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### Open to All: The Public Domain

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# Open to All: The Public Domain

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# Copyright

- Restricts use
  - Permission
  - Fair use analysis
  - Other exceptions in copyright law



# Public Domain

- Permits use
- No copyright
  - Term expiration
  - Failure to follow formalities
  - Federal government documents
  - CC0



# Why Has Nothing Entered the Public Domain in the Last 20 Years?

- (Sonny Bono) Copyright Term Extension Act
  - Extended copyright term from life of the author +50 years to life of the author +70 years



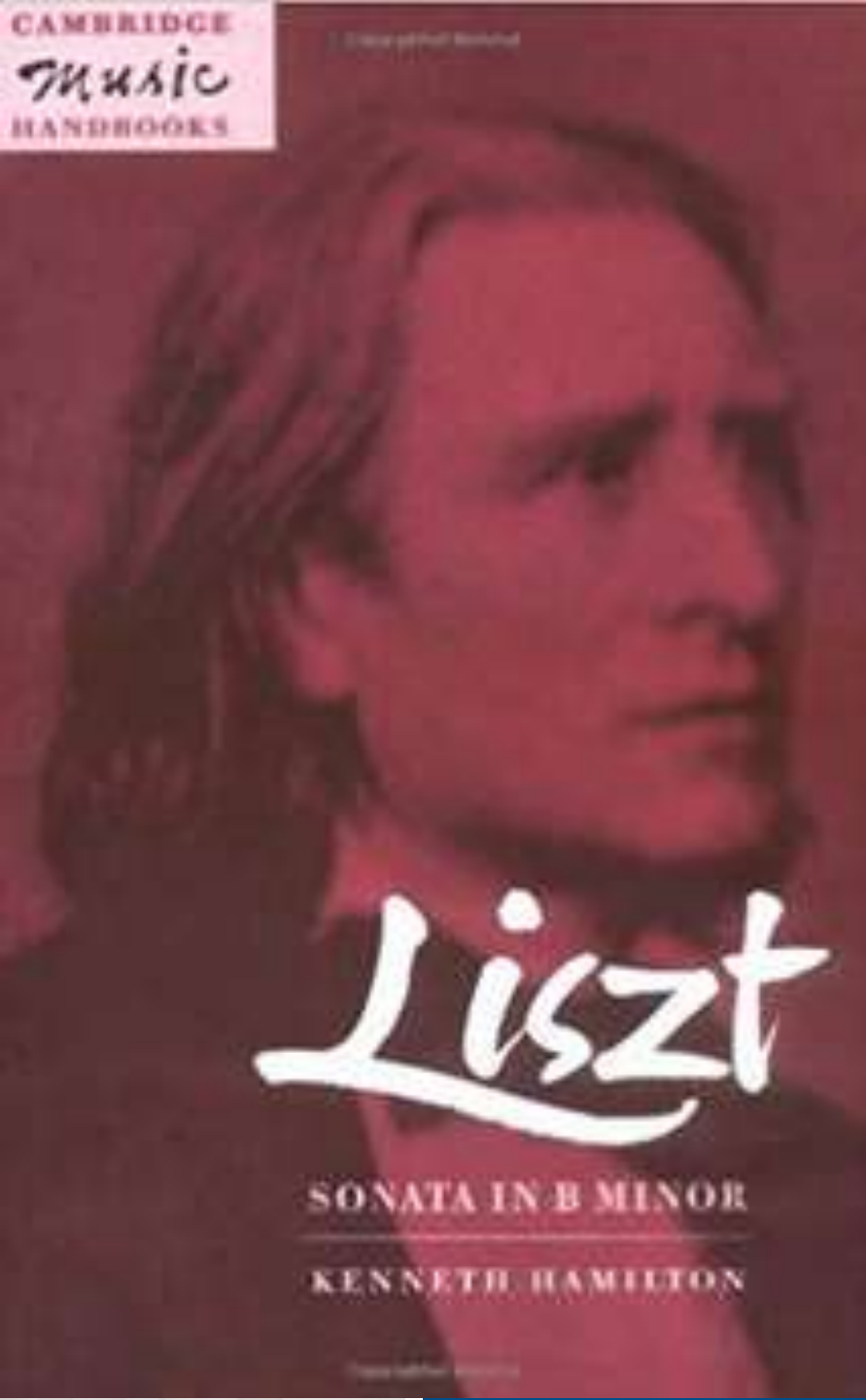
THE BEST SHORT STORIES OF  
FRANK NORRIS



# Is this book in the public domain?

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- Frank Norris (1870-1902)
- © 1998 Ironweed Press



## Public domain content within a copyrighted work that's not a collective work

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- Hamilton, Kenneth. *Liszt, Sonata in B Minor*. Cambridge University Press, 1996.
  - Parts of this book contains excerpts of public domain content. Can I copy and distribute the public domain portions even though the book is copyrighted?
  - What if a publisher creates a new arrangement of Liszt's sonata? Does the publisher get copyright protection?

# True or False

Databases like NLM (National Library of Medicine) and ERIC (Education Resources Information Center) are sponsored by the U.S. government, and therefore, all of their content is in the public domain.



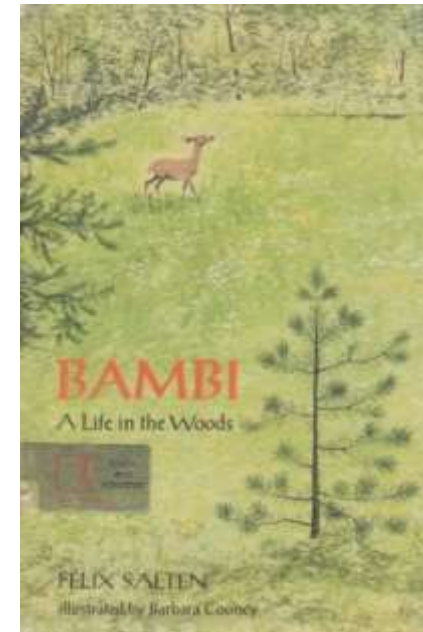
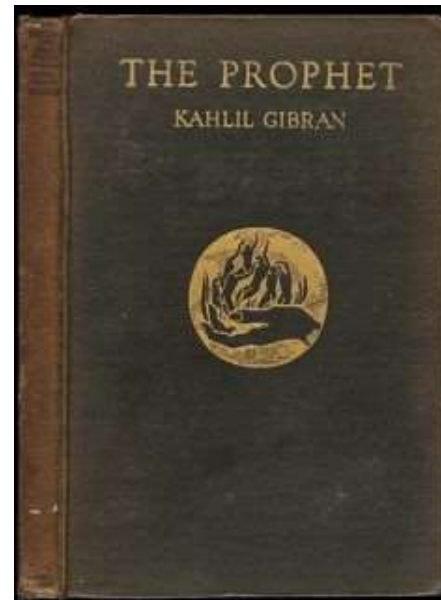
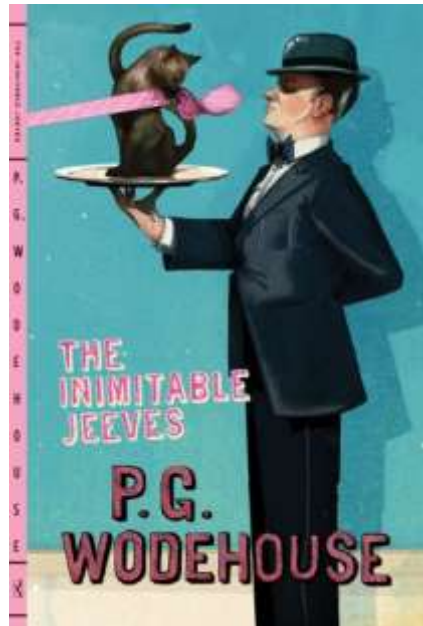
# Determining whether something is in the public domain:

<https://copyright.cornell.edu/publicdomain>

# Find Public Domain Content:

1. [Public Domain Review](#)
2. [Internet Archive](#)
3. [Hathi Trust](#)

# Looking good for Public Domain Day on January 1, 2019!



# Legislative Developments

- Orrin G. Hatch Music Modernization Act
  - *Classics Protection and Access Act* (Title 2)
    - extends limited federal copyright protection to sound recordings made before 1972
    - Establishes copyright terms for those recordings

# Questions?

[http://research.library.gsu.edu/openeducation/publicdo  
main](http://research.library.gsu.edu/openeducation/publicdo<br/>main)

# Images



CC0 – could be in copyright but creator dedicated it to the public domain



Created in 1865 – copyright expired - in public domain



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In copyright – relying on fair use, until Jan 1, 2019

# Take a selfie at Yellowstone



- Public domain photos available at [nps.gov](https://www.nps.gov).
- Lewis River Canyon at Yellowstone National Park. NPS/Neal Herbert
- #GALibCon2018