

FAQs Copyright and APTA

What does copyright mean?

Copyright law gives authors of creative works (eg, written documents, books, journals, pictures, drawings, web content, anything that is produced in a tangible form) the right to decide how other people may use their work. If someone wants to use copyrighted work, they must first ask the creator of the work or the copyright holder (often a publisher) permission.

Is APTA content copyright protected?

APTA published works and websites are copyright protected. APTA is happy to share its content with users in most cases, but permission is required first to determine the purpose of its use and whether commercial fees need to be charged.

What does copyright infringement mean?

Copyright infringement is the use of copyright-protected content without the explicit written approval from the copyright holder. Infringing on an author's (or publisher's) right to reproduce, redistribute, display, make derivatives (byproducts, including translations) of the work, and collect royalties can result in substantial financial penalties for unauthorized use of copyright-protected content.

What does public domain mean?

Public domain means that works not under copyright protection may be used without permission; however, the original source should still be cited. Creative works produced by the US government are in the public domain and may be used without permission, but there is an exception. A work that is created by an outside source or entity that is published within that specific government work is usually copyright protected. Always check and remember to cite the source when used.

Can content posted on websites and the Internet be freely downloaded and used?

There is a common myth about content posted online being in the public domain. In most cases it is not in the public domain and is under the same copyright protection as any creative work. Unless the copyright holder has explicitly stated that content is free to use for any purpose or is in the public domain, permission is required. When in doubt, always ask permission—don't put APTA at risk for copyright infringement and potential lawsuits.

Can photographs and web images be downloaded and used for APTA presentations, web documents, or publications?

Photographs and web images are usually copyright protected, but there are some websites that allow free use of photographs and images. Do an Internet search for free images and photos to access these sites. Other popular image sites require a subscription. Unless it is made known by the copyright holder that photographs or images are in the public domain, assume that they are under copyright protection and request permission from the copyright holder. When in doubt, always ask permission—don't put APTA at risk for copyright infringement and potential lawsuits.

What is the harm in using 1 or 2 images without permission in an APTA presentation that is given in a contained environment, such as at an APTA conference?

Likely, the copyright holder (unless they're at the conference or presentation) won't know, but there is no guarantee as to where your presentation or any part of it will end up. With handouts of the presentation and/or the use of electronic devices, there is no control over redistribution once the presentation is done. Don't put APTA at risk for copyright infringement and potential lawsuits—always ask permission.

Is citing or giving credit to copyrighted works enough, or do we have to ask permission too?

This is another common myth about giving credit to a source instead of asking permission to use copyrighted content. Work always has to be credited if it is not original to you, but first and foremost, permission must be secured from the copyright holder. Don't put APTA at risk for copyright infringement and potential lawsuits—always ask permission.

Fair use: Can copyrighted works such as images, photographs, and text used in APTA presentations or works be considered fair use?

The term "fair use" is subjective. Fair use is a legal doctrine, or guideline, that refers to certain types of uses such as criticism, comment, news reporting, teaching, scholarship, and research that *may* qualify for limited use of copyrighted content without having to ask the copyright holder for permission. For APTA purposes, fair use does not apply. Always ask a copyright holder for permission prior to using content. Don't put APTA at risk for copyright infringement and potential lawsuits.