



# Intellectual Property rights and Creative Commons

 Kjell Are Refsvik

 Oktober 5, 2011

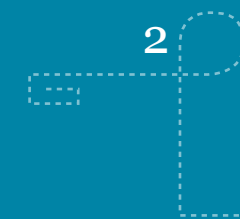
 IMT4892 Digital Workflow

 CC: BY-NC-SA

 <http://www.ansatt.hig.no/kjellr/imt4892>



# WHERE WE ARE NOW



WEEK	TOPIC
33	-
34	Course Introduction
35	<a href="#">A Brief History of Computing and an Introduction to Unix</a>
36	<a href="#">Devices and data formats, wrappers and compressors</a>
37	<a href="#">Tools for transforming common datatypes</a>
38	<a href="#">Moving data, remote processing and workflow automation</a>
39	<a href="#">Workflow automation, part 2, Cron</a>
40	<a href="#">Intellectual property rights (IPR), including Creative Commons</a>
41	<a href="#">Mashup fundamentals and applied mashup using KML and Google Maps</a>
42	<a href="#">XML Fundamentals, part 1</a>
43	<a href="#">XML Fundamentals, part 2</a>
44	<a href="#">Academic planning and writing</a>
45	<a href="#">Project, week 1 - project outline delivery</a>
46	<a href="#">Project, week 2 - work</a>
47	<a href="#">Project delivery/presentation</a>
48	-
49	<a href="#">Exam</a>

# ASSIGNMENTS FROM LAST WEEK?

- Workflow automation with cron using crontab file





## TODAY'S GOAL

After this lecture and its activities, you should be able to:

- Know some of the basic terms and mechanisms for handling the rights to Intellectual Property and specifically know the purpose, challenges and opportunities related to the Creative Commons licensing system in an educational context.



A Project Proposal is due soon...



# PROJECT PROPOSAL

**1. Background [what is your topic of interest and what is happening there?]**

**2. Problem description [what is the problem and who has it?]**

**3. Description of your goal(s)**

1. Result goal [what will be the measurable result of this project?]

1. Research question 1

2. Research question 2

3. Research question 3

2. Effect goal [what effect should your work have for other people?]

**4. Means and methods**

1. Means [what resources and tools will you be using?]

1. Software?

2. People

3. Data-sources?

2. Methods [what methods of working will you be utilizing?]

1. Study of literature?

2. Interviews

3. Observations

4. Prototyping

5. Software development/testing/validation?

**5. Plan [phases, activities, roles, persons, time budgeted/spent, sums, risks/actions]**

# PLAN

Phase	Tasks	Person	45	46	47	48	Sum	Risks and levels	Risk-reduction actions
1.Introduction									
2.Design									
3.Build/test									
4.Delivery									

More about planning in the course “research project planning” next fall.

# IDEAS FOR WORKFLOWS?

- Match images that look similar using `imagemagick compare`
- Record-compress-describe-publish podcasts
- Update a KML file with references to geo-positioned images
-



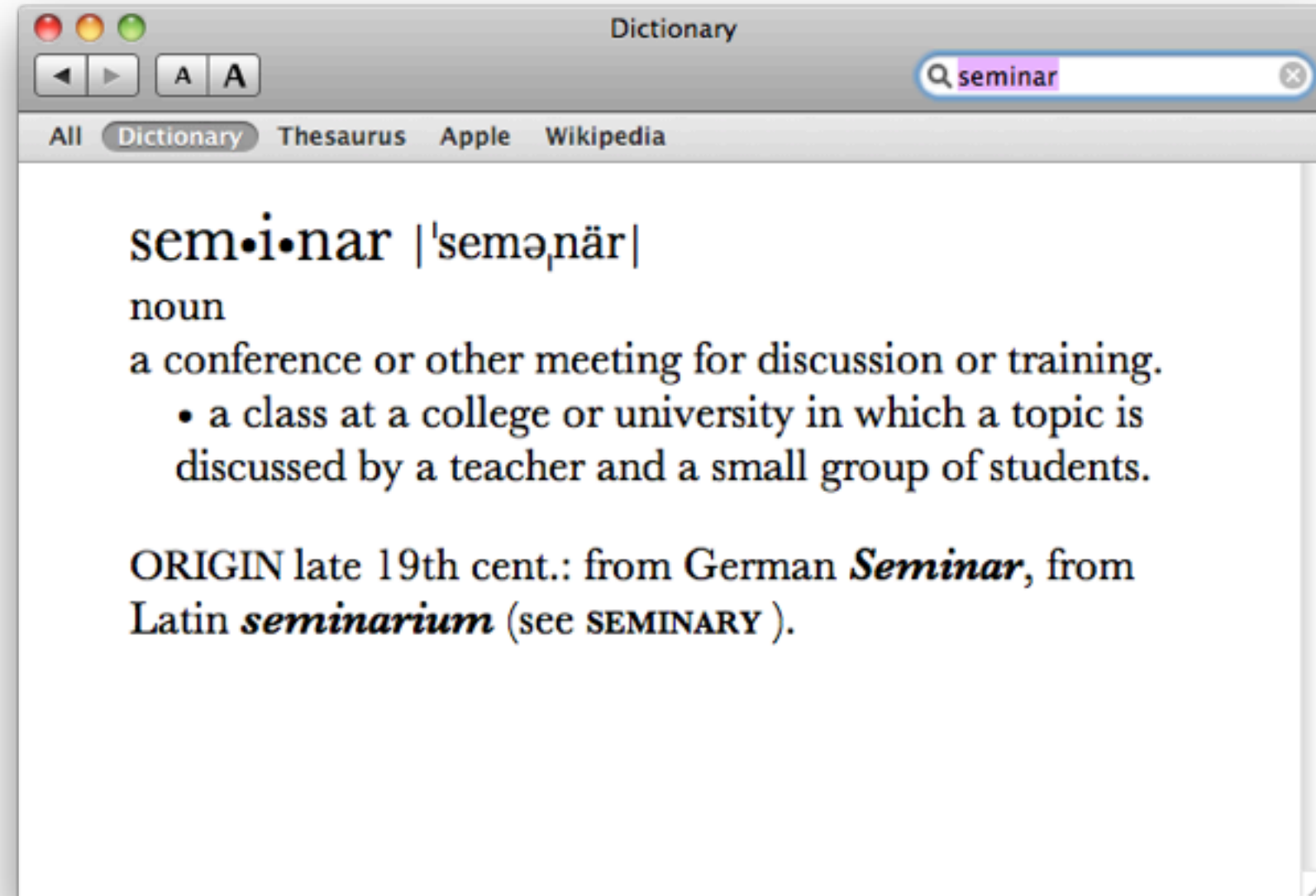
# GUIDANCE

- Kjell Are Refsvik and Ivar Farup



# Intellectual Property and Creative Commons

# FORM TODAY



# IPR?

## Intellectual Property Rights

“Legal monopolies controlling creations of the mind”:

[http://en.wikipedia.org/wiki/Intellectual\\_property](http://en.wikipedia.org/wiki/Intellectual_property)

1. Copyright
2. Patent
3. Trademark
4. Industrial design rights
5. Utility model
6. Geographical indication
7. Trade secret
8. Authors' rights
9. Related rights
10. Moral rights

# COPYRIGHT

- A copyright is a set of exclusive rights granted by a state to the creator of an original work or their assignee for a limited period of time upon disclosure of the work. This includes the right to copy, distribute and adapt the work.

Wikipedia: <http://en.wikipedia.org/wiki/Copyright>

# PATENT

- A patent ( /'pætənt/ or /'peɪtənt/) is a form of intellectual property. It consists of a set of exclusive rights granted by a sovereign state to an inventor or their assignee for a limited period of time in exchange for the public disclosure of an invention.

[...] The term patent usually refers to an exclusive right granted to anyone who invents any new, useful, and non-obvious process, machine, article of manufacture, or composition of matter, or any new and useful improvement thereof, and claims that right in a formal patent application.

Wikipedia: <http://en.wikipedia.org/wiki/Patent>

# TRADEMARK

- A trademark, trade mark, or trade-mark[1] is a distinctive sign or indicator used by an individual, business organization, or other legal entity to identify that the products or services to consumers with which the trademark appears originate from a unique source, and to distinguish its products or services from those of other entities.

A trademark is typically a name, word, phrase, logo, symbol, design, image, or a combination of these elements.[2] There is also a range of non-conventional trademarks comprising marks which do not fall into these standard categories, such as those based on color, smell, or sound.

Wikipedia: <http://en.wikipedia.org/wiki/Trademark>

# INDUSTRIAL DESIGN RIGHTS

- An industrial design right is an intellectual property right that protects the visual design of objects that are not purely utilitarian. An industrial design consists of the creation of a shape, configuration or composition of pattern or color, or combination of pattern and color in three dimensional form containing aesthetic value. An industrial design can be a two- or three-dimensional pattern used to produce a product, industrial commodity or handicraft.

Wikipedia:

[http://en.wikipedia.org/wiki/Industrial\\_design\\_rights](http://en.wikipedia.org/wiki/Industrial_design_rights)



# UTILITY MODEL

- A utility model is an intellectual property right to protect inventions. This right is available in a number of national statutes, as described below. [1] It is very similar to the patent, but usually has a shorter term (often 6 to 15 years) and less stringent patentability requirements.

A utility model is a statutory monopoly granted for a limited time in exchange for an inventor providing sufficient teaching of his or her invention to permit a person of ordinary skill in the relevant art to perform the invention. The rights conferred by utility model laws are very similar to those granted by patent laws, but are more suited to what may be considered as "incremental inventions" [3].

Wikipedia: [http://en.wikipedia.org/wiki/Utility\\_model](http://en.wikipedia.org/wiki/Utility_model)

# GEOGRAPHICAL INDICATION

- A geographical indication (GI) is a name or sign used on certain products which corresponds to a specific geographical location or origin (e.g. a town, region, or country). The use of a GI may act as a certification that the product possesses certain qualities, is made according to traditional methods, or enjoys a certain reputation, due to its geographical origin.

[Wikipedia: http://en.wikipedia.org/wiki/Geographical\\_indication](http://en.wikipedia.org/wiki/Geographical_indication)

# TRADE SECRET

- A trade secret is a formula, practice, process, design, instrument, pattern, or compilation of information which is not generally known or reasonably ascertainable, by which a business can obtain an economic advantage over competitors or customers. In some jurisdictions, such secrets are referred to as "confidential information" or "classified information".

Wikipedia: [http://en.wikipedia.org/wiki/Trade\\_secret](http://en.wikipedia.org/wiki/Trade_secret)

# AUTHORS ' RIGHTS

- Authors' rights are a part of copyright law. [...]Authors' rights have two distinct components: the economic rights in the work and the moral rights of the author. The economic rights are a property right which is limited in time and which may be transferred by the author to other people in the same way as any other property (although many countries require that the transfer must be in the form of a written contract). They are intended to allow the author or their holder to profit financially from his or her creation, and include the right to authorize the reproduction of the work in any form (Article 9, Berne Convention)[1]. The authors of dramatic works (plays, etc.) also have the right to authorize the public performance of their works (Article 11, Berne Convention).

Wikipedia: [http://en.wikipedia.org/wiki/Authors' rights](http://en.wikipedia.org/wiki/Authors'_rights)

# RELATED RIGHTS

- Related rights is a term in copyright law, used in opposition to the term "authors' rights".

[http://en.wikipedia.org/wiki/Related\\_rights](http://en.wikipedia.org/wiki/Related_rights)

## MORAL RIGHTS (& ECONOMIC RIGHTS)

- Moral rights are rights of creators of copyrighted works generally recognized in civil law jurisdictions and, to a lesser extent, in some common law jurisdictions. They include the right of attribution, the right to have a work published anonymously or pseudonymously, and the right to the integrity of the work.

[http://en.wikipedia.org/wiki/Moral\\_rights\\_\(copyright\\_law\)](http://en.wikipedia.org/wiki/Moral_rights_(copyright_law))

Works of the mind [for you in general] is  
copyrighted automatically when the  
“work” is in a tangible form.

# Other ways of controlling Creative Expressions?



# Software

[Apache](#) • [Artistic](#) • [BSD](#) • [GNU GPL](#) • [GNU LGPL](#) • [ISC](#) • [MIT](#) • [MPL](#) •  
[Ms-PL/RL](#) • [zlib](#) • [FSF approved licenses](#) • [Copyleft](#)

# SOFTWARE LICENCES

[Apache](#) • [Artistic](#) • [BSD](#) • [GNU GPL](#) • [GNU LGPL](#) • [ISC](#) • [MIT](#) •  
[MPL](#) • [Ms-PL/RL](#) • [zlib](#) • [FSF approved licenses](#) • [Copyleft](#)



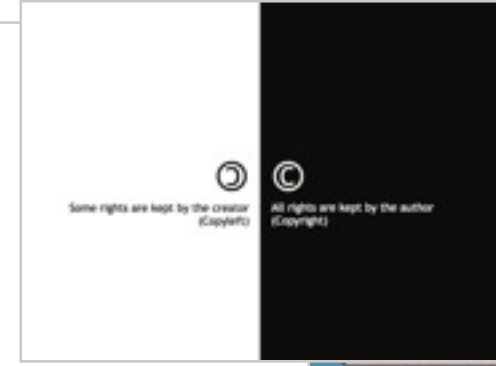
**PirateBay.com**

1. Modern day Robin Hoods defending and promoting user rights (and needs)?
2. Thieves and scoundrels that facilitates illicit activities and hide behind the Torrent-technology like a child stealing candy for his friends and hiding in the skirts of his mother?

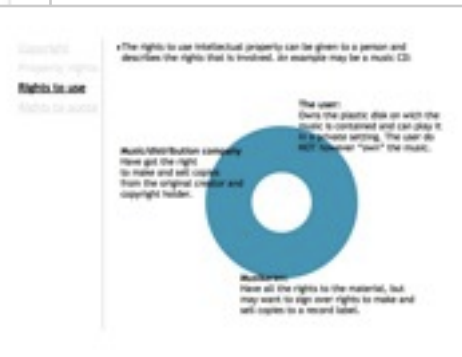


my notes related to this lecture

Creative rights/ Copyright	NO: <a href="http://no.wikipedia.org/wiki/Dokument">http://no.wikipedia.org/wiki/Dokument</a> EN: <a href="http://en.wikipedia.org/wiki/Copyright">http://en.wikipedia.org/wiki/Copyright</a>
Rights to property	NO: <a href="http://no.wikipedia.org/wiki/Eiendomsrett">http://no.wikipedia.org/wiki/Eiendomsrett</a> EN: <a href="http://en.wikipedia.org/wiki/Property">http://en.wikipedia.org/wiki/Property</a>
Rights to use	NO: <a href="http://no.wikipedia.org/wiki/Brukserett">http://no.wikipedia.org/wiki/Brukserett</a> EN: See Copyright above.
Rights to quote and Fair Use	NO: <a href="http://no.wikipedia.org/wiki/Sitatrett">http://no.wikipedia.org/wiki/Sitatrett</a> EN: <a href="http://en.wikipedia.org/wiki/Fair_use">http://en.wikipedia.org/wiki/Fair_use</a>



NC	Non-Commercial	...do not use it for commercial purposes (but call me if you do).
SA	Share-Alike	...share any work that includes mine under this same condition to others



**Rights to quote**

- This right (in Norway) gives you the right to quote someone else's work
- This mostly applies to text and must be a small part of the original work
- Must respect the rights to attribution (name of originator) and pay respect to the original work (cannot be quoted and re-edited at the same time)
- Must not compete (directly) with the original work
- Photos are a challenge because they cannot be shown partially without altering the work and that would be a legal violation on its own
- The quote must be an-edited
- Must be within a relevant context
- Apart from that - New rules (in Norway) on how much you can quote.

**Copyright**

Property rights  
Rights to use  
Rights to quote

- Regulated in Norway by "Eiendomsrettsloven"
- in Norway, often divided into two legal branches: rights
- Moral: The rights to have your work be presented and the right to be presented to the public
- Financial: The rights to make or prevent it to the public
- After this to happen, the work is of a certain creative quality
- Copyright does not include public in Norway, the Copyright normally esp. copyright owner to deal.



# Creative Commons

<http://creativecommons.org/about>

# My own practices

Attribution

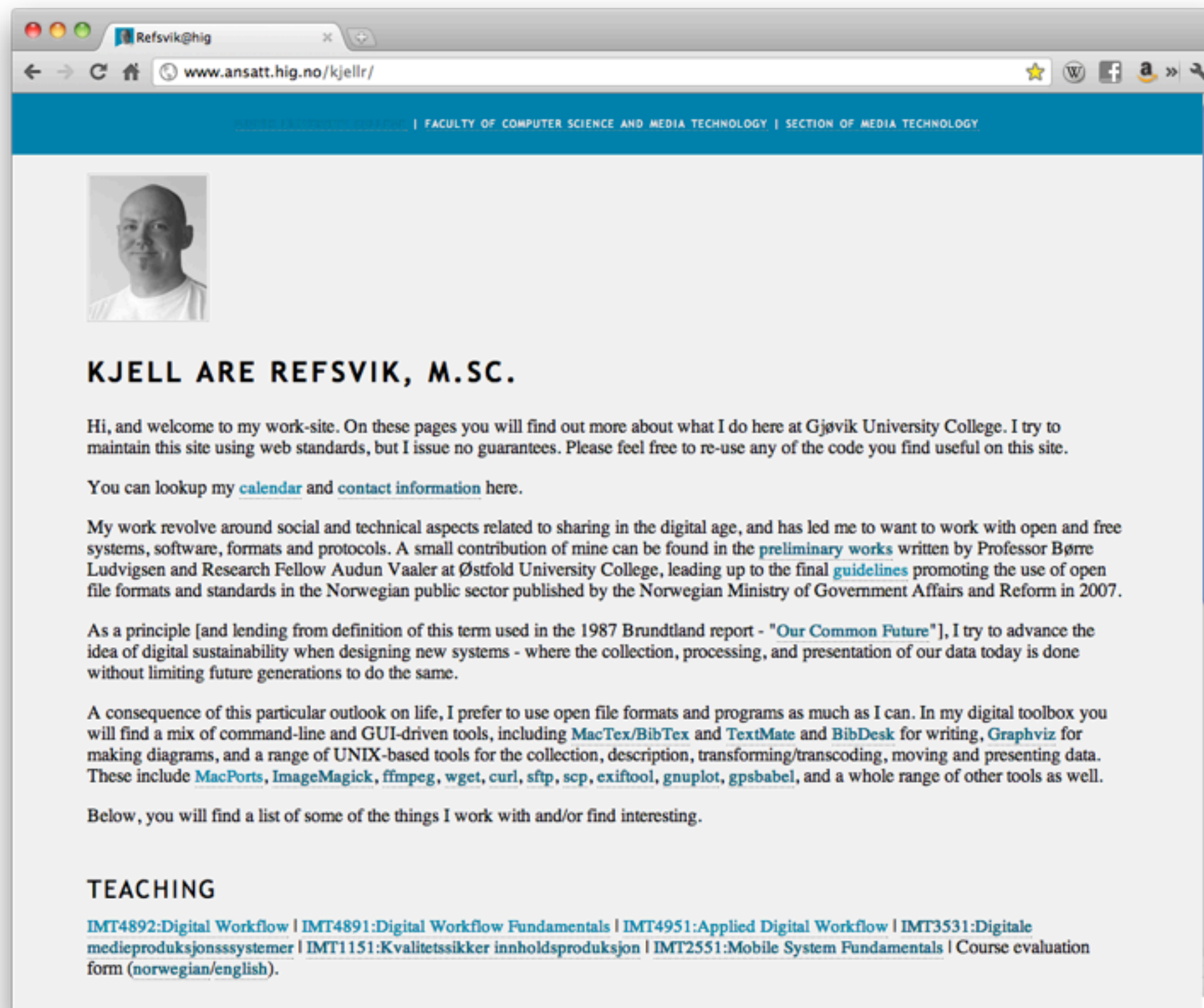
Share-Alike



CC:BY-NC-SA




Non-Commercial



Refsvik@hig

www.ansatt.hig.no/kjellr/

FACULTY OF COMPUTER SCIENCE AND MEDIA TECHNOLOGY | SECTION OF MEDIA TECHNOLOGY



## KJELL ARE REFSVIK, M.SC.

Hi, and welcome to my work-site. On these pages you will find out more about what I do here at Gjøvik University College. I try to maintain this site using web standards, but I issue no guarantees. Please feel free to re-use any of the code you find useful on this site.

You can lookup my [calendar](#) and [contact information](#) here.

My work revolve around social and technical aspects related to sharing in the digital age, and has led me to want to work with open and free systems, software, formats and protocols. A small contribution of mine can be found in the [preliminary works](#) written by Professor Børre Ludvigsen and Research Fellow Audun Vaaler at Østfold University College, leading up to the final [guidelines](#) promoting the use of open file formats and standards in the Norwegian public sector published by the Norwegian Ministry of Government Affairs and Reform in 2007.

As a principle [and lending from definition of this term used in the 1987 Brundtland report - "[Our Common Future](#)"], I try to advance the idea of digital sustainability when designing new systems - where the collection, processing, and presentation of our data today is done without limiting future generations to do the same.

A consequence of this particular outlook on life, I prefer to use open file formats and programs as much as I can. In my digital toolbox you will find a mix of command-line and GUI-driven tools, including [MacTex/BibTex](#) and [TextMate](#) and [BibDesk](#) for writing, [Graphviz](#) for making diagrams, and a range of UNIX-based tools for the collection, description, transforming/transcoding, moving and presenting data. These include [MacPorts](#), [ImageMagick](#), [ffmpeg](#), [wget](#), [curl](#), [ftp](#), [scp](#), [exiftool](#), [gnuplot](#), [gpsbabel](#), and a whole range of other tools as well.

Below, you will find a list of some of the things I work with and/or find interesting.

## TEACHING

[IMT4892:Digital Workflow](#) | [IMT4891:Digital Workflow Fundamentals](#) | [IMT4951:Applied Digital Workflow](#) | [IMT3531:Digitale medieproduksjonssystemer](#) | [IMT1151:Kvalitetssikker innholdsproduksjon](#) | [IMT2551:Mobile System Fundamentals](#) | Course evaluation form ([norwegian/english](#)).

The screenshot shows a web browser window displaying a Moodle course page. The browser's address bar shows the URL <https://fronter.com/hig/main.phtml>. The page title is "IMT4892 Digital Workflow". The user is logged in as "Kjell Are Refsvik". The page layout includes a left-hand navigation menu with items like "Startside", "Messages / Calendar", "Participants", "Portfolio", "Questions & answers", "Chat", "Lectures", "Resources", "Tasks", "Course evaluation", "News", "Frontpage (Hidden)", and "Liveroom". The main content area features a blue header with navigation links: "HOME", "FACULTY OF COMPUTER SCIENCE AND MEDIA TECHNOLOGY", "SECTION OF MEDIA TECHNOLOGY", and "2011-2012". The main heading is "IMT4892 - DIGITAL WORKFLOW". Below this is an "INTRODUCTION" section with three paragraphs of text. The first paragraph welcomes students and mentions that the page will be updated. The second paragraph states the course's expectations, including a minimum of 15 hours of work per week and specific assessment components. The third paragraph describes the course's focus on using open-source tools and the UNIX system. A "CONTENTS" section follows, listing various topics like Tools, Literature, Flexible Learning, Study Skills, Teacher, Lectures, Project, and Week 34: Course Introduction. The footer of the page includes the "fronter" logo.

IMT4892 Digital Workflow

Startside  
Messages / Calendar  
Participants  
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Questions & answers  
Chat  
Lectures  
Resources  
Tasks  
Course evaluation  
News  
Frontpage (Hidden)  
Liveroom

HOME → FACULTY OF COMPUTER SCIENCE AND MEDIA TECHNOLOGY → SECTION OF MEDIA TECHNOLOGY → 2011-2012

# IMT4892 - DIGITAL WORKFLOW

## INTRODUCTION

Welcome to this course where the primary goal is to teach you tools and systems necessary to formalise and build flexible workflows. This page will be updated as the course progress and will include information to all the things you need to take this course. The formal course description can be found [here](#).

Our expectations is that a 10 studypoint course requires a minimum of 15 hrs of work per week, and even more if your goal is to get a grade above 'C'. You will be expected to deliver a project proposal and a project report (40%) in addition to the final written exam (60%) to pass this course.

To create robust students that are well prepared for the rest of their master studies and and their continued professional lives, we will mostly use open free and flexible programs and the command-line driven UNIX system throught this cours. We will also include a brief introduction to academic writing using LaTeX and BibTex in addition to a seminar on intellectual property rights and the Creative Commons movement in the context of marking material as part of a digital workflow. During the first lecture we will talk more about how you get access to a UNIX-system if you do not already have one.

This page will be updated throughout this course.

## CONTENTS

- [Tools](#)
- [Literature](#)
- [Flexible Learning](#)
- [Study Skills](#)
- [Teacher](#)
- [Lectures](#)
- [Project](#)
- [Week 34: Course Introduction](#)





## ADVANTAGES BY USING A OPEN LICENSE

- More input from colleagues and feedback on how you can improve
- Easier to attract external censors and outside assistance when info is openly available
- Easier to integrate content into other systems when using open content and formats
- CC is great for teaching the students why and how to create and borrow instead of stealing.
- No need to worry about not owning or being able to use your content in new contexts.

# CHALLENGES BY USING A OPEN LICENSE

- Impossible (?) to mix cc content with copyrighted content.
- Colleagues that share openly are few and far between. Need to look outside the college to find people that have material to share that I can re-use.
- Less options when looking for raw material for building lecture material.
- Few systems and services at the college that can help you. You will have to build them yourself.

Where

GJØVIK UNIVERSITY COLLEGE

Intellectual Property rights and Creative Commons

Kjell Are Refsvik

Oktober 5, 2011

IMT4892 Digital Workflow

CC: BY-NC-SA

<http://www.ansatt.hig.no/kjellr/imt4892>

What

When

Who


Rights

Bergensbanen


http://www.ansatt.hig.no/kjellr/misc/20100128\_Bergensbanen\_0328.html

Google

Bergensbanen

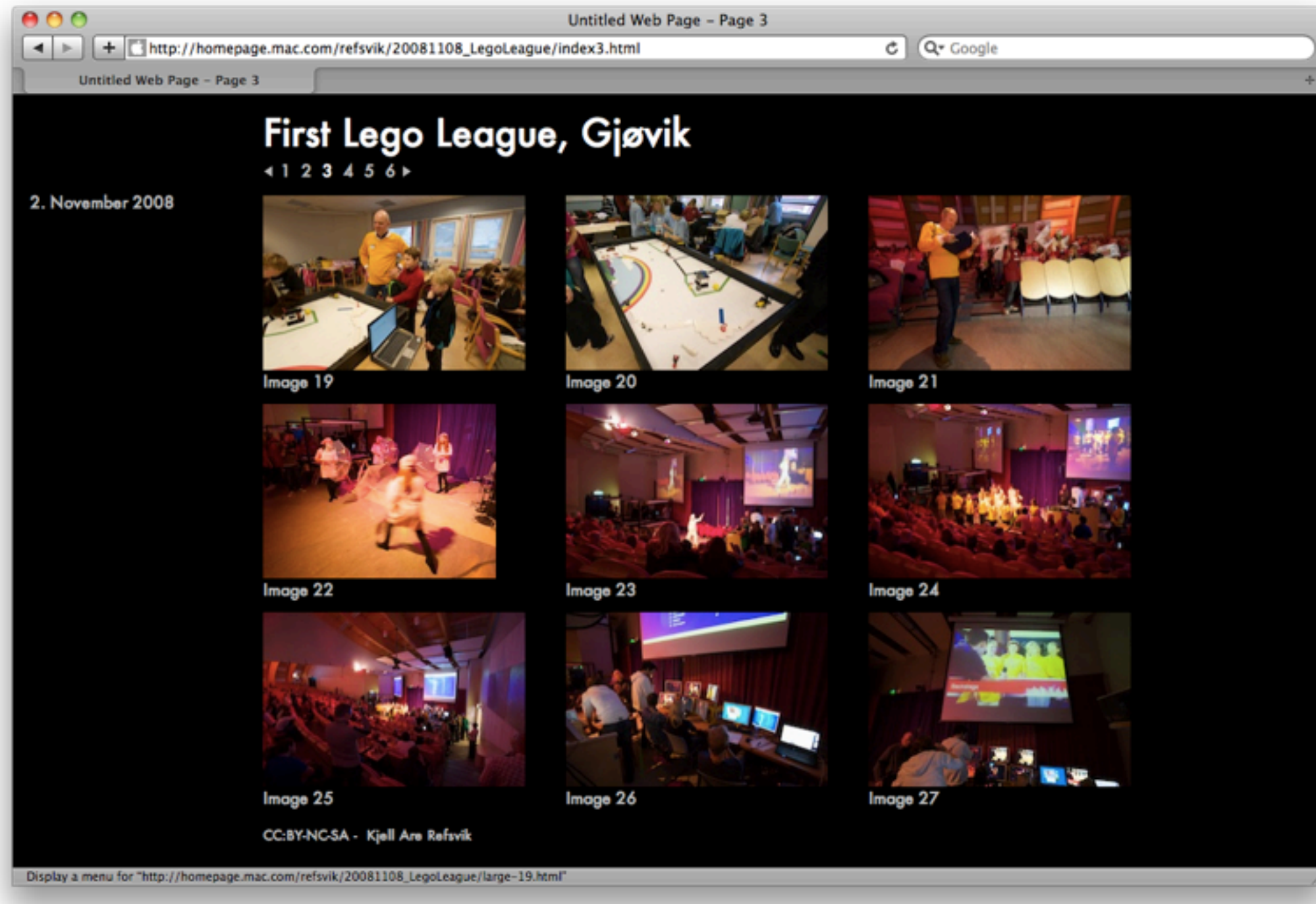
 GJØVIK UNIVERSITY COLLEGE | FACULTY OF COMPUTER SCIENCE AND MEDIA TECHNOLOGY | SECTION OF MEDIA TECHNOLOGY

## “BERGENSBANEN” - NRK



"Bergensbanen", NRK, 2009.

[http://www.ansatt.hig.no/kjellr/misc/20100128\\_Bergensbanen\\_0328.html](http://www.ansatt.hig.no/kjellr/misc/20100128_Bergensbanen_0328.html)



[http://homepage.mac.com/refsvik/20081108\\_LegoLeague/index3.html](http://homepage.mac.com/refsvik/20081108_LegoLeague/index3.html)



Image 22



Image 23



Image 25



Image 26

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Display a menu for "[http://homepage.mac.com/refsvik/20081108\\_LegoLeague/large-22.html](http://homepage.mac.com/refsvik/20081108_LegoLeague/large-22.html)"

[http://homepage.mac.com/refsvik/20081108\\_LegoLeague/index3.html](http://homepage.mac.com/refsvik/20081108_LegoLeague/index3.html)

Mixing free licenced material with  
commercial interests?





## RESOURCES

- [http://en.wikipedia.org/wiki/Intellectual\\_property](http://en.wikipedia.org/wiki/Intellectual_property)
- [http://en.wikipedia.org/wiki/Free\\_software\\_license](http://en.wikipedia.org/wiki/Free_software_license)
- [http://en.wikipedia.org/wiki/Creative\\_commons](http://en.wikipedia.org/wiki/Creative_commons)
- <http://creativecommons.org/>



## CONTACT INFORMATION

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Office A224A-B  
Available <https://hevn.hig.no/#user=kjell.refsvik@hig.no&view=cal>