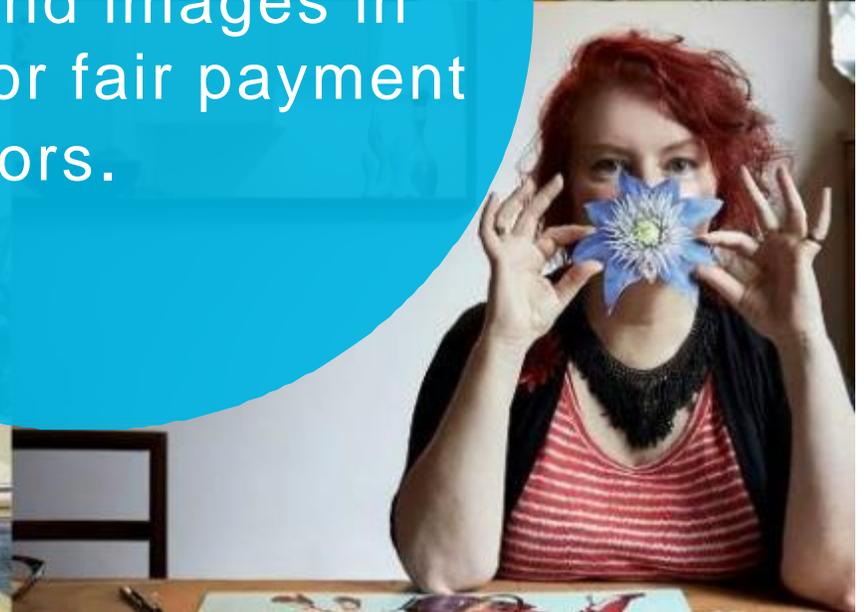
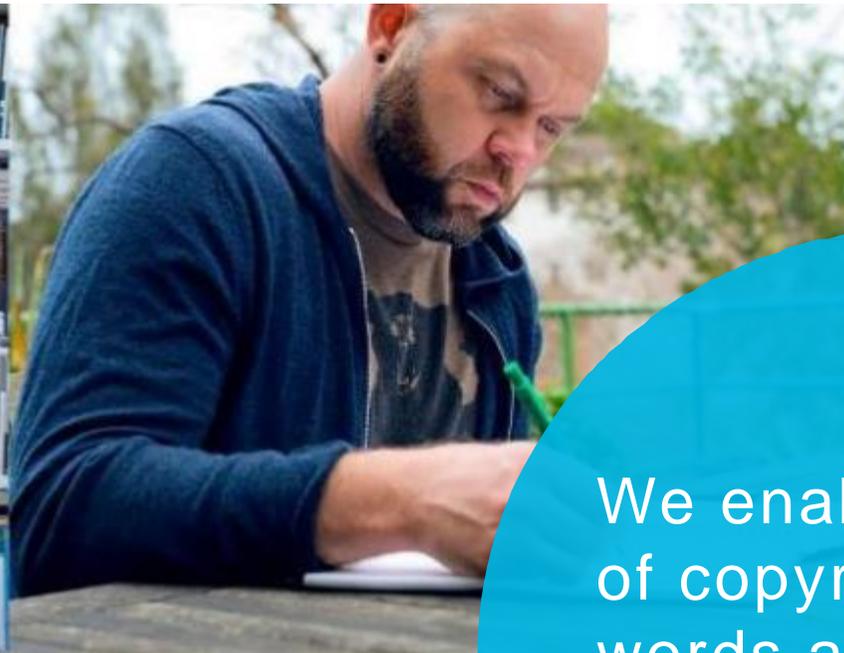


**Copyright at work:**  
understanding how to use copyright  
works for business

**Lisa Hill**

Senior Licensing Consultant,  
Copyright Agency



We enable the reuse of copyright-protected words and images in return for fair payment to creators.

# Copyright and content creators



“  
Copyright is absolutely  
essential to what I do.”

**Chris Swain**

Photographer and Copyright Agency member

# KEY PRINCIPLES AND MYTHS

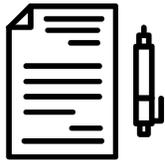
# Core copyright principles



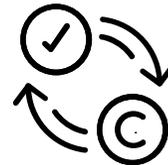
1. Automatic protection for a range of material (text, images, movies, music)



2. Bundle of rights controlled by the rights holder



3. Federal Legislation to protect harmonize & innovate



4. International treaties set a framework for copyright globally



5. Six year statute of limitation



## MYTH 1

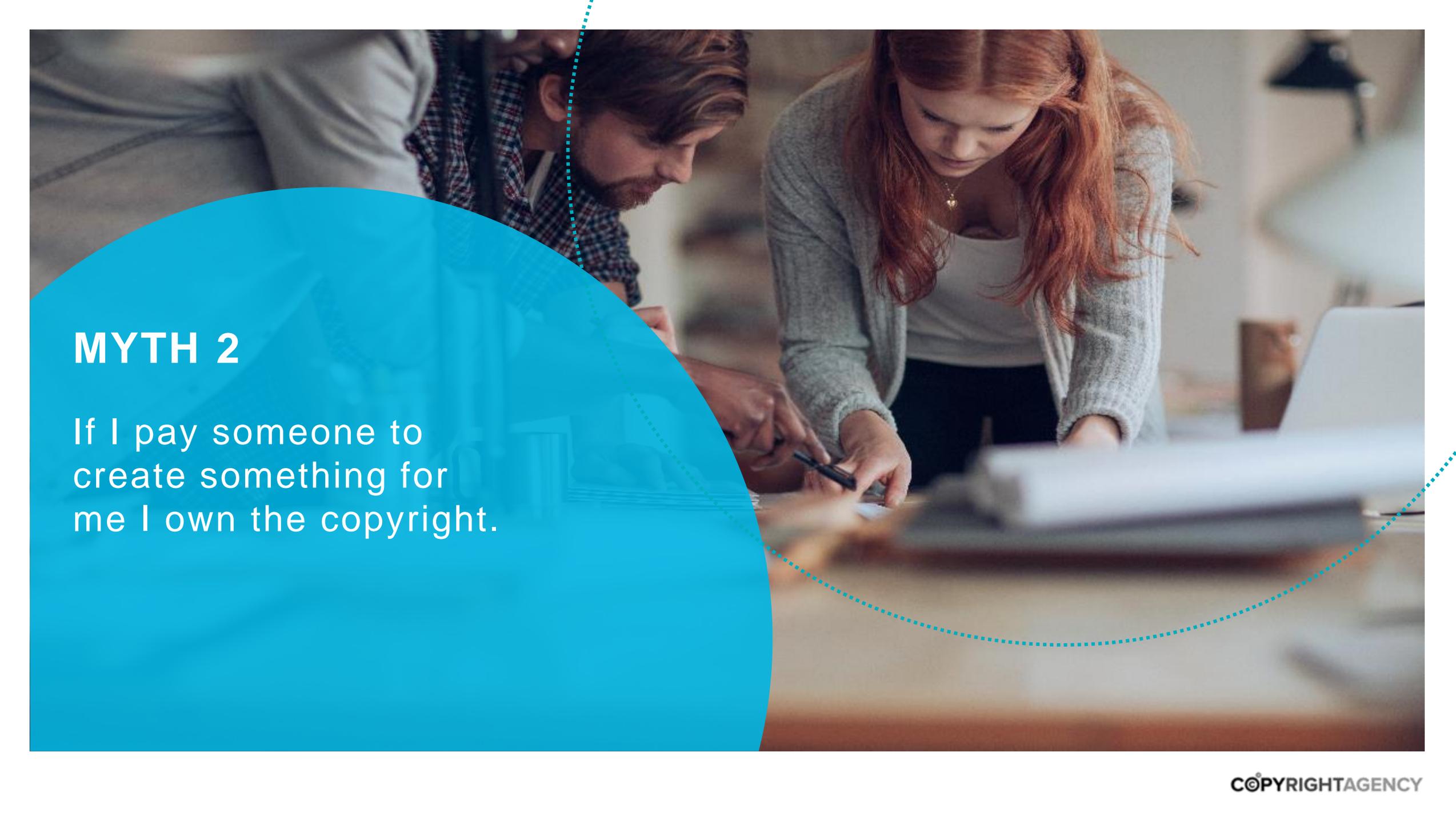
If it's on the Internet,  
anyone can use it.



## FACT 1

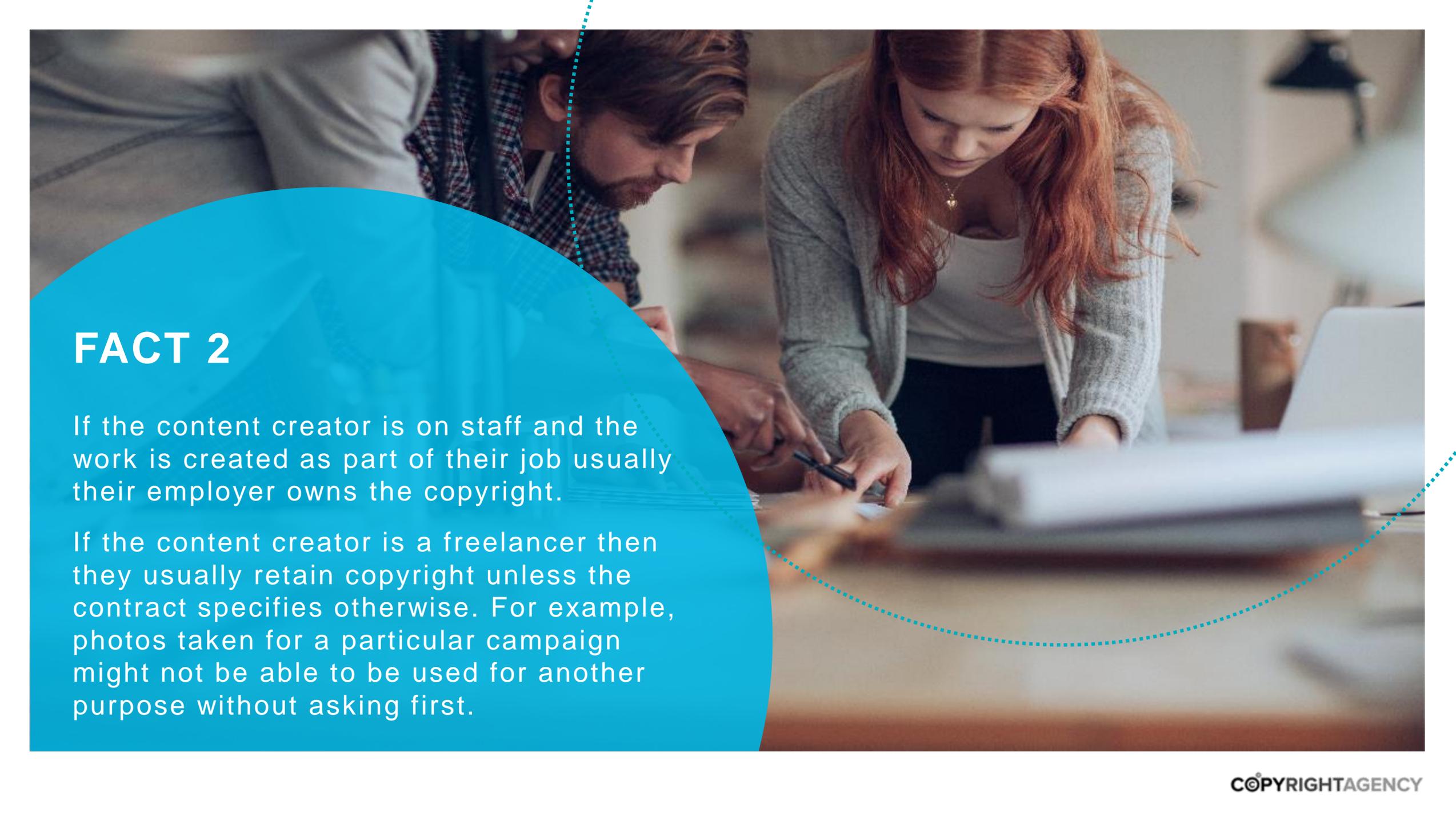
Copyright still exists on the Internet.

Most websites contain a copyright notice or information about terms of use.



## MYTH 2

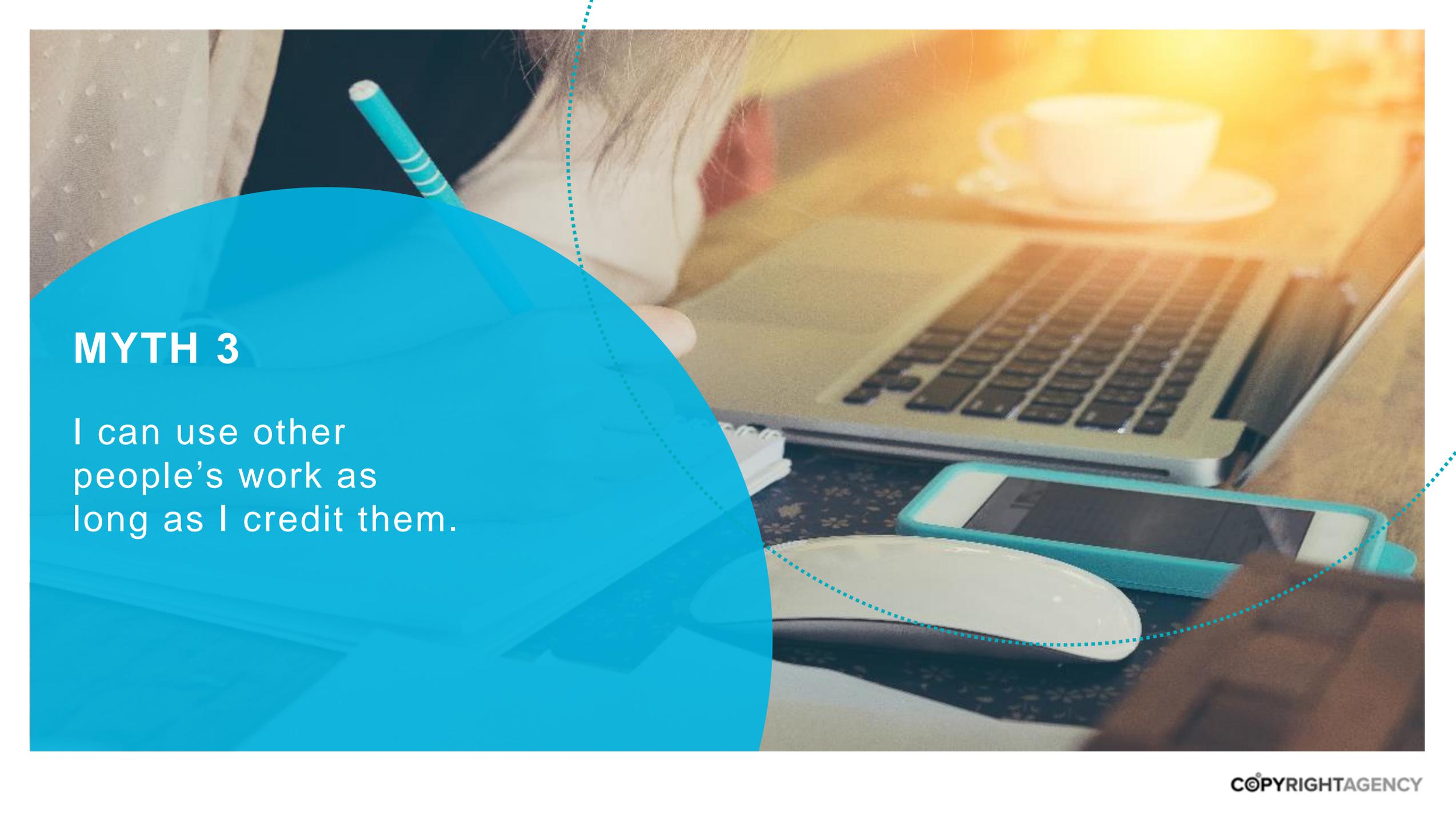
If I pay someone to create something for me I own the copyright.



## FACT 2

If the content creator is on staff and the work is created as part of their job usually their employer owns the copyright.

If the content creator is a freelancer then they usually retain copyright unless the contract specifies otherwise. For example, photos taken for a particular campaign might not be able to be used for another purpose without asking first.



## MYTH 3

I can use other people's work as long as I credit them.

A photograph of a person working at a desk. The person is wearing a white shirt and has blonde hair. They are holding a blue pen. In front of them is a silver laptop, a smartphone with a blue case, and a white coffee cup on a saucer. The background is a warm, golden light. A large blue circle is overlaid on the left side of the image, containing text.

## FACT 3

Crediting the copyright owner relates to moral rights. The economic rights also need to be addressed. Depending on how you're using the work the creator might only want a credit, but they might want a payment too.



## MYTH 4

I don't need permission  
if I copy less than 10%  
of a work.



## FACT 4

Using even a very small part of someone else's work can require permission if that part is an important or integral part and was the result of skill and time.

## MYTH 5

The story is about us, is based on our press release, or we advertise with that publisher – so we have an implied licence.



## FACT 5

While you do own copyright in your own press release, you do not automatically have any rights to a news article that is based on the press release.



# Most works are covered by copyright

- Text
  - books, journal articles, reports, webpages, newspaper articles
- Images
  - photographs, artistic works, graphs, infographics

# Examples of permissions required

- **Attributions & Credits**

**Cover credits left to right from top:**

Publisher Jill Eddington, photo: David Kelly. Artist Amanda Marburg, photo: Olivia Tran. Artist Criss Canning, photo: Bryan Sun. Author Alice Pung, Journalist Linton Besser, photos: Olivia Tran. Publisher Tracy Marsh, photo: Sam Roberts. Author Maxine Beneba Clarke, photo: Olivia Tran. Author Melissa Lucashenko, photo: David Kelly. Artists Adam Hill (aka Blak Douglas) and Reg Mombassa, photos: Nick Cubbin. Producer Luke Jurevicius, photo: Sam Roberts.

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Book Publisher / Author

Artworks' rights holder

- Rights holder eg. photographer
- Subject person
- Campaign or forever permissions?

# Examples of permissions required

## Licensing at work

From sporting codes sharing news to a celebration of outback artists, copyright licences deliver fair payments to creators.

**Visual Arts**

Three of Visage's members' artworks feature on a fleet of 60 cars that were driven through regional and city centres around Australia in celebration of Telstra's sponsorship of the 34th National Aboriginal and Torres Strait Islander Art Awards (NATSIAA) in 2017.

Betty Purnani's 2016 NATSIAA winning work *Arrows* (pictured on the car at left), Gordon Inyang's painting *Langlo* (center), and Cheryl Jimmy's artwork *Nyanggabo* (shown right) each feature on 20 cars.

The reproduction and translation of artwork onto the cars was negotiated in close consultation with the visual arts licensing team, the artists and their respective art centres. Each of the artists was involved in key steps of the process, from the concepts through to final designs. The artists were overwhelmingly positive about the treatment of their work and the quality of its reproduction and, importantly, the artist and the title of their work are clearly identified on the front doors of each of the cars.

The work of Simon Hagen and Cheryl Jimmy were also licensed for use on Telstra's car packages.



**Commercial**

Newspaper articles or other print-sensitive information are all critical for the AFL's membership team.

QFL General Counsel Andrew Dillon (pictured below) noted that while the organization has always recognized the importance of protecting IP, there were some gaps in its policy practice.

"We conducted a review of our work practices and noted that there was a potential that we weren't consulting with copyright law," says Andrew Dillon reviewing their practices. The AFL got in touch with the Copyright Agency.

"We worked through the process with them, and we were able to get a very cost-effective solution that enables us now to share information with our employees all around Australia, and it's a risk that we now don't have to worry about because it's managed in a cost-effective way."

The AFL has also encouraged their 18 clubs to secure copyright for their logos.

"Copyright compliance is important for the AFL, as a community-based organization and as a not-for-profit organization. We've got a standing in the community and it's important for us to comply with the laws," Andrew says.



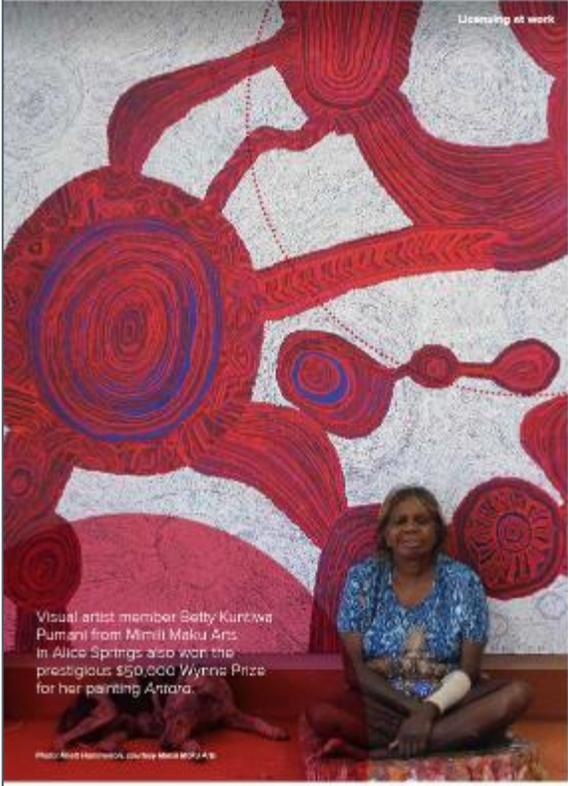
## Image

- Aboriginal artist / Community Trust Fund
- Telstra
- Photographer

## Corporate

- Logos
- Subject person
- Text

Licensing at work



Visual artist member Betty Kuntwa Pumani from Mimiit Maku Arts in Alice Springs also won the prestigious \$50,000 Wynns Prize for her painting *Arrows*.

Photo: Ross Henderson, courtesy Mimiit Maku Arts

# Attributions & Credits



Michelle Kelly's artwork *Fairy Ring* was made possible through a Cultural Fund grant of \$16,000 to Guildhouse in South Australia, to run The Collections Project. Guildhouse collaborates with Flinders University Art Museum on the project, providing artists access to the museum's collections to create new work. Photo: Grant Hancock.

# In the Press – what you can/cannot include

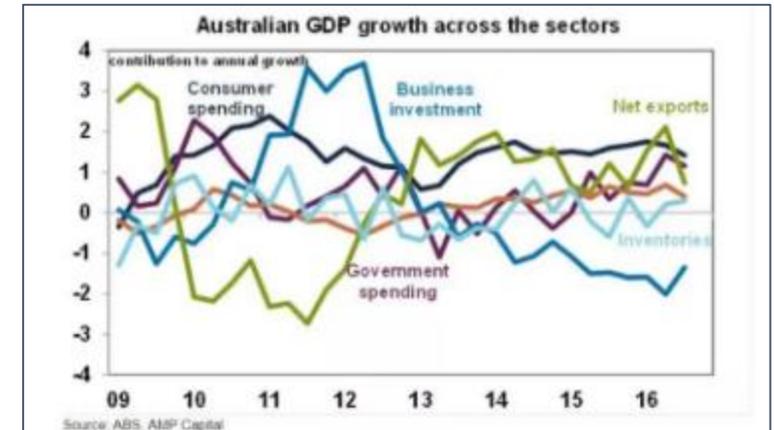
- Using MMO supplied clippings



- News articles images\*



- Charts and graphs



*\*up to 72 a year with a CA licence*

# GOOD COPYRIGHT GOVERNANCE

# Good Copyright Governance Framework

In a Good Governance panel organised by the Association of Corporate Counsel in Sydney last month, **copyright licensing was highlighted as one of a bundle of governance measures companies should be reviewing**, as there can be gaps in everyday practices.

Having the right Good Copyright Governance framework in place for your organisation is indeed **key to ensure employees legally copy and share the third-party text and images** they use on an everyday basis.



# Good Copyright Governance and your organisation

- It is essential to ensure permission to use copyright content is granted at all times
- According to your needs, you can:
  - >> negotiate with individual copyright owners
  - >> use a pay-per-use licensing solution
  - >> use a blanket licensing solution



# Good Copyright Governance and your organisation



“

At the end of the day it comes down to integrity”

**Adam Benson**

National Chair, Registered Consultancy Group (PRIA's RCG) - Director, Recognition PR and Write Away Communication + Events

Learn more at  
**copyright.com.au**

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[www.copyright.com.au](http://www.copyright.com.au)

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