

Clipart, Images, and Articles-If it's on the web, is it OK to use it?

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Google can find anything you want—an image, a devotion, an article, a sermon. One click and you can view it; copy and paste and you capture it. But, just because it's that easy to do it, does that mean you should do it? If we want our digital lives to match the beliefs of our analog lives, as believers and servants of Jesus, the answer is no. Read on for specific guidelines....

The old rules still apply

I've been astounded (and that strong word is used intentionally) by the number of people lately who have contacted me asking if it is OK to use anything they find for ministry purposes. The excuses are often the same: "We don't have money, time, whatever...." to do the right thing and find out if it is OK to use these materials.

Just because budgets are tight, and we are stressed out in our schedules, does not mean we can grab and use anything we find. We need to be just as careful today that we are not using something that does not rightly belong to us, just as we did in junior high school when we were taught not to plagiarize material for school papers.

To help us do that, a quick review of what constitutes copyright, fair use and public domain may be helpful. Following this brief overview and some recommendations is a list of links to the U.S. government sites and additional articles that explain these issues in

more detail.

Copyright laws

In very brief summary, since 1976, which is the date of the most recent copyright revision in the U.S., if you create something, you own the copyright to it. You do not have to register it or even use the copyright symbol. If you create it, you own it. Because the creator can grant use of it to someone else, that is why it is important to ask permission to use things that don't belong to you.

What this means in practice: You also own the rights to give it away or allow others to use it. It also means if you don't own it, it isn't yours for the taking with the exception of what is known as Fair Use.

Fair Use

The law recognizes the right and need for people to be able to quote parts of a book, article or essay for education, editorial, and review reasons.

It is easiest to apply Fair Use to written material. Obviously if you copy an entire piece of writing and sell it to someone else or print it on the web without permission—that is stealing. If you just quoted perhaps a passage, a paragraph, an example or a statement, it would be Fair Use.

The Fair Use guidelines are much harder to apply to images because you seldom take just part of an image. One of the biggest guidelines here is whether or not you use the image in an educational setting or if you use it for commercial purposes. To use an image to illustrate a Sunday school lesson is one thing; to download and use it on a T-shirt that you sell is totally different and a clear violation of the law.

For images, for ministry uses, the best thing to do is to either sign up for a service that sells images (usually these groups have very reasonable prices), or use images from some of the free to use, no attribution required sources. Two resources of images that allow use for a low payment are: www.churchart.com and www.faihtclipart.com. On my website, <http://www.effectivechurch.com/category/skills/clipart-how-to/> I have videos and lists of copyright-free image sources and other related resources.

Fair Use however, can get very tricky. It is NOT OK to cite where you got something from and have it fall under the Fair Use rules if you copy the whole piece. That is simply telling people where you stole it from. If you tell people where you got it from or cite the reference, it is true that is not plagiarism because you are not claiming it as your own, but it still not right to do it.

Public Domain

Many older materials (many of the writings of the church fathers, for example) or samples of Victorian art work, if they were not in a private collection or did not have their copyright renewed are in the Public Domain and this means that they can be used by anyone.

This however, is another extremely complex area. There are two articles below that explain this in much

Websites.

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more detail, but as always, this is an area, where if you are in doubt about whether something is legal for you to use or not, it is always best to contact the owner of the work or site where you found it.

Creative Commons

This is a newer system created by an international group of web-based individuals who have designed ways for the creators of works to label their works in the ways they will allow them to be shared. The various ways include with and without attribution, for commercial purposes or not, and any combination of these restrictions. You can read more about them at www.creativecommons.org.

The website also has a very useful search feature on the home page that allows you to find items that can be freely shared. The group has also developed a way to label materials that are legally in the public domain however it will probably be some time before this is widely implemented.

Some practical advice

In addition to the Creative Commons listings, there are a number of places on the web (click here for a

listing of them) that have copyright free clipart and images you can use. There are also some websites (such as this one) that encourage you to copy and pass on material and give you permission to do it. Most of the ones that do make it clear. If they don't, take the time to email and ask.

In conclusion, back to the initial question of whether or not you can just grab something off the web. Here is a three point checklist to ask yourself from the article by Goehner (the link is listed below):

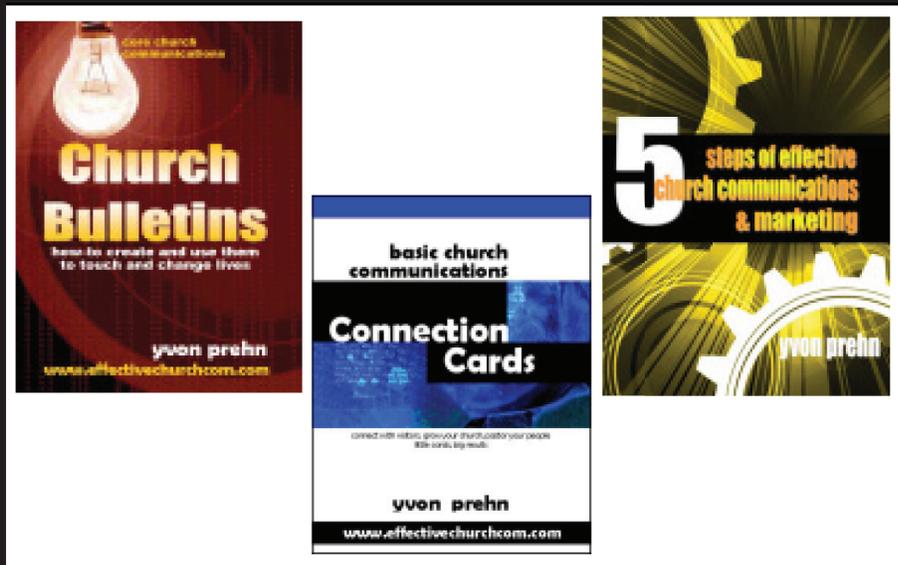
- Would I perform this use with print media in this setting?
- Am I doing something to prevent purchase, lease or licensing?
- Do I hope that I will not get caught?

I especially like the last question, "Do I hope that I will not get caught?" We often know (I do believe it is the Holy Spirit who speaks to our spirit) when we are doing something we shouldn't. If you have that nagging sense that you ought to be checking more carefully into whether or not it is OK to use something, don't ignore that feeling. Check it out to see if you are doing what is right or not.

"As is often said, the devil is in the details — and so is the angel. Signs of character are most visible when they are least visible — that is, demonstrated by what people do when they think no one is watching, such as following the rules or taking the moral high ground with no audience observing them. That's why the signals of a leader's judgment lies in the small things. That's why we don't want to entrust national security, corporate finances, or leadership of a major enterprise to people who can't put institutional interests above personal indulgences." From an article by Roabeth Moss Kanter, in *Harvard Business Review* online 9-9-2010

Yes, it always does take more time and care to make certain that it is legal to use the materials you want to use on the web, but we serve the Lord and no matter if it takes more time or not, we should do it the correct way.

Resources from Yvon Prehn to enable you to create effective church communications



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Additional helpful links

Overall U.S. government site on copyright, if you want to know the law and the history of it, this site has it. It is not overly complex or hard to understand. <http://www.copyright.gov/>

A U.S. government site with an explanation of fair use: <http://www.copyright.gov/fls/fl102.html>

A very readable blog explaining public domain: <http://blog.ebusinesslawgroup.com/2008/11/are-works-youre-using-really-in-public.html>

This site consists of a great chart on public domain that contains the specifics about a wide variety of the dates and types of materials and when they fall into public domain: <http://www.copyright.cornell.edu/resources/publicdomain.cfm>

An excellent summary of what is and isn't correct on the web as related to copyright: <http://mason.gmu.edu/~montecin/copyright-internet.htm>

Good article about copyright for educators, but with excellent comments on teaching morality: <http://www.goehner.com/copyright.htm>

The site that explains creative commons and links to its search function: <http://creativecommons.org/>

Video tours of free image sources and online webinars of how to use and modify the images. <http://www.effectivechurch.com/category/skills/clipart-how-to/>