

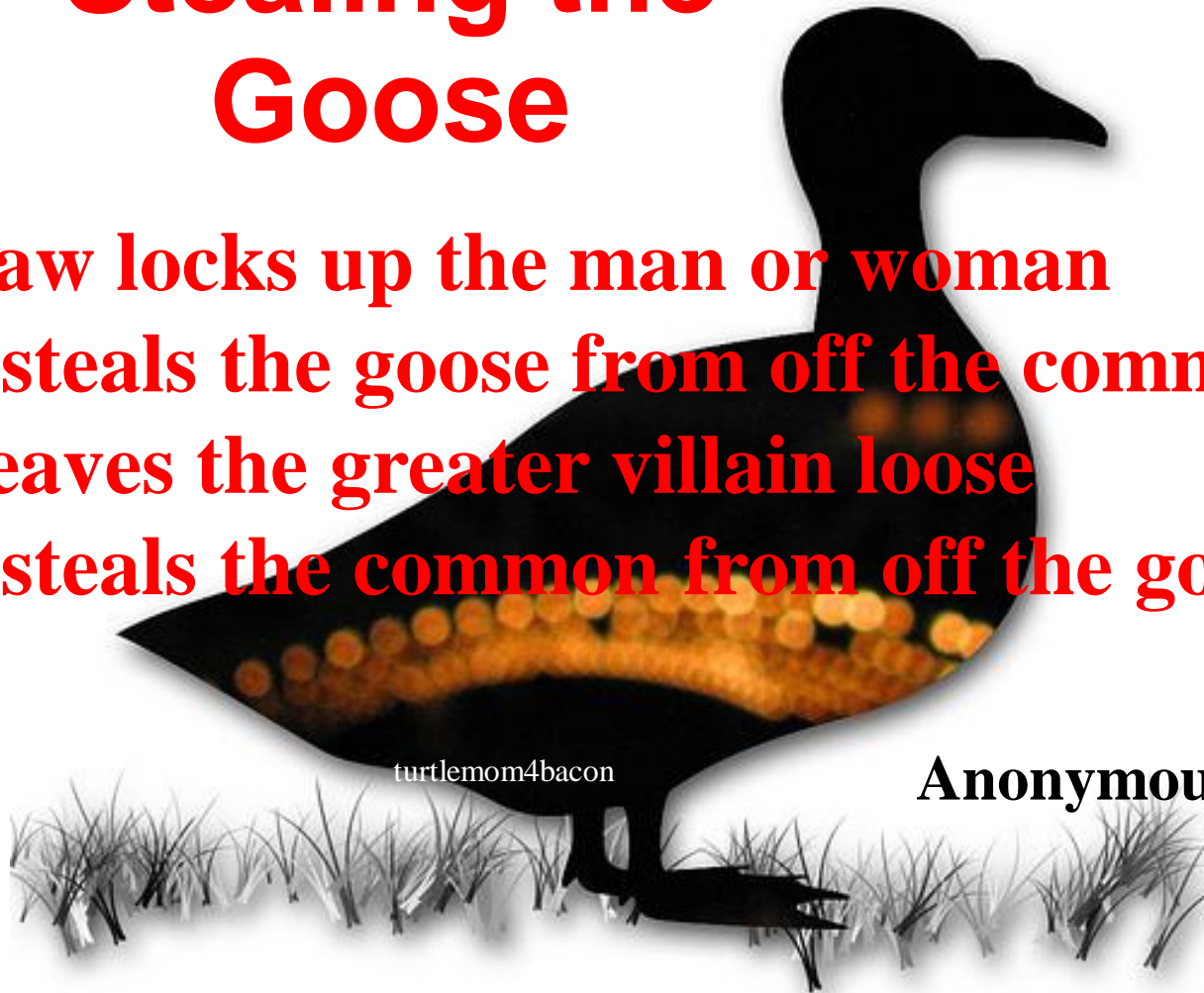
OERs & Copyright

One view

Rory McGreal

Stealing the Goose

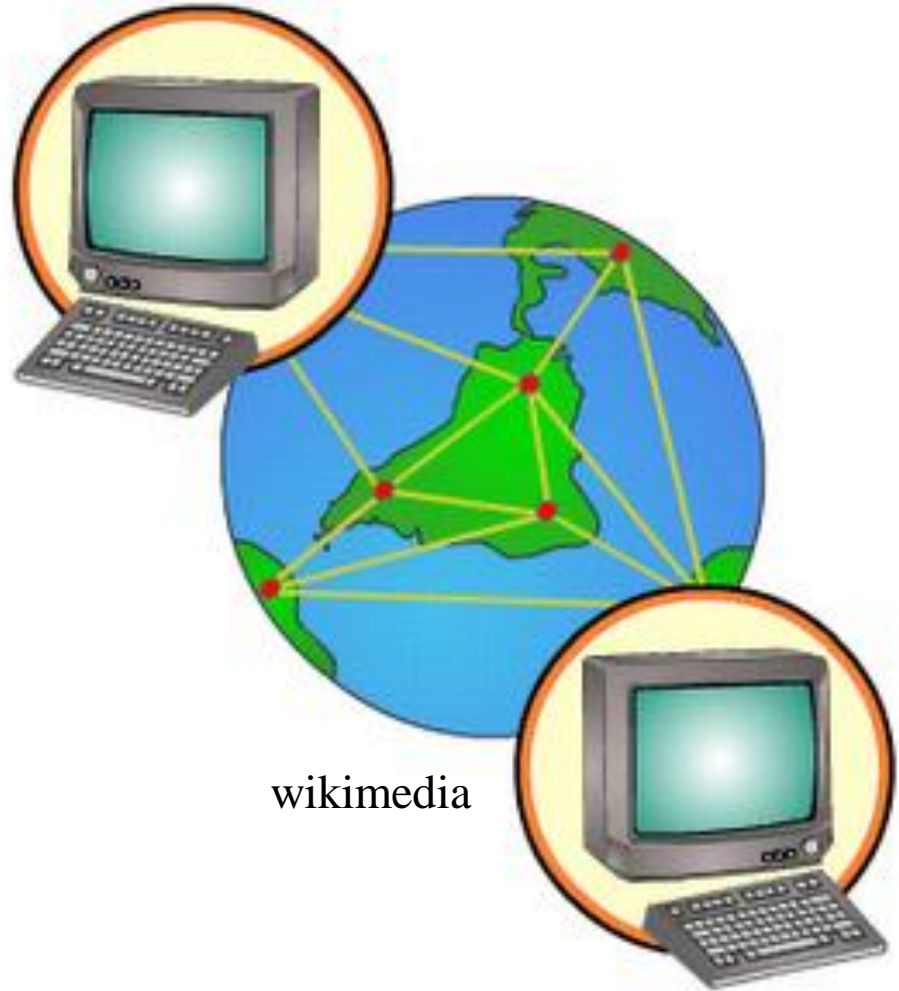
The law locks up the man or woman
Who steals the goose from off the common
But leaves the greater villain loose
Who steals the common from off the goose.



Anonymous 1764 or 1821?

Internet is the biggest commons

Public domain is a priceless, shared heritage



Copyright: What it DOESN'T mean

*DROIT
D'AUTEUR*

[Author's right]

**Napoleonic Code
(Europe)**





Copyright: What it means

- No one owns ideas.
- a “copy” right
- Protects the **expression** of ideas NOT ideas
- It’s a **privilege** to control for a **limited time**



Scriptural Scribes

20 000 years



MaiC

“The concept of copyright was utterly foreign to the ancient mind.”

Tom Harpur



Medieval Pre-copyright

- Whosoever reads scripture in the mother tonge shall be condemned as traitors and heretics and shall have forfeit land, cattle, life and goods from his heirs forever
- English Parliament, 1413



Statute of Queen Anne 1710

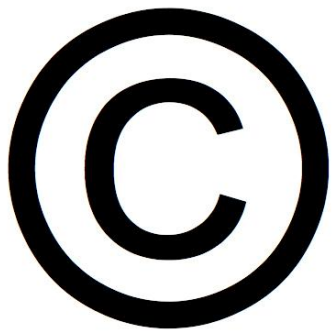
**An Act for the
Encouragement of
Learning**



USA: Copyright Act 1790



**An Act to Promote the
Progress of Science and
the Useful Arts**



Why Copyright?

Copyright was instituted to
“encourage learning and “promote the
progress of science and the useful arts.”

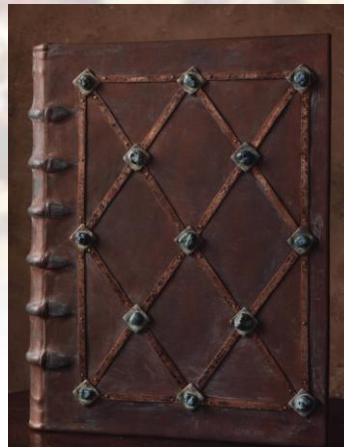
NOT

to protect the rights of the author

Para-copyright or pseudo-copyright?
- Jaszi



Copyright created The Public Domain



Copyright Then and Now

- **THEN**

- It didn't apply to many things
- Few people were affected

- **NOW**

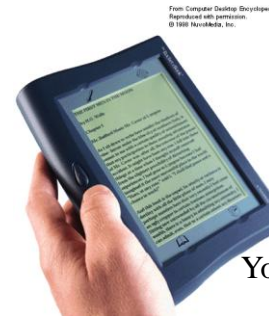
- It touches everyone
- You can hardly spend an hour without copyright

Everything triggers copyright



blogspot

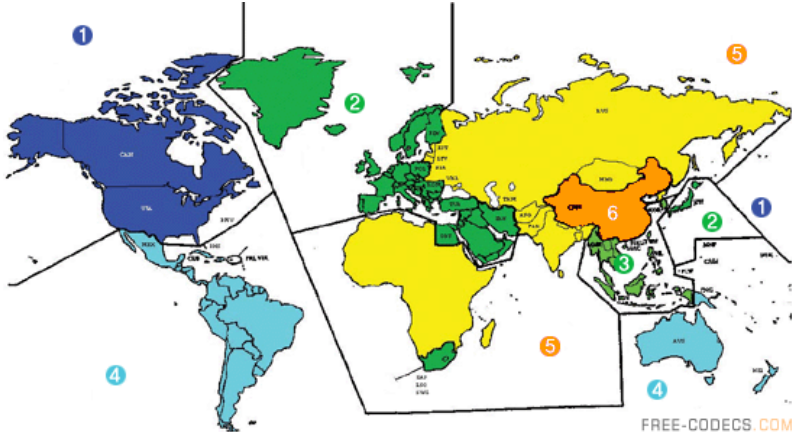
Lawrence Lessig



Yourdictionary

Access Rights?

Vendors can control how, when, where, and with what specific brands of technological assistance audiences are able to access content



Copyright Agreements

Selling your Soul??

"By placing an order via this Web site on the first day of the fourth month of the year 2010 Anno Domini, you agree to grant Us a non transferable option to claim, for now and for ever more, your immortal soul. Should We wish to exercise this option, you agree to surrender your immortal soul, and any claim you may have on it, within 5 (five) working days of receiving written notification from gamesation.co.uk or one of its duly authori



US Bullying

- Intense lobbying
- Gunning for Canada





+50% royalties to US

Anti-Counterfeiting Trade Agreement (ACTA)

Top Secret

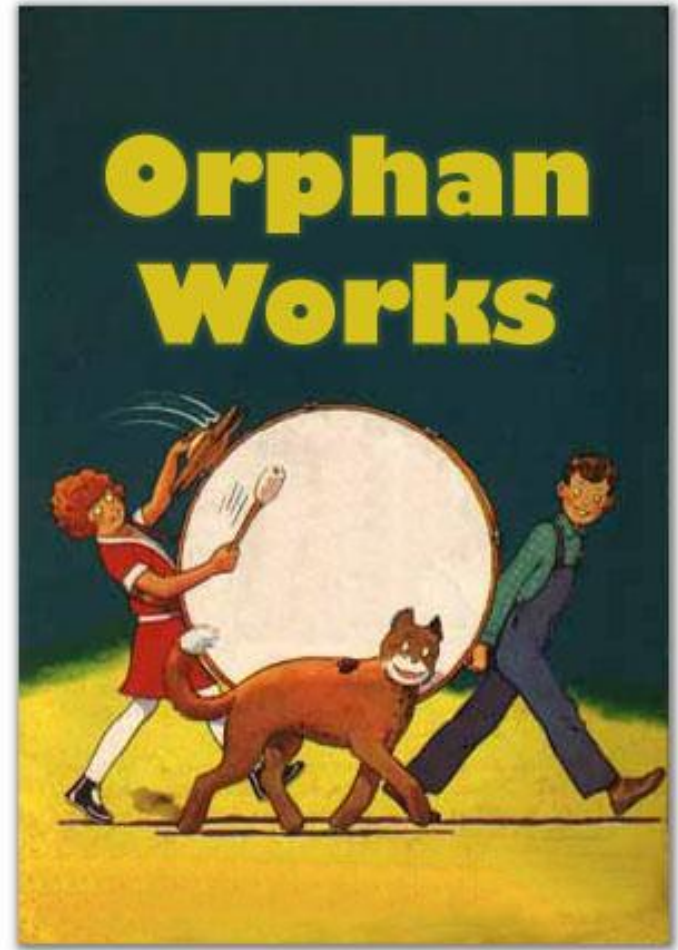
- No identity-blocking software
- 3 Strikes and you're out
- Backups are illegal
- Border checks on mobile devices



The THREAT

Free content
Free content
Free content
Free content
Free content
Free content

Freedom defined



Canada's  Open University™

The THREAT

Free content

Free content

Free content

Free content

Free content

Free content

Freedom defined



OVERS

Amateur & Professional

- What makes sense for professionals does not make sense for amateurs

» Lawrence Lessig



Why OERs?

- the world's knowledge is a public good in general
- the WWW in particular provides an extraordinary opportunity for everyone to share, use, and reuse that knowledge.”

- Hewlett Foundation Smith, & Casserly. The promise of open educational resources. Change 38(5): 8–17, 2006



OPEN EDUCATIONAL RESOURCES

Canada's  Open University™

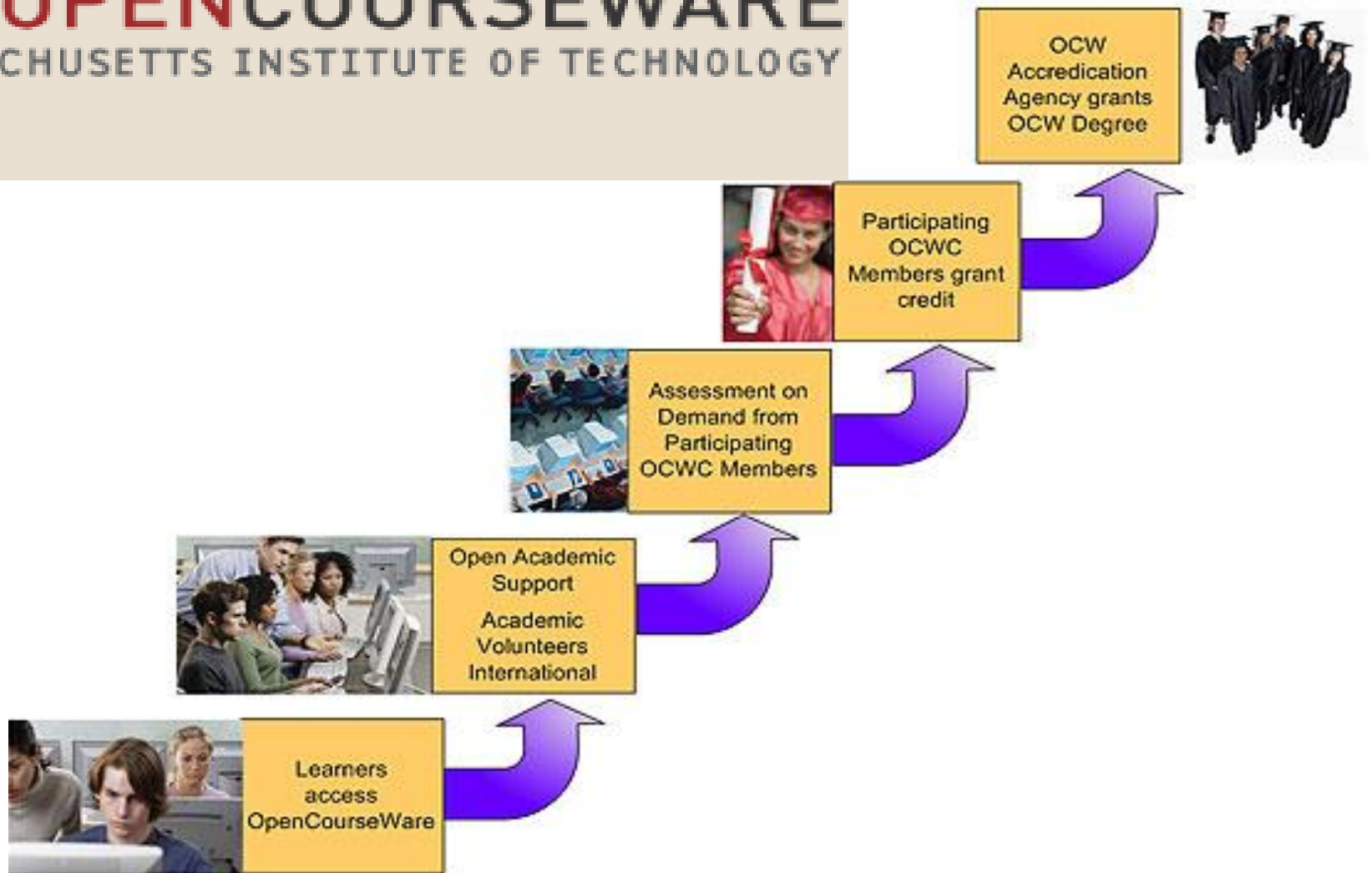
Ownership and Licensing

- **Familiar problems**
 - Who owns resource - educational institution?
 - inflated expectations
- **New problems**
 - OER's are not journal articles
 - Articles are not “reworked”
 - Is attribution critical?
 - Commercial exploitation?



MITOPENCOURSEWARE

MASSACHUSETTS INSTITUTE OF TECHNOLOGY





- <http://cnx.org/content/m15211/latest/>



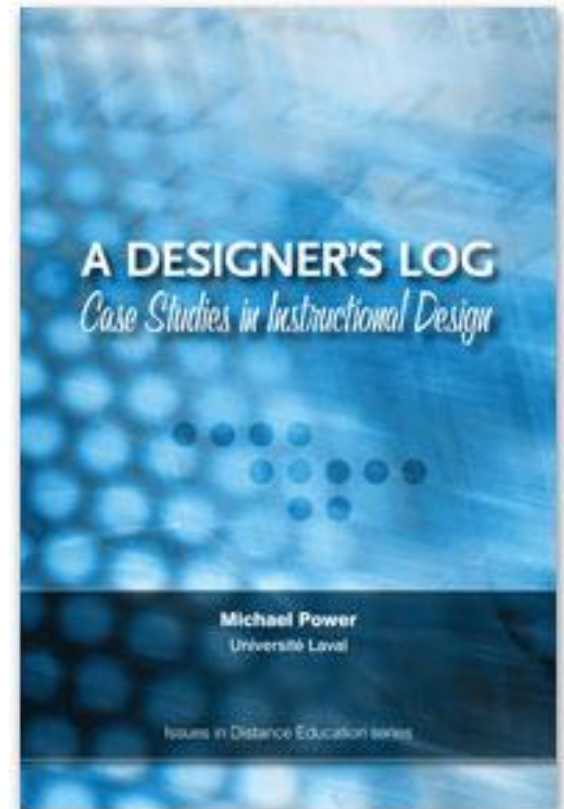


UNESCO OER Community

- OER Wiki
- OER Discussion group
- International



Online/paper texts from Athabasca University Press



www.aupress.ca

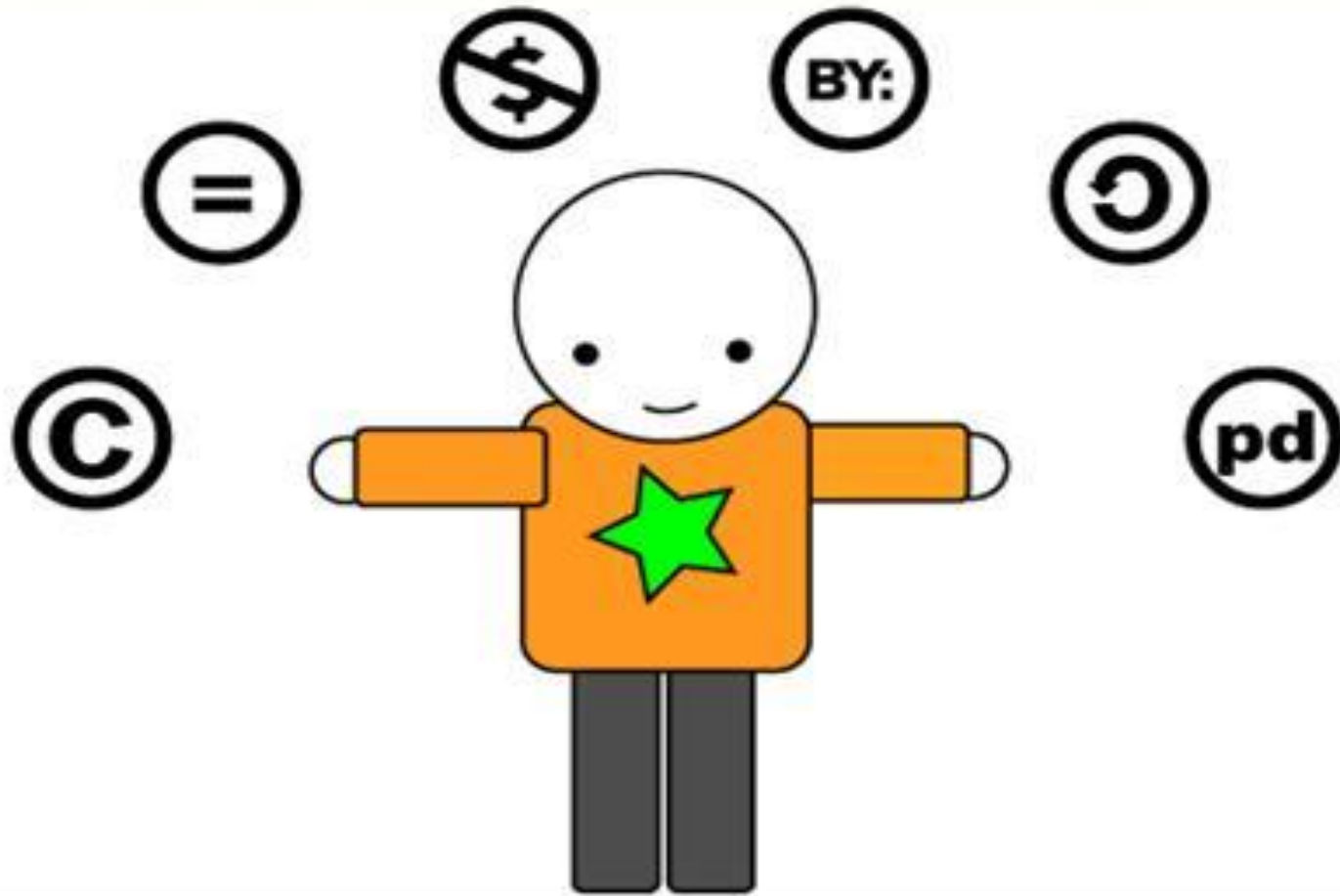
Funding Models (from [Downes, 2007](#))

- Endowment
- Membership
- Donation
- Producer contribution — (Publishers dream!)
- Sponsorship - iTunes University
- Government funding
- Institutional



Athabasca University 

CREATIVE COMMONS WANTS TO HELP DEFINE THE SPECTRUM OF POSSIBILITIES BETWEEN FULL COPYRIGHT -- ALL RIGHTS RESERVED -- AND THE PUBLIC DOMAIN -- NO RIGHTS RESERVED. OUR LICENSES HELP YOU RETAIN YOUR COPYRIGHT WHILE ALLOWING CERTAIN USES OF YOUR WORK. THEY HELP YOU OFFER YOUR CREATIVE WORK WITH SOME RIGHTS RESERVED.



Why the Public Domain?



Public Domain

- facilitates reuse & repurposing
- Attribution is ethical in any case
- For-profit is not always evil

Why the Public Domain?

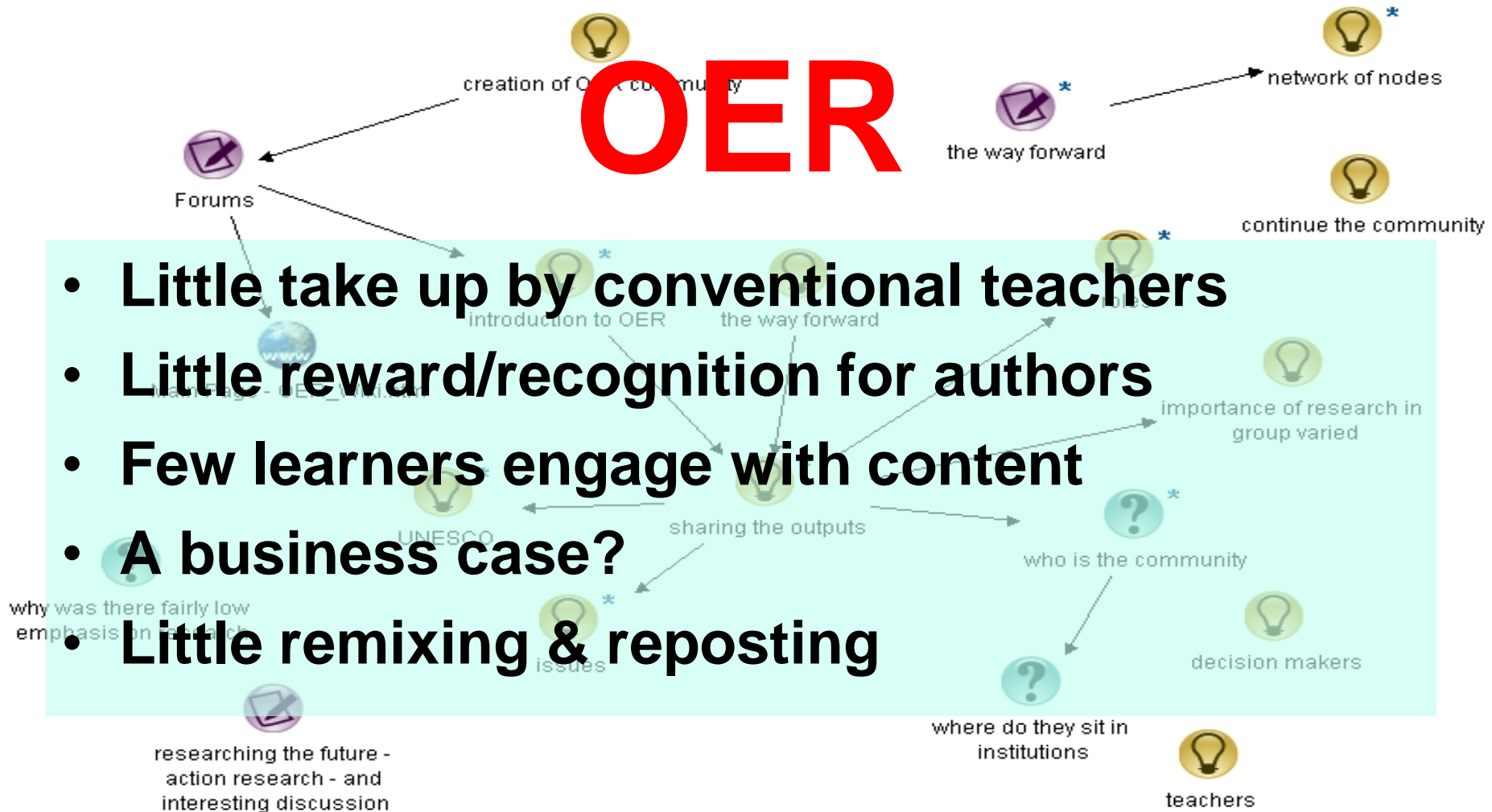


Public Domain

- facilitating reuse & attribution is ethical in any case
- For-profit is not always evil

Problems with OER

- Little take up by conventional teachers
- Little reward/recognition for authors
- Few learners engage with content
- A business case?
- Little remixing & reposting



Problems with OER

- Little take up by conventional learners
- Little reward/recognition for creators
- Few learners engage with content
- A business case is hard to make
- Little remixing and reposting

Solution? Vibrant communities

OERs for Development

- Goal of developing together a universal educational resource available for the whole of humanity... hope that this open resource for the future **mobilizes the whole of the worldwide community of educators**”

UNESCO 2002



Culturally Appropriate OER's



- **“e-learning courses are cultural artifacts, embedded with the cultural values, preferences, characteristics, and nuances of the culture that designed them, and inherently creating challenges for learners from other cultures.”**

Edmundson, 2009



$\frac{1}{4}$ of the world's population

1.6 million Internet connexions
World population: 6.8 billion



The world is going mobile

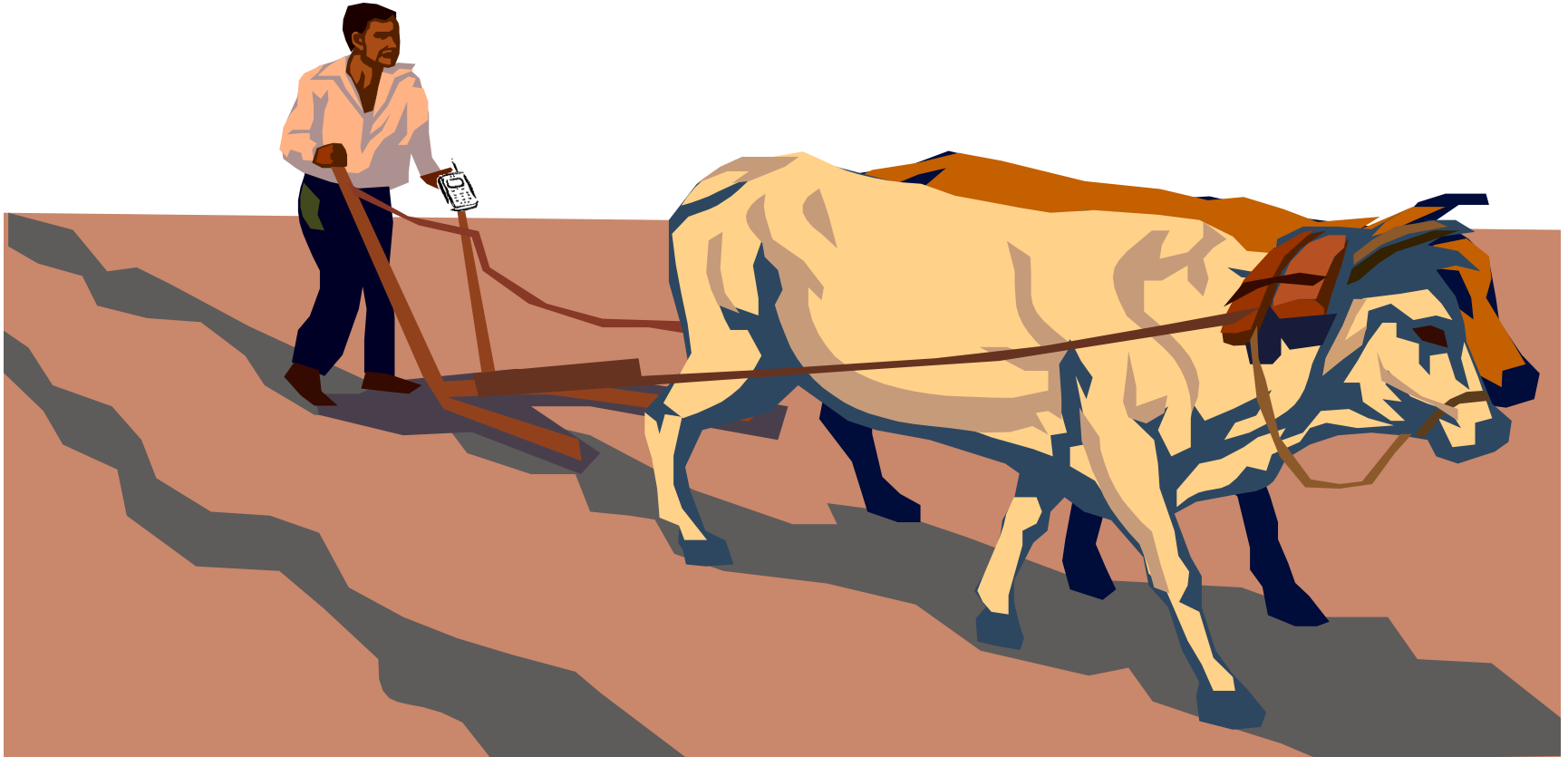


1/3 only access internet via mobile



3.4 billion mobile devices
1.3 billion mobile internet users

Wireless Access





accessibility

functionality

features

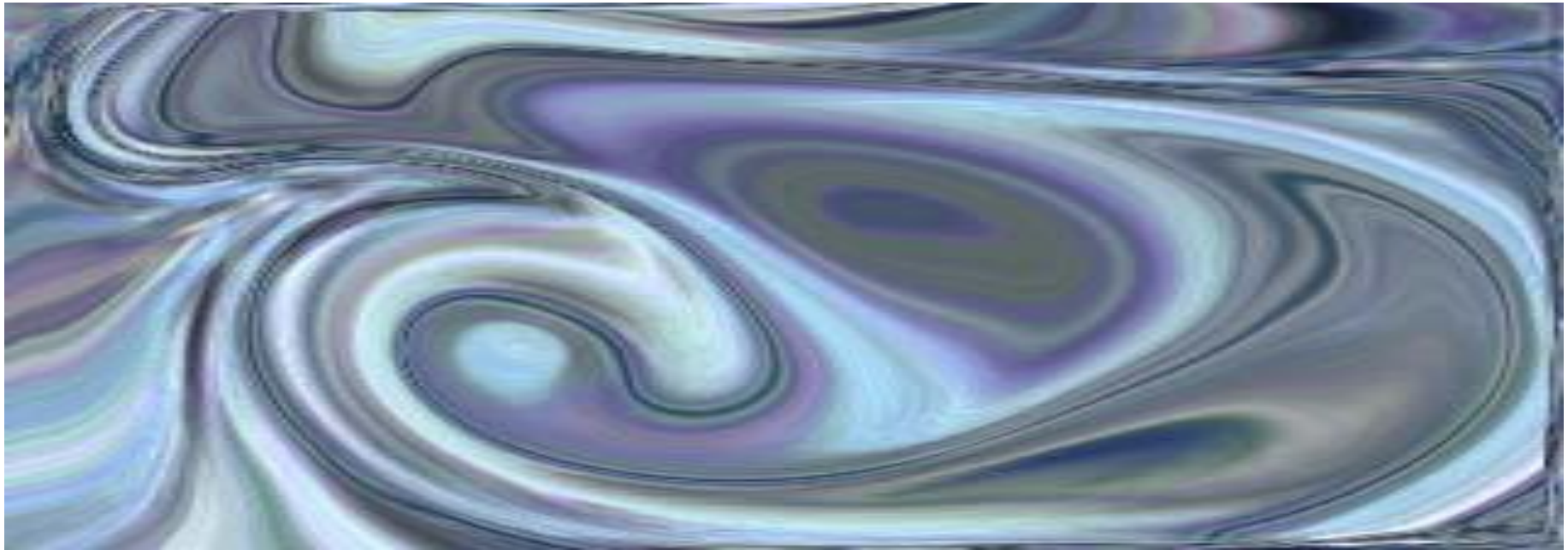
performance

usability

bandwidth

A Balancing Act

Fluid design (*elastic or liquid*) for OERs



Design for Mobile FIRST



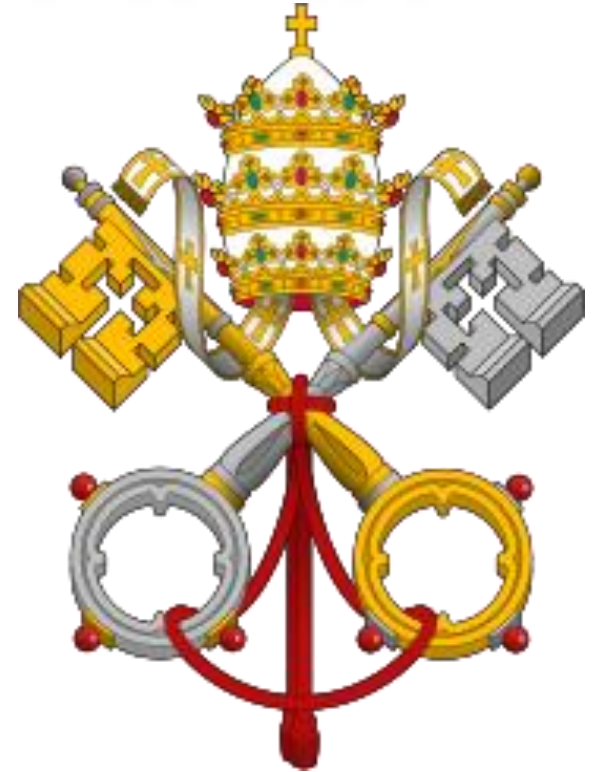
The restriction of the commons by patents, copyright, and databases [right] is not in the interests of society and unduly hampers



PAPAL ENCYCLICAL

“On the part of rich countries there is excessive zeal for protecting knowledge through an unduly rigid assertion of the right to intellectual property . . .”

- Pope Benedict XVI



PAPAL ENCYCLICAL

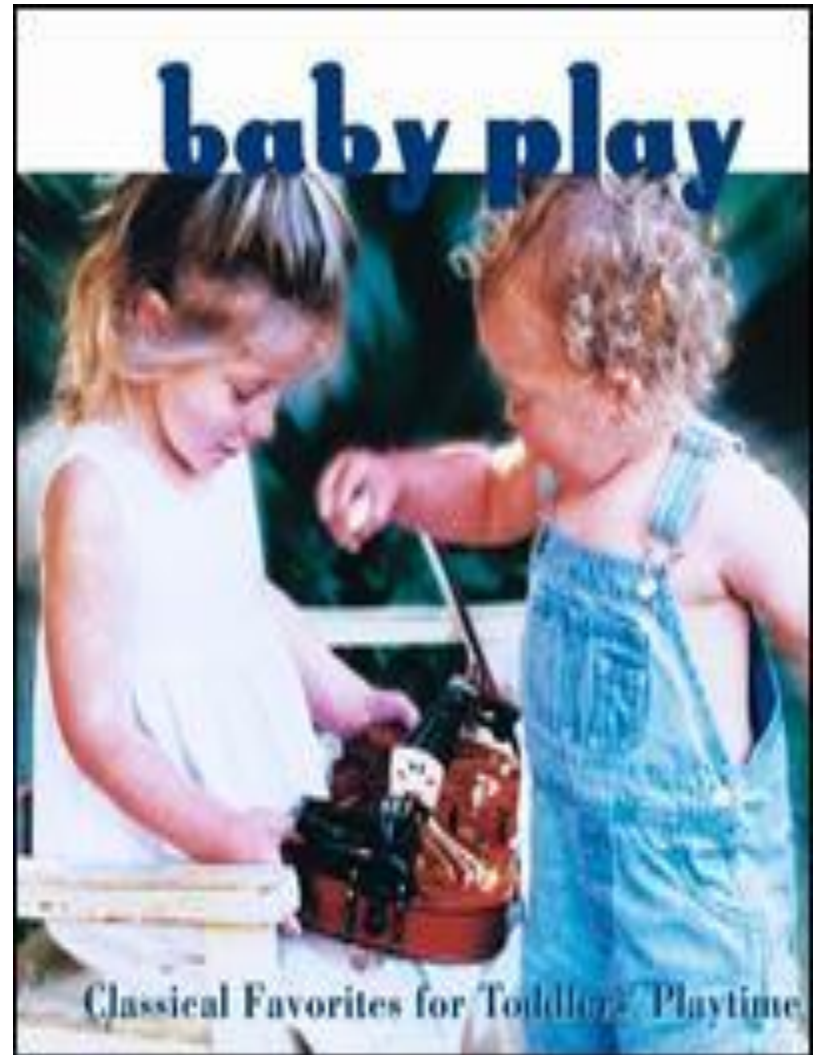
“On the part of rich countries
the excessive zeal for
progressive knowledge
through the rigid
assertion of
intellectual property

- Pope Benedict XVI



God is on our side

**copyright
is personal**





If you're not confused, you don't understand



turtlemom_nancy



lumaxart'

**Let's steal back
the commons**

Whither OER?

- Do you use OERs?
- Have you created an OER?
- Why don't your colleagues use OERs?
- Will students use OER and avoid using your institution's programs?

