Intellectual Property Rights Law & Open Educational Resources: Challenges, Prospects and Contradictions in Education

From Institutions to Authors, from Authors to Avatars: IPR in the Era of OER

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Overview

• IPR Stakeholders
• Emerging Trends and IPR
• Navigating the IPR Maze via OER
  – The Creative Commons (CC) Licenses
• OER Success Stories
• Requirements for Adopting OER
IPR Stakeholders

• Internal Stakeholders
  • Academics, tutors, research staff, students, librarians, content curators, administrative personnel, ..., the Governing Board

• External Stakeholders
  • Funding Agencies, Collaborators, Commercial Entities (e.g. Publishers)

➢ Why I am interested
  • Manager of ICT Platforms and Tools, Manager of Content Repositories, Content Guardian
  • Contributor to policy formulation
Emerging Trends and IPR

• **The Web 2.0 Environment**
  • New social trends, new approaches to work, research, communication, socializing, ...
  • New possibilities regarding creation of digital works, lead to IPR complexities
  • Traditional roles of Employer-Publisher-Author being redefined
  • Social, economic, ideological, legal factors enable rise of OER

• Granted the basic premise of IPR holds,
  • Producers and Consumers of content ensure own rights are protected, while respecting the rights of others

• IPR Issues in Academia
  • Authoring course notes, students’ projects, ..., recording a lecture
  • The case of a multimedia artifact possibly involving multi-layer IPR
  • The rights of **Avatars** 😊
Navigating the IPR Maze via OER

• The Case of Open Educational Resources (OER)
• Proposing OER as a viable alternative to the traditional copyright practice, © All Rights Reserved.

- Favorable OER economics attracting the attention of Governments, Funding Agencies, Institutions
- Increased exposure and use of OER content
- Increased collaboration between authors
- Accelerating growth of OER initiatives worldwide!
Creative Commons (CC)

Traditional copyright - all rights reserved

Copyright with open licenses - some rights reserved

Public domain - Unrestricted use
Creative Commons (CC) Licenses

- **Attribution (CC BY):** You can use however you want; just cite the source.
- **Non-Commercial (CC BY NC):** You can use only if it is non-commercial (you can’t charge fees); cite the source.
- **No Derivatives (CC BY ND):** You can use the work but you can’t change it or put it into a bigger work; also cite the source.
- **Share-Alike (CC BY SA):** You can use however you want, but you must cite the source AND license your work under a sharing license.

➤ Typically used in Education: CC BY
OER Success Stories

- OER Commons, http://www.oercommons.org/
- Unesco OER http://oerwiki.iiepunesco.org/

- MIT OpenCourseWare (OCW), http://ocw.mit.edu/index.htm
- Rice University Connexions, http://cnx.org/

- Open University UK Open Learn Initiative, http://openlearn.open.ac.uk/
- JISC Jorum, Oxford University OpenSpires, Leicester University OTTER, Nottingham Univ. BERLiN, ParisTech OCW, MORIL, ...
- OER Africa, China, Japan, ...
Requirements for Adopting OER

• Organizational Issues
  • Senior Management support
  • Internal stakeholders’ partnership
  • Policy (or mandate?) formulation
  • Copyright/licensing management
  • Measuring utilization, value of the resources
  • Concerns for Output Quality Assurance

• Technological Issues
  • Creation of appropriate repository
  • Synchronizing multiple copies of content across repositories, Interoperability issues
  • Metadata issues
  • Process Management
Thank You!

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