

Designing a t-shirt? Showing a movie on campus? Creating a website? For these things and more it is important to understand the laws and rules surrounding copyrighted material. Check out the information below to understand how copyright affects your student org.

Copyright Material

In the United States Code, Title 17, Section 107 of the Copyright Law allows for the “fair use” of a copyrighted work for purposes such as criticism, comment, news reporting, teaching, scholarship, or research. The Fair Use Doctrine allows for limited use of copyrighted materials without obtaining permission from the copyright holder, but the limitations are significant. The factors to be considered in determining if the copying is fair use are:

- The purpose and character of the use (education is more likely to be fair use and use that causes the work to be used for a new purpose is more likely to be fair use)
- The nature of the copyrighted work (a fact-based work is more likely to be fair use than a creative fictional work)
- The amount and substantiality of the copied portion compared to the work as a whole (a small portion and/or not copying the “best” portion(s) of the work is more likely to be fair use)
- The effect of the use on the potential market (copying that does not cause someone to not buy the whole work is more likely to be fair use)

Copyright and Trademark Symbols

© is the copyright symbol and signifies a creator’s exclusive rights to publish, reproduce, or sell an original work. Copyright protection is implicitly granted to all original works such as books, music, scripts, artwork, and photographs. The copyright symbol is usually followed by the year of first publication and the name of the copyright owner.

Example: ©2015 Student Involvement

™ is the trademark symbol and signifies a claim of rights to a term, slogan, logo, or design which indicates the source of goods. The TM symbol may be applied to any distinctive name or logo, but it does not guarantee legal protection. For greater legal protection, a trademark may be registered with the U.S. Patent and Trademark Office. Registered trademarks are indicated by the ® symbol.

Example: Student Involvement™, Student Involvement®

SM is the service mark symbol and signifies a claim of rights to a term, slogan, logo, or design which indicates the source of services. It is the same as the ™ symbol in that it may be applied without being registered with the U.S. Patent and Trademark Office and does not guarantee legal protection. A registered service mark is also indicated by the ® symbol.

Example: Student InvolvementSM

Logotype and University Symbols

The University of Wisconsin-Milwaukee Logo and the Athletic Panther Logo are registered trademarks of the university and may only be used by official university offices and departments. These logo marks include the acronym UWM, the two wavy lines, the registered trademark sign, the logo signature, the words University of Wisconsin-Milwaukee, the letters **UWM IN ANY SHAPE OR FORM**, and the Panther logo in whole or in parts.

Student organizations are prohibited from using the university seal or logos on letterheads, business cards or other identifying materials. The UWM Licensing Office retains the right of approval of all uses of the university’s marks. UWM cannot be used as the possessive in any applications including website domain names.

Lauren Abramowski, Licensing Manager is available to assist student organizations to meet their individual needs while assuring compliance with the University guidelines regarding the use of logo marks and can also assist with logo design and other needs regarding establishing a brand for your organization. If necessary she will arrange to meet with your entire group.

The UWM Licensing Office has developed an acceptable logo format for Student Organizations. This logo format can be obtained from: Lauren Abramowski, Union W329, UWM Licensing Manager (414)229-5577, abramow2@uwm.edu.

Peer-to-Peer File Sharing

Do not download or share, using the Internet or other means, copies of unlicensed copyrighted items such as movies, games, music, television programs, electronic books, other programs and/or software. Downloading and making these copyrighted materials available to others through use of computing peer-to-peer software or other means is illegal. (See <http://www4.uwm.edu/secu/facdocs/2480.pdf>.) The Digital Millennium Copyright Act (DMCA) of 1998 (<http://www.copyright.gov/legislation/dmca.pdf#search=%22dmca%22>) made it illegal to republish copyrighted information by downloading, uploading, or file-sharing media such as music, movies, or software. The DMCA protects copyright holders from unauthorized distribution of their work. Digitally sharing copyrighted materials is illegal and also violates University policy regarding use of the campus network.

Computers and Software

UWM provides access to computers, databases, email, the Internet, software, and other University information technology resources to its faculty, staff, and students, as well as community members, in order to facilitate the pursuit of excellence in the University's missions of scholarship, learning, teaching, research, and service. Computers in student organization offices are owned by the University and access to them is a privilege granted to registered student organization officers and their student members.

In order to preserve access to University IT Resources for the entire community, everyone is expected to know and adhere to the appropriate University, state and federal regulations and guidelines. The Federal Copyright law says that anyone who purchases a copy of software has the right to load that copy onto a single computer and to make another copy for "archival" purposes only. It is illegal to use that software on more than one computer or to make or distribute copies of that software for any other purpose, unless specific permission has been obtained from the copyright owner.

For the software on student organization computers, you may not share, duplicate or redistribute the software executables, serial numbers, activation codes or installation CDs to anyone, including other UW System employees. You may not use the home use rights to install software on a university-owned computer, including a licensee's laptop or second university-owned computer. Students are responsible for adhering to the terms and conditions of the campus computer policies. Failure to comply with software licenses is a violation of U.S. Copyright Laws and the UWM Software Use Policy, <http://www4.uwm.edu/secu/facdocs/2480.pdf>.

Showing Movies on Campus

In most instances, permission should be sought before displaying movies publicly on campus, regardless of whether admission is charged.

Copyright owners, among other things, have the exclusive right to authorize others to display their work publicly. Generally speaking, what this means is that permission needs to be obtained before showing a movie in a public place (including an auditorium or meeting room). It does not matter whether admission is charged or not. If more than a handful of people are invited to attend the movie, if open invites are extended, or if the viewing is advertised, it is likely that the viewing is public and requires permission. Small private showings (e.g. a handful of people who have been specifically invited, a few friends in a residence hall room) do not typically require permission.

Some exceptions to this general rule do exist. According to Section 110(1) of the Copyright Law, movies can be shown without permission in a face-to-face teaching setting. Most commentators (and Universities) interpret this to mean that a faculty member needs to be showing the movie in connection with his/her class. (The movie does not, however, have to be shown during scheduled class time.)

A movie can be shown if it falls under the "fair use" exception to the copyright law. (See Using Copyrighted material above.) Entire movies shown by students to large groups for mostly entertainment purposes would not fall under the fair use exception.

Revised May 11, 2015

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