

# **RESEARCH METHODOLOGIES**

## ***METODOLOGIE DELLA RICERCA***

### **SESSION 3**

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# **CREATIVE PRODUCTION IN THE NET:** ***SHARING VS. PROTECTING***

- European regulations on copyright
  - Creative Commons licenses
  - Public domain, FAIR, Protected
- Norme europee sul copyright
  - Le licenze Creative Commons
  - Dominio pubblico, FAIR, protetto

# CONTEXT

There is a **general lack of knowledge among cultural and art community** on issues concerning the daily practice of online communication, which have **legal implications** that require the utmost attention in the re-use of cultural content online.

We will never publish a book without mentioning its author, title, and date of publication. **On the Web we run this risk with texts, images, or audiovisual resources.** If we browse websites and social platforms it is easy to come across **numerous violations of copyright or other types of rules.**

In the era of global content sharing, we do not seem to be sufficiently aware of the extraordinary opportunities in terms of cultural, social and economic development for the community deriving from the **adoption of open licenses** on content in the public domain.

# IT IS ON INTERNET!

Typically, most of us do not care that much about the licenses active on materials we find «on Internet».

We perform a research with a general search engine and **whatever we find looks to be reusable without limits**. Nevertheless, most of images, videos, software and text resources were **published under some license, in the inter-space within the full copyright protection to the full public domain**.

Even **when we publish our creative works**, often we don't care about how, who, when they could be used. If you want to prove the existence of your work at a certain point in time, **a registration can be useful**. Creative Commons (CC) licenses are the most popular **open copyright licenses** that allow rights holders to grant a set of permissions to the public for sharing and reusing their works.

# EUROPEAN REGULATIONS

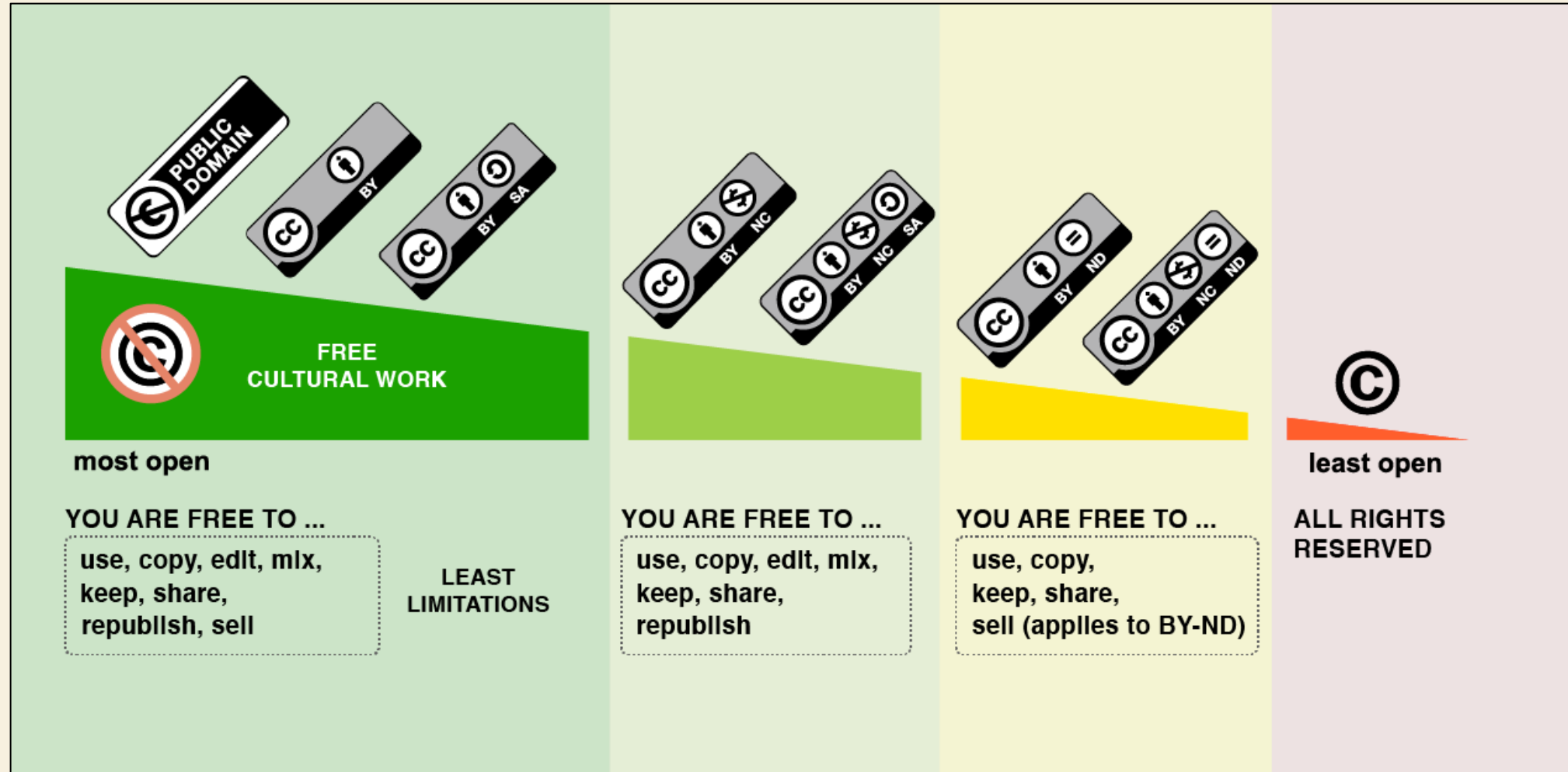
In **EU countries** (the 28 EU member states ), copyright protects your intellectual property until 70 years after your death or 70 years after the death of the last surviving author in the case of a work of joint authorship.

Outside of the EU, in any country which signed the [Berne Convention](#), the duration of copyright protection can vary but it lasts until at least 50 years after the author's death.

The EU copyright law consists of **11 directives and 2 regulations**, harmonising the essential rights of authors, performers, producers and broadcasters.

The last relevant Act for cultural and art sectors is the **Directive on copyright and related rights in the Digital Single Market** ([DSM Directive](#)), 17 April 2019, text with EEA relevance in any EU country.

# CREATIVE COMMONS SCALE



# COPYRIGHT



Copyright **limits** a user's ability to **modify, re-use, share, or copy** content. Under copyright, here are the **rights of the user**, as compared to the **rights of the publisher**:

Publisher's rights under Copyright	User's rights under Copyright
The right to copy.	The right to use only the purchased copy for one's personal use.
The right to distribute copies.	
The right to make derivatives.	
The right to sell the original or derivatives for a profit.	

# OPEN LICENSES

In contrast to copyright, open licenses such as Creative Commons licenses allow authors and publishers to decide which rights they want to share with users. Creative Commons provides the legal framework applicable also to Educational Resources.

Publisher's rights under a CC BY license	User's rights under a CC BY license (one of six CC license options)
The right to copy.	The right to copy.
The right to distribute copies.	The right to distribute copies.
The right to make derivatives.	The right to make derivatives.
The right to sell the original or derivatives for a profit.	The right to sell the original or derivatives for a profit.
The right to receive credit as the author.	



# PUBLIC DOMAIN

Certain content is in the **Public Domain**, i.e. you may use it **however you'd like** without even attributing the author. Content is in the public domain either because it was created a long time ago and the author is now deceased, or because the author specifically chose to make his/her work available in the public domain. In Creative Commons, PD is expressed with the license **CC 0**.

The extreme of Public Domain is represented by **Copyleft**, an arrangement whereby software or artistic work may be **used, modified, and distributed freely** on condition that anything derived from it is bound by the same conditions.

# FAIR USE

Fair use is the right to **use copyrighted material without permission or payment in a certain limited capacity**. We acknowledge that sometimes the most appropriate content to help students meet your learning objectives may be a copyrighted resource. If you are going to rely on fair use, it's essential that you first understand the **fair use guidelines**.

The meaning of FAIR differs between the U.S. law (which includes 4 specific exceptions to copyright) and Europe.

FAIR data/content stands for data which meet principles of:

- **F**indability
- **A**ccessibility
- **I**nteroperability
- **R**eusability

# 3° EXERCISE AND DISCUSSION

## It's time to summarize!

We have discussed your draft research plan, you have selected a minimum list of references to start from.

Transform the work done in a dissertation proposal to be presented to your tentative supervisor:

- A draft title
- A draft Index of content
- A draft list of starting references (well cited)

Send it to [pierluigi.feliciati@unimc.it](mailto:pierluigi.feliciati@unimc.it) with your name and UniMC number. We will discuss it during last 2 sessions

## È ora di tirare le somme!

Abbiamo discusso la bozza del tuo piano di ricerca, avete selezionato un elenco minimo di referenze da cui partire.

Trasformate il lavoro svolto in una proposta di tesi da presentare al tuo docente relatore:

- Una bozza di titolo
- Una bozza di Indice dei contenuti
- Una bozza di elenco di primi riferimenti (citati correttamente)

Inviatela a [pierluigi.feliciati@unimc.it](mailto:pierluigi.feliciati@unimc.it) con il vostro nome e matricola. La discuteremo nei prossimi due incontri.

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