



## Tips for Innovative Meetings and Events (T.I.M.E.)

Topic: The Price of Innovation

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### Welcome

You want new ....  
You want different ...  
You want innovative ...  
You want to borrow from something done before...

Many of us have only a passing familiarity with the principles of copyright law and the area of intellectual property. The Internet's technology, ease and flexibility has made it incredibly easy to have access to, copy or even forward information. For the first time, the average person sitting at a computer can gain access to a wide range of every type of copyrighted material and can easily copy or communicate that material virtually instantaneously.

- In a digital format, it's not so easy to determine if a work has been copied. Original photocopy machines left tell-tale signs that a work was a copy. Later, color copies made near perfect originals. Now it is next to impossible to ascertain whether and at what point in the process a copy has been made or a performance has occurred. -

From students to authors to people involved in planning meetings, copyright law is important to understand. There is a price for innovation and in many cases it's determined by copyright laws or other areas of intellectual property rights.

Sue

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© Means....

Copyright is a legal protection for authors. Copyright law affords protection from “copying” of material. Copyright laws allow authors to profit from their work.

Like many laws, copyright laws have been amended since first created in 1790. Some parts of the law are ambiguous or poorly written. And no law can cover all situations in all circumstances. (And hence lawyers can make a profitable living!)

What can be protected by copyright?

- Writings
- Musical works
- Cartoons
- Plays
- Photographs
- Maps
- Artworks, sculpture
- Movies
- Pantomimes and choreographed works
- Recipes
- Architectural drawings

Copyright law protects published and unpublished works. Copyright protection for all works created after 1978 begins the instant a work is created – whether it is registered or not with the US Copyright Office. It is not even necessary to publish the copyright notice.

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### How Far Does the © Go?

Works are either considered copyright protected or in the public domain. Public domain works are available for copying or using without gaining permission from the author.

How do you tell if a work is copyrighted? Unfortunately, there is no straightforward rule. To understand when a copyright has expired, you need to know when the work was published.

- Everything published in the United States before 1923 is in the public domain.
- Works published in the United States between 1923- 1963 and not renewed are in the public domain.
- All unpublished works by authors dated over 70 years are in the public domain.
- Foreign works published before 1901 are in the public domain.
- Foreign works published 1909-1923 with copyright notice are in the public domain.
- Copyright protection for current works (published after 1977) generally lasts for the extent of the author’s life plus 70 years.
- Works made for hire – that is works that are created as part of a job are protected for 90 years from the date of publication or 120 years from the date of creation whichever comes first. Examples: Training materials.

My book, Meetings with Muscle, will be copyright 2006. Assuming my untimely death also next year, the copyright on my book will expire in 2076. After 2076 anyone can copy directly from my book without concern for copyright issues

Ideas and facts are not protected by copyright laws. Copyright only protects the particular way an author expresses facts or ideas. The idea of "Employee Discounts" for any new buyer of a car could not and was obviously not able to be copyrighted.

Individual words can not be copyrighted. Last month's issue of TIME used the word "infotainment". That word cannot be copyrighted by anyone.

Examples of Public Domain works:

- Louise May Alcott's Little Women
- Leonardo DaVinci's Mona Lisa
- The Lone Ranger but not E.T. or Hop-a-long Cassidy
- Any facts

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## Copyright Complexity

Wow! This is a complex issue. If you find a work that you want to copy, adapt or otherwise use and it is not in the public domain, you have 3 alternatives:

1. Find something that is in the public domain
2. Obtain permission to use the work
3. Use the work without permission relying on the principle of the "fair use" which allows copyrighted material to be used for free in limited situations.

Fair use is a concept only legally recognized in the United States. No other country in the world gives the public latitude to use copyrighted works without permission.

Under the fair use privilege an author is permitted to make limited use of another author's work without asking permission.

When is it fair to use someone's materials?

- When you comment or criticize
- For news reporting
- For research or scholarship

Three other considerations for fair use:

- The type of work – factual works (technical, scientific) vs. works of fancy (novels, poems, plays)
- The amount and importance of the material used

- The effect of the use of the material on the potential market or the value of the copyrighted works

There are different guidelines for education and the academic community.

My newsletter is a research-based piece. While not published in the academic world, the essence of the newsletter is to provide information to my subscribers. I always attempt to give credit where credit is due. For this issue, I relied extensively on The Public Domain by Stephen Fishman for my background research for this newsletter. As a writer and creator of innovative meetings, I wanted to ensure I had a better understanding of this issue for my own personal use. And hence the idea for the newsletter was born...

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## Meetings and Copyright

The purpose of this edition of T.I.M.E. is not to cover all aspects of an exceedingly complex area of law. It is to suggest that truly innovative meetings will also be created ethically and legally.

People sometimes unknowingly violate copyright laws. The wide amount of information available via the web and electronic distribution makes it easy to have access to information and to add it to a presentation, brochure or other marketing information.

You may not realize that you are infringing upon an author's rights. Here are some flagrant examples of violating copyright laws:

- Copying training materials (this is an example of a work made for hire) to reduce the cost of purchasing additional materials from a training company.
- Photocopying of articles from magazines for mass distribution.
- Using a song as background music in a video production.
- Using photographs or quotes in promotional materials without permission.

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## Other Rights

Copyright law balances protecting the author's rights and yet still allowing the advancement of ideas. There are other rights beyond copyright that you might want to be aware of including:

- Right of Publicity which on the state level prevent unauthorized use of a person's name or image for advertising or commercial uses.
- Trademark laws cover logos, slogans and brand names. Trademarks distinguish products and services and are protected under federal and state laws.

- Patent Laws protect inventions including in some cases design patents.
- Trade Secrecy Laws include state and federal laws protect some business information.

All these issues fall into the world of intellectual property. Intellectual property is defined as "any intangible asset that consists of human knowledge and ideas." Patents, copyrights and trademarks protect intellectual property.

Suppliers may protect their ideas, brand and creative work through copyrights, trademarks or even patents. While ideas are not protected by copyright law, there are ethical and relationship issues to gathering information through the proposal stage and then utilizing the ideas but not the services of the company advocating the idea.

In the world of grants, grant proposals are considered copyrighted. Re-using even just a paragraph of someone else's grant proposal without permission is considered copyright misconduct. And financial penalties apply if the copyright law is violated.

The moral of the story: Don't copy written ideas and pass them off as your own ideas. And ethically, consider the impact of "borrowing" ideas from others and implementing them on your own.

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### What To Do??

- Research the topic in more depth if it applies to you.
  1. US Office of Copyright <http://www.copyright.gov/>  
[US Office of Copyright](http://www.copyright.gov/)
  2. Brad Templeton writes a brief introduction to copyright law at <http://www.templetons.com/brad/copyright.html>  
[Brad Templeton's Intro to Copyright Law](http://www.templetons.com/brad/copyright.html)  
  
He also has the 10 Myths about Copyright which is definitely worth a read at <http://www.templetons.com/brad/copymyths.html>  
[Brad Templeton's 10 Myths](http://www.templetons.com/brad/copymyths.html)
  3. Copyright website at <http://www.benedict.com/>  
[Copyright Website LLC](http://www.benedict.com/)
  4. Using Copyrighted Works For Meetings, Seminars & Conferences by J. Wesley Cochran, Professor of Law, Texas Tech University, August 1999 at <http://www.unc.edu/~unc1ng/copy-corner12.htm>  
[Prof. Cochran](http://www.unc.edu/~unc1ng/copy-corner12.htm)
- Ask permission to use the work. (This can be time-consuming.)

- Use royalty-free content. You can purchase for a one-time fee for unlimited use (with some restrictions) of music, stock photos or graphics in presentation materials.
- Use works of the United States Government. By statute, U.S. Government works are not protected by copyright. This would include photographs from NASA, database and statistics (like the US Census data).
- Gain explicit agreements from your speakers that protect your organization from claims that the speaker used copyrighted materials (e.g., a PowerPoint® presentation) without permission. Speaker agreements also should ensure that the sponsor has the right to record and replay the presentation or reproduce the handouts for distribution or sale to non-attendees. Speaker agreements also should include language that allows the sponsoring organization to reproduce the presentation materials in any form or media (e.g., on the sponsor's Web site). Tip taken directly from Association Meetings, Dec, 2000 by Jed R. Mandel [http://www.findarticles.com/p/articles/mi\\_m0CXQ/is\\_6\\_12/ai\\_68965444](http://www.findarticles.com/p/articles/mi_m0CXQ/is_6_12/ai_68965444)
- Link Well. Links to web sites may be freely reproduced for hyper linking. A best practice suggests proper citation and notifying the web page provider. Also avoid deeply linking to a specific page. Some websites prohibit deep linking which allows you to avoid the home page.
- Obtain Music Licensing. Unless a song is clearly within the "public domain," any music--live or recorded--played at an event is subject to copyright protection. Event sponsors may need copyright licenses from one or all of the music licensing organizations (ASCAP, BMI, or SESAC). Each organization has a "playlist" of music for which it is authorized to give licenses on behalf of copyright owners. They can provide you with a blanket license tailored to the meetings industry.

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### Freebies: Public Domain

#### Freebies:

Also remember this advice about copyright works:

- Works on the Internet do not automatically qualify to be considered public domain.
- Out of print does not mean out of copyright.
- Plagiarism is an ethical issue. While you may no longer be in school and concerned about plagiarism, you should give credit for ideas and facts that you borrow from authors.

**More Freebies:** Sources for Public Domain works:

The on-line Books Page at [www.digital.library.upenn.edu/books](http://www.digital.library.upenn.edu/books)

[On-line Books](#)

www.ibiblio.org contains links to many websites with public domain materials  
[www.ibiblio.org](http://www.ibiblio.org)

Wikipedia contains many links to public domain at  
[http://en2.wikipedia.org/wiki/wikipedia:public\\_domain\\_resources](http://en2.wikipedia.org/wiki/wikipedia:public_domain_resources)  
[Wikipedia Public Domain](#)

Audiovisual and sound recordings at the National Archives and Records Administration (NARA) at [www.archives.gov](http://www.archives.gov)  
[NARA](#)

Maps at the US Geological Survey (USGS) at [www.usgs.gov](http://www.usgs.gov) or the National Archives Cartographic and Architectural Branch at [www.nara.gov](http://www.nara.gov)  
[USGS](#)

Art works through web searches using the artist's name or check Art History Resources on the Web at <http://witcombe.bcpw.sbc.edu/arthlinks.html>  
[Art History Resources](#)

Also worth noting is how I treat my newsletter information. As the author, I want to both protect my ideas and gain further exposure to my ideas. That's why I encourage people to forward my newsletter and reprint any sections of it as long as I am given credit.

Contact me for specific articles for your publications or newsletters at [stinnish@ameritech.net](mailto:stinnish@ameritech.net). [Sue's Writings](#)

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### Future T.I.M.E.

Thank you to the [EMC Venues](#) for their hospitality during their Meeting and Event Planners Education Forum/Tradeshow program on November 17, 2005.

Thank you to continuing to read and subscribe to Tips for Innovative Meetings and Events. If you like what you read, please forward T.I.M.E. onto your colleagues, associates, and clients. Just press the forward button at the end of the newsletter.

Happy Thanksgiving to everyone in the United States. Eats lots of turkey and remember it's not the turkey that makes you tired. (See my back issue from February on Brainy Food).

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### T.I.M.E. Gone By

If you are interested in past issues, please e-mail us with the month and topic and we will send you a copy of that newsletter. Here's what is included in past issues [Back Issue Request](#):

May 2000: [Teambuilding](#) and (Freebie) New York Times Reprint On Teambuilding  
June 2000: [Green Meetings](#) and (Freebie) Resource List Of Exercises  
July 2000: [Values](#) and (Freebie) Meeting Analysis

August 2000: [Minimum/Minimal Meetings](#) and (Freebie) Web Winners  
October 2000: [Evaluations](#) and (Freebie) Sample Evaluation Questions  
November 2000: [Politics](#)  
December 2000: [Toys](#) and (Freebie) Brainstorming Ideas

January 2001: [Sales, Award Presentations](#) and (Freebie) Sales Tips  
February 2001: [Change](#) and Communicating Change and (Freebie) Change Bombs  
March 2001: [Open Space Technology](#)  
April 2001: [Adult Learning Styles](#) and (Freebie) Learning Style Questionnaire  
May 2001: [Trade Shows](#) and (Freebie) Trade Show Timeline  
June 2001: [Emotional Intelligence](#) and (Freebie) EI Quiz  
July 2001: [Presentation Tips](#) and (Freebie) Speaker Introductions  
August 2001: [Ice Breakers](#) and (Freebie) Resource List  
September 2001: [Facilitation](#) and (Freebie) Problem Personalities In A Meeting  
October 2001: [Humor](#) and (Freebie) The Benefits Of Laughter  
November 2001: [Customer Care](#) and (Freebie) Complaints  
December 2001: [Slack](#) and (Freebie) Quiet Time

January 2002: [Teambuilding Options](#) and (Freebie)  
February 2002: [Promotional Products](#) and (Freebie) Case Study  
March 2002: [Multicultural Communication](#) and (Freebie) Multicultural Meeting Tips  
April 2002: [Outdoor Learning](#) and (Freebie) Justification Checklist  
May 2002: [Budgets, June, June, and ROK](#) and (Freebie) Budgeting Beyond Excel  
June 2002: [Creativity](#) and (Freebie) Building the Case for Creativity  
July 2002: [High Touch Technology](#) and (Freebie) Personal Technology Tools  
August 2002: [Economic and Business Cycles](#) and (Freebie) Investment Strategies for meetings  
September 2002: [Successful Environmental Factors/Conference Centers](#) and (Freebie) Learning Environments  
October 2002: [Return on Investment](#) and (Freebie) Balanced Scorecard  
November 2002: [Incentive Meetings](#) and (Freebie) Forum Synopsis  
December 2002: [Resource Recap](#) and (Freebie) Resource Lists

January 2003: [Everyday Meetings](#) and (Freebie) Meeting Quiz  
February 2003: [Diversity](#) and (Freebie) Survey Results  
March 2003: [Problem Solving](#) and (Freebie) Techniques Illustrated  
April 2003: [Marketing: Pre- and Post- Event](#) and (Freebie) Blogs  
May 2003: [Entertainment](#) and (Freebie) Storytelling  
June 2003: [Balance in Meetings and child caret](#) with (Freebie) Child Care at Meetings Tips  
July 2003: [Mobile Events](#) with (Freebie) Sponsorship  
August 2003: [Last Minute Ideas](#) with (Freebie) Audience Participation  
September 2003: [Training Meetings](#) with (Freebie) Kirkpatrick Challenge  
October 2003: [Unique Venues](#) with (Freebie) Experiential Checklist  
November 2003: [Data, Information and Number Crunching](#) with (Freebie) European Privacy  
December 2003: [Deja View](#)

January 2004: [Branding](#) with (Freebie) Identity vs. Brand  
February 2004: [Audio Visuals](#) with (Freebie) Speaker Guidelines  
March 2004: [Networking](#) with (Freebie) Networking Ideas  
April 2004: [Strategic Budgeting](#) with (Freebie) Budgeting Ideas  
May 2004: [Sensory Meetings](#) with (Freebie) Music's Impact

June 2004: [Board Meetings](#) with (Freebie) Litmus Test  
July 2004: [Leadership](#) with (Freebie) Best Meeting Leadership Behaviors  
August 2004: [Barrier-free Meetings](#) with (Freebie) Avoiding the Digital Divide  
September 2004: [Time Management & Meetings](#) with (Freebie) More Timely Tips  
October 2004: [The Travel Experience & Stress](#) with (Freebie) International Travel Tips  
November 2004: [Voting Techniques](#) with (Freebie) Political Pitfalls  
December 2004: [Deja View II](#)

January 2005: [New Year's Resolutions](#) with (Freebie) Best Business Books  
February 2005: [Brainy Side of F&B](#) with (Freebie) Cooking Metaphors for Meetings  
March 2005: [Sarbanes-Oxley and Meetings](#)  
April 2005: [Visual Aids](#) and (Freebie) PowerPoint Countdown  
May 2005: [Experiential Teambuilding](#) and (Freebie) Template  
June 2005: [Emotional Meetings](#) and (Freebie) Experiential Teambuilding Template  
July 2005: [Press Conferences](#) and (Freebie) PR Books  
August 2005: [Green Meetings](#) and (Freebie) Eco-travel Websites  
September 2005: [International Meetings](#) and (Freebie) Multicultural resources  
October 2005: [Entertainment's Value](#) and (Freebie) Brain Books

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