'. These rights include the right for the creator of the work to be acknowledged, the right not to have their work falsely attributed to someone else, as well as the right not to have their work treated in a derogatory way. You must attribute any materials created by other people that you use as part of your event.

Further information on correctly citing material is also available at: <http://www.lib.unimelb.edu.au/cite/index.html>

Using an Insubstantial Portion

If you wish to quote a few lines or sentences from a work such as a book or journal article, you can do so but you must acknowledge your sources. You may also be able to use a short clip of a film or a snippet from a sound recording.

The Copyright Act does not define what an insubstantial portion is. Whether something is insubstantial depends on how distinctive it is and how important it is to the overall work. As this is qualitative, rather than quantitative, even a really short extract may be considered substantial if it is distinctive or a key part of the overall work. For example, a short scene in a movie that reveals a key plot point will probably be deemed substantial.



Helvetica, The Movie. by e.t
<http://www.flickr.com/photos/45688285@N00/1049685248/>
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Fair Dealing for Criticism & Review or Parody & Satire

Under fair dealing for criticism and review or parody and satire, material can only be reproduced if the work is genuinely being critiqued, reviewed, parodied or satirised. You cannot use these provisions to reproduce work simply to illustrate a point or to make a joke as the work itself is not being critiqued, reviewed, parodied or satirised. There are no specified limits so you can use the entire work if its use is considered 'fair and reasonable'. For example, if you were reviewing a film as part of your event, it might be considered 'fair and reasonable' to include a brief clip as part of your review, but it would be unlikely to be considered "fair and reasonable" to include the entire film.

For more information on fair dealing, see

<http://www.unimelb.edu.au/copyright/information/fastfind/fairdealing.html>

Public Lectures & Educational Purposes

The Copyright Act includes provisions that allow copyright material to be used for educational purposes. Under the Copyright Act, educational purposes are clearly defined as being for use in a course of instruction to enrolled students. Although many public lectures or conferences are held for the purpose of disseminating research or educating and informing both the academic community and the general public, they do not meet the definition of educational purposes given in the Copyright Act. This means that different rules apply when using copyright material for a public lecture or conference, even if the lecture is identical to the one given to students. If copyright material is used at a public lecture or conference, for example images in a PowerPoint presentation, then permission will need to be gained from the creator or copyright owner unless another provision in the Copyright Act applies.

Performing Music

The University holds an industry music licence that allows live and recorded music to be performed at University events. The music can be performed as either the focus of the event e.g. at a concert, or as background music e.g. at a graduation ceremony. The Music Licence also covers live musical performances by students.

A University event is defined as an event organised, authorised by or held at the University. Events where a University venue has been hired by a third party for non-educational purposes are not included.

Conditions and limitations apply to the performance of music under the Music Licence, for example you may not charge an entry fee (even on the basis of cost recovery) for any event or occasion where sound recordings licensed under the Music Licence are performed in public. Music downloaded from iTunes or similar online music services cannot be played at events as this music is purchased subject to the terms and conditions of the online service which generally only permit their music to be used for personal use. Any recorded music played at an event should be a legitimate copy, e.g. from an original CD.

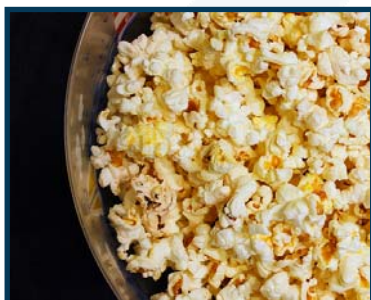


Cello Bridge by Turidoth
http://commons.wikimedia.org/wiki/File:Cello_bridge_edit.jpg
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If you wish to make an audio or visual recording of your event and it includes music, you may only do so under the Music licence if the recording is intended to be used for educational purposes and only made available to students or for the private use of students and their family. If you wish to use the recording for other purposes, for example to make it available on the University website or iTunes U, you will need to get licence from APRA/AMCOS. The Copyright Office Permission Service can assist, for more information see: <http://www.unimelb.edu.au/copyright/information/fastfind/permission.html>. If you are recording a live performance, you will also need to get permission from all the performers to record their performance, see above.

Full details of all conditions and limitations of the Music Licence are available at: <http://www.unimelb.edu.au/copyright/information/musiclicence.html>

Screening a Film



day 63/365 – Popcorn by DawnVGilmorePhotography
<http://www.flickr.com/photos/dawnvgilmore/3329141605/> Licensed under Creative Commons

You may wish to screen a film as part of your event. If you intend to screen the film in full, you will need to seek a non-theatrical licence from the copyright owner. Most non-theatrical licences will be subject to a license fee, based on the number of screenings and the seating capacity of the venue. Licence fees will vary for each individual film. Identifying and locating the copyright owner for the film or DVD can be difficult, as it will be different for each film or program. Copyright owners may also refuse requests to show their film or DVD in the student centre. The Copyright Office Permission Service can assist in obtaining non-theatrical licences for University events, for more information see: <http://www.unimelb.edu.au/copyright/information/fastfind/permission.html>.

If you wish to use an excerpt from a film or part of a wider presentation, e.g. a public lecture, the use may be covered by a provision in the Copyright Act, for example fair dealing for criticism and review (see above).

YouTube and Vimeo

YouTube (www.youtube.com) and Vimeo (www.vimeo.com) are popular video sharing websites but the videos on them are not necessarily suitable for use at your event. Generally, videos are only made available on YouTube or Vimeo for personal use only, this does not include screening them in public. Some videos may have been licensed under Creative Commons or similar licensing schemes that will allow them to be screened in public. Otherwise, permission is required from the creator or copyright owner. In addition, much of the material on Youtube or Vimeo infringes copyright because it has been recorded and made available on the site without permission from the copyright owner. Check the user profile to make sure that the person has the necessary rights to make the material available. Poor quality videos and sound might also indicate an infringing video. Infringing videos should not be screened at events.

Using Images

Like music and films, images are frequently used as part of an event, for example on posters, in brochures and publications or in power-point presentations etc. If you wish to use an image created by someone else you will need to obtain permission from the creator or copyright owner, unless one of the limited exceptions explained above applies. In some cases, images are being used to illustrate or provide a visual prompt and as such it may be possible to source a copyright friendly image licensed under Creative Commons for example, see below *Copyright Friendly Material*.



The University has its own Imagebank <http://128.250.96.110:8080/imagebank/Standard/SelectCatalogAuto.jsp>. The Imagebank is a collection of images of the University, its staff and students. It is managed by the University's Marketing and Communication's Division. Copyright in the images is owned by the University and as such the images can be

Bw-doityourself-4 by magnetisch
<http://www.flickr.com/photos/33256665@N00/537017432/> Licensed under Creative Commons

used for University purposes including in teaching material, in University publications, on the website, at University events and other activities.

Websites

You may wish to source material for your event, such as images, films, music etc from the web. It is a common misconception that material on the internet is copyright-free because it is readily and freely accessible. Websites are subject to copyright and their content is generally made available for your personal, private, non-commercial use. You will not necessarily be able to use material sourced from the web for your event unless it is as permitted under the terms of use for the website, allowed under the provisions of the Copyright Act or you have permission from the copyright owner.



L'espace internet du musée de la Communication (Berlin) by danbera
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It is recommended that wherever possible, you link to a webpage or website rather than reproducing or downloading it, as there are no copyright restrictions on linking to websites. You should not however link to or use infringing material.

A lot of material is made available on the web without permission from the creator or the copyright owner and as such is infringing copyright. You should make sure that you do not use or provide links to infringing material otherwise you will be infringing copyright or authorising an infringement. It can be difficult to identify whether or not material is made available legally and with permission from the copyright owner. Below are some tips to help you determine whether or not material on the website is legal:

- You should check the website for a copyright statement or a clear statement of ownership as well as terms of use which indicate how the material can be used.
- Check the quality of the material — if it is legal the quality should be high. Poor quality may indicate that it has been reproduced without permission.
- Check that material is properly labelled with a full acknowledgement.
- Use a reputable, legitimate or official website. For example, if you would like to download a podcast from an ABC program, download it from the ABC's website.
- If it's too good to be true, it probably is – use your common sense and judgement. If you find a website where you can download the latest Hollywood blockbuster that's just been released in the cinemas, chances are it's not legal.

Copyright Friendly Material

Some copyright owners expressly permit people to use their work for certain purposes and under certain conditions without having to seek their permission first – this is known as open licensing and is becoming especially common on the web. The creator or copyright owner includes information by way of a licence or agreement as to how their work can be used and for which purposes. These licences can grant the users more rights than are provided under copyright law. Wikipedia is a well known example of open licensing. A number of open licensing schemes exist such as Creative Commons (<http://www.creativecommons.org.au/>) and GNU Public Licences (<http://www.gnu.org/>). This material can be freely used as part of your event.

Open licensed and creative commons material can be easily be found by searching Google (use open content or creative commons as keywords. Some key resources for locating copyright friendly material are listed below:

- **Text – The text of Wikipedia** (<http://en.wikipedia.org>) is licensed under a Creative Common Attribution-Share Alike licence and therefore can be freely used and modified by anyone. It is also licensed under a GNU Free Documentation Licence (see below).
- **Images – Flickr** (<http://www.flickr.com>) the popular photo sharing has a wide range of photos licensed under Creative Commons. Simply go to **Advanced Search** <http://www.flickr.com/search/advanced/>, enter your search term and scroll down to the bottom of the screen to limit your search to Creative Commons material.
- **Music – Jamendo** (<http://www.jamendo.com/en/>) – a wide range of free and



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legal music downloads.

- **Video – blip.tv** (<http://blip.tv/>) – independently produced web TV. Creators choose whether or not to claim copyright in their video – “All Rights Reserved” (you can still link to the video or seek permission); licence their work under Creative Commons or place their video in the public domain. You can try limiting your search by including Creative Commons. You should check the licence information carefully.
- **Wikimedia Commons** (<http://commons.wikimedia.org/>) a sister project of Wikipedia provides media such as images, sound and video that are licensed under open licensing and can be freely used by anyone for any purpose.

The Creative Commons website itself provides a search page for located material licensed under Creative Commons see <http://search.creativecommons.org/>.

Wikis, Blogs & Web 2.0



My social Network on Flickr, Facebook, Twitter and MyblogLog by Luc Legay
<http://www.flickr.com/photos/luc/1824234195/> Licensed under [Creative Commons](#)

Web 2.0 is the term used to describe a variety of web sites and applications that allow anyone to create and share online information or material they have created. A key element of the technology is that it allows people to create, share, collaborate and communicate. Web 2.0 differs from other types of websites as it does not require any web design or publishing skills to participate, making it easy for people to create and publish or communicate their work to the world.

There are a number of different types of web 2.0 applications including wikis, blogs, social networking, folksonomies, podcasting and content hosting services. Many of the most popular websites, such as Wikipedia, YouTube, Facebook, MySpace and Flickr, are web 2.0 sites.

If you wish to use a wiki, blog or Web 2.0 application as part of your event, you will need to consider copyright and other legal requirements, such as privacy. You will need to ensure that your users are also aware of their rights and obligations, especially if the users of your site are not University staff

and students.

Users will own copyright in any original material that they post on a blog, wiki or social networking site, such as Facebook or MySpace. If you intend on using this information for any other purpose than on the blog or wiki, you will need to get permission from the contributor. You should include terms and conditions for anyone joining or participating that explains how the information or material they contribute will be used and giving them a chance to opt out of using the site.

You will need to make sure that your users or contributors do not post any infringing copyright material. There are limited provisions in the Copyright Act in Australia, that allow users to post copyright material to wikis, blogs or other types of Web 2.0 sites. Linking is recommended but only to legitimate content. You should have an established policy and process for dealing with situations where a contributor has infringed copyright or posted illegal or inappropriate content.

You need to ensure that users do not post illegal or inappropriate content to your blog or wiki such as:

- pornographic material;
- defamatory material;
- material that contains racial vilification, cruelty or violence;
- material that is abusive or harassing in nature;
- material that invades or interferes with privacy of any person;
- personal information, such as telephone numbers, addresses, photographic images of individuals without their express permission.

If you use an external site such as Facebook or Twitter to host your blog, wiki or group, both you and your users or contributors will be legally bound by the terms of use of the site. Generally, when a person joins a site like My Space or you set up a blog on



Too much social networks
by M.Keefe
<http://www.flickr.com/photos/mkeefe/1457984966/>
Licenced under [Creative Commons](#)

Blogger, you enter into a legal agreement that outlines what you can and cannot do on the site, your obligations and rights as well as how the site can use the content you contribute. These terms are legally binding. You should be familiar with them (keep a copy when you join the site) and make sure that you do not breach them. The University provides its own wiki and blog services which might be more appropriate. For more information see *University of Melbourne Blogs* <http://blogs.unimelb.edu.au/getting-started/> and *Wikis at the University* <http://www.its.unimelb.edu.au/support/web/wikis>

Privacy is also an extremely important consideration when using web 2.0 technologies, possibly more so than copyright. In many cases the information people post on blogs, wikis and social networking sites is personal information. You will need to ensure that your use of this material does not breach a person's privacy. Information is available at <http://www.unimelb.edu.au/unisec/privacy/index.html>. The University's Privacy Office may also be able to assist with any questions that you have.

Requesting Permission to Use Copyright Material

If you need to get permission from a creator or copyright owner to use copyright material as part of your event, the Copyright Office Permission Service can assist. See <http://www.unimelb.edu.au/copyright/information/fastfind/permission.html> for more information.

More Information

- Copyright Office Website - <http://www.unimelb.edu.au/copyright/>
 - Overview of Copyright - <http://www.unimelb.edu.au/copyright/information/overview.html>
 - Public Events, Lectures & Performances - <http://www.unimelb.edu.au/copyright/information/fastfind/publicevents.html>
 - Obtaining Permission - <http://www.unimelb.edu.au/copyright/information/fastfind/permission.html>
 - The Music Licence in Brief - <http://www.unimelb.edu.au/copyright/information/musiclicence.html>
- How to Search Google Images for CC Images – <http://www.unimelb.edu.au/copyright/information/guides/googleimagesblue.pdf>
- How to Search Flickr for CC Images - http://www.unimelb.edu.au/copyright/information/guides/flickr_imagesblue.pdf
- Contact the Copyright Office: copyright-office@unimelb.edu.au or x46647

This guide prepared and written by:
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