

## Scenarios

### Instructions: Discuss and address the scenarios

*Please discuss the following scenarios in group, noting down your group's response to each answer. At the end of the exercise, a spokesperson from each group will be invited to share your group's responses with the rest of the workshop participants.*

1. You want to incorporate content into your marketing material which will be recorded and placed on the internet. It includes photographs of children, music and film clips as well as poetry which will be commissioned from poets from different countries.
  - ! Whose permission will be required, when and in what format?
  - ! What might you do if you can't trace the rights holders? What are the factors which might inform your decision?
2. Your department will be producing a film which you want to release on YouTube. The film will be made by an external film production company. The film production company wishes to embed in the film music and videos that it finds on YouTube as well as Creative Commons Licensed Flickr images (CC BY NC ND).
  - ! What measures should you put in place to ensure you have all the necessary permissions?
  - ! Are there any rights issues associated with the YouTube and Flickr material and if so, what are the options to deal with them?
3. You are working collaboratively with several international partners on a climate change project which will result in a website with a range of resources. Each project partner brings pre-existing materials to the project, as well as generating new materials during the course of the project.
  - ! What rights do you think each project partner should retain and why?
  - ! How will the project partners ensure that they can each use each others pre-existing materials?
  - ! What licence conditions should determine users' use of your institution's and partners' logos?
  - ! What happens if one of your partners want to data or text mine content as part of the project but their legislative regime does not permit this?
4. You are producing some teaching resources which will be available internally and also on the web.

- ! How would you suggest the project proceeds if rights holders cannot be traced or are unknown?
  - ! During the course of the project, what would you do if a rights holder comes forward and informs you that they are not happy?
5. You have a number of photographic prints within your collection dating from 1900's to the present day. Many are stamped with the copyright stamp of a newspaper. Others are not stamped but from the reportage-style of photography and the quality of the print you suspect that they are also newspaper photographs, whilst a number of others appear to be taken by amateur photographers. You wish to digitise the entire collection and place them online.
    - a. How might you establish which photos are in copyright or not?
    - b. How might you try and find the rights holders – where might you look?
    - c. What will be your strategy/strategies when you are unable to trace the rights holders?
    - d. How might the new Orphan Works Solutions help you?
    - e. What will you do if the rights holders come forward?
  6. You have been funded for a mass digitisation project of photos dating back from present day to the 1880's. Many of authors are unknown and/or cannot be traced.
    - a. In what ways might you assess the risk of publishing all the photos? What criteria might affect the risk levels?
    - b. What practical ways might you mitigate your risks?
    - c. What might be your approach towards third party content which themselves might be orphan works?
    - d. How might the new Orphan Works solutions help you?
  7. You are setting up a community website which will facilitate the upload of content by members of the public.
    - a. How would you manage and mitigate the risks associated with the possibility of infringing works (including Orphan Works) being uploaded and subsequently published on your website?
    - b. What do you think are the pros and cons associated with a Content Moderation Policy as opposed to a Notice and Take Down?
  8. You find an image of a work by Picasso on Flickr licensed under a Creative Commons Licence. Can you reuse it?

9. You are building a website and want to populate it with content you have found on the web?  
Is that OK?



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