

**Advocates Workshop:
Streaming Media**

Copyright Support Team
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Media in the Classroom

- Showing a video in F2F classroom –
 - OK
- Showing a video in online instruction –
 - Has its issues

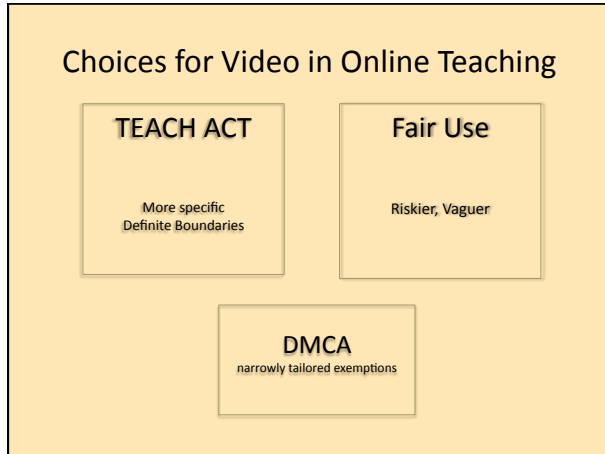
The WHY and the How

Law that applies to use of copyrighted materials in teaching

- Copyright Act (includes Fair Use)
- TEACH Act (covers online classroom)
- DMCA

Class Environments

Face to Face	Online
Permitted:	Permitted:
Perform entire videos	Perform entire videos
<ul style="list-style-type: none">– Commercial– Popular– Educational– Documentary– Home Made– Rental Store videos	<ul style="list-style-type: none">– Home made– Licensed video<ul style="list-style-type: none">• from UMKC Libraries• Licensing Agency– Videos with permission from rights holder– Videos meeting criteria of the TEACH Act
<ul style="list-style-type: none">– <i>Must be lawfully made and acquired</i>	



- ### TEACH Act Criteria Allows entire performance of
- Nondramatic literary or musical work
 - Recorded symphony
 - Sound recording of a piece of literature
 - Documentary Film
 - Trouble the Water
 - Eames: The Architect and the Painter
 - Must be lawfully made and acquired
 - Avoid using video/audio with infringing material
 - [Let's Go Crazy](#) (be careful with YouTube)
 - Stay away from: Newzbin, TVShack.net, PlanetMoviez.com, ThePirateCity.org, Movies-Links.TV, FilesPump.com, Now-Movies.com, ZWL.com, NinjaVideo.net and NinjaThis.net
 - See Handout

- ### TEACH Act Criteria Allows partial performance for
- Dramatic works
- *Lolita*
 - *The Great Gatsby*
 - *Of Gods and Men*
 - *Nine to Five*

Online Best Practice

Streaming video

to deliver sound and video
in content management systems

DMCA, DRM

Image of a locked DVD

Jonathan Fritz, Nov. 29, 2010, <http://www.jonathanfritz.ca/tag/presentation>

DMCA

Digital Millennium Copyright Act

- No tampering with TPMs (DRM)
- No distribution or communication to the public, without authority, works knowing that electronic rights management information has been removed or altered...
- No one may provide "the tools or expertise" to help anyone else circumvent access controls
- No reverse engineering

DMCA Exemptions

Triennial Exemptions (2012)
Some apply to teaching

DMCA Exemptions

- **2010** all college/university faculty gained right to circumvent TPMs "solely in order to accomplish the incorporation of short portions of motion pictures into new works for the purpose of criticism or comments..."
- Also media studies students
- Also documentary/noncommercial filmmakers and videos.

DMCA Exemptions

- 2012 all college/university faculty gained right to circumvent TPMs "solely in order to accomplish the incorporation of short portions of motion pictures into new works for the purpose of criticism or comments..."
- Also all college/university students
- Also all educators - kindergarten – 12th grade
- Also documentary/noncommercial filmmakers and videos.
- Motion pictures/audiovisual works distributed by online services

DMCA 2012 Exemptions

- New emphasis on screen capture software
 - Heavily encouraged over circumvention
 - Screen capture sufficient for uses that do not require close analysis
- "The use of only short segments is critical to the Register's determination that significant number of the desired uses are fair."
- Emphasis on "comment" and "criticism" as essential purpose.

Resulting Conflicts

TEACH Act v. Fair Use

TEACH Act v. DMCA

Analog to Digital

- It is permissible for nonprofit educational institution to digitize an analog work for the purpose of performance or display to be used under TEACH Act provisions
 - If no digital version is available to the institution
 - If the digital version available is wrapped in TPMs
- [Section 112\(f\)\(1\) and \(2\)](#)

Images, Sound, Video

UMKC Licensed Databases

Use In full – anytime – no worries about Fair Use or TEACH Act

- Dance in Video
- Films on Demand
- Naxos Music Library
- Naxos Video Library
- Opera in Video
- Theater in Video

[Link to UMKC streaming media](#)

Not the End