

Ponies That Share

An overview of fair use and
creative commons





Hay there!
I'm Tucker the Pony, and I love to learn about sharing! Let's learn about sharing together!



Sharing is very important. We all do it, every day!

Sometimes we share and we don't even realize it, like when mommies share recipes, or you and your friend share a joke.

I like to quote the funny parts of my favorite movies, which is also a type of sharing.





When we don't share fair, nobody wins. We can even get in trouble for not sharing nicely.

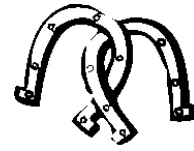
So to make sure we all share the right way, there are some important things we need to know.

Sharing can be troughs of fun, but you have to do it right.

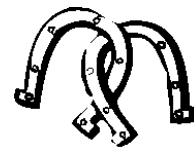
When the things we want to use or share belong to somebody else, we have to make sure they've given permission for us to use them. Otherwise it isn't fair.



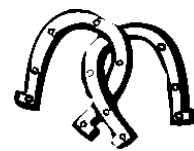
But first, let me introduce you to some friends of mine,
THE POWER PONIES!



The Power Ponies are **EXPERT SHARERS**, and know all there is to
know about proper sharing.



The Power Ponies will help us learn about sharing the right way.



Hay, I'm Avery, and I love to share. But only when it's fair.

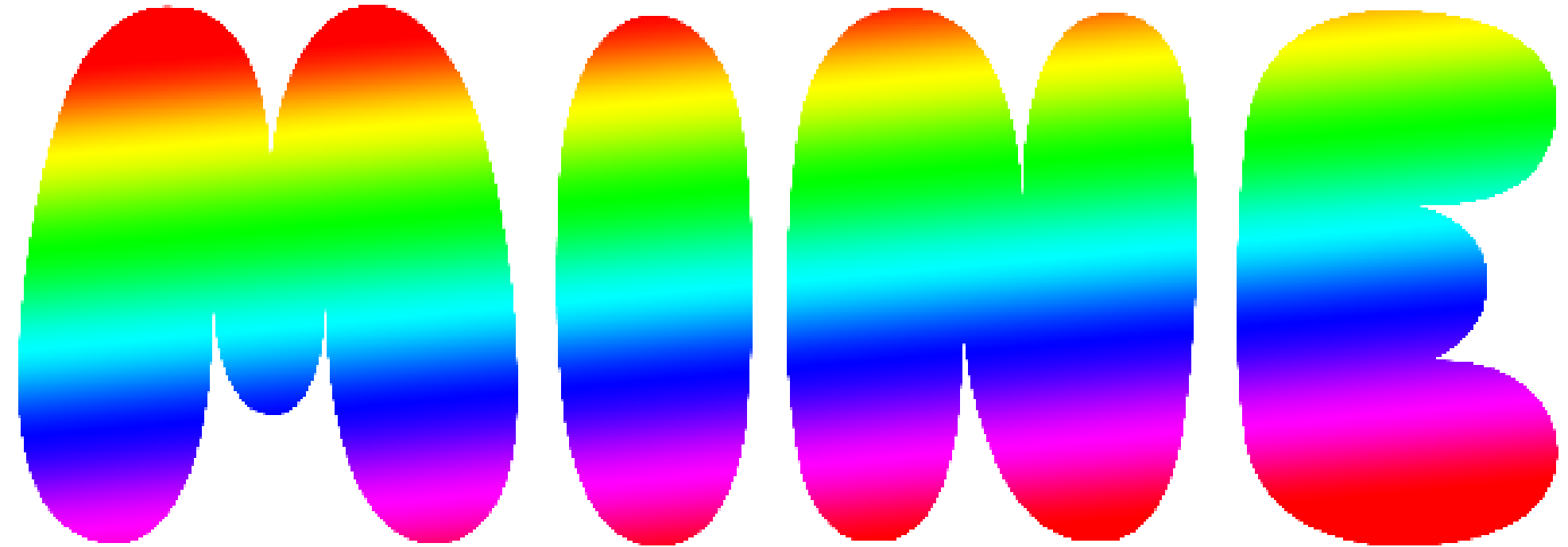


I'm Jojo, and I believe that sharing is caring.

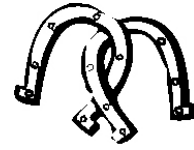
My name's Ellie, and I love helping people learn about sharing!



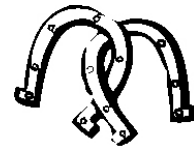
The definition of



We all like to protect and have control over our own things, so it's important to be respectful of other ponies' possessions, too.

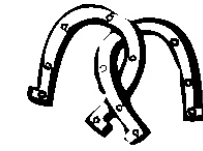


Sharing toys is one thing, but it gets a lot trickier when we share things on the Internet, like pictures, designs, stories, and ideas.



Anyone can share things online, and they are there for us to see, read, and enjoy. But we can't just use or copy whatever we want. Those works belong to the ponies who created them, so it wouldn't be fair for us to use them without their permission.

Copyright law protects owners and creators of any kind of work, from a photograph to a movie script, a logo design to a scanned letter.



Let's learn more about copyright from the Power Ponies.

Copyright is a legal concept that gives creators of original works exclusive rights over them, such as being credited for the work, determining who can use the work, if the work can be modified, who can financially benefit from the work, and other related rights.



Mama Pony works for Pretty Flower Magazine. She takes pictures of a new pretty flower every month, and then it gets published in the magazine. I remember one month when Mama Pony forgot to take a new picture. She was really worried about it, so I found a picture of a flower in one of my books and told her to use it. She thanked me for trying to help, but told me she couldn't use the picture because it wasn't hers and she didn't have permission.



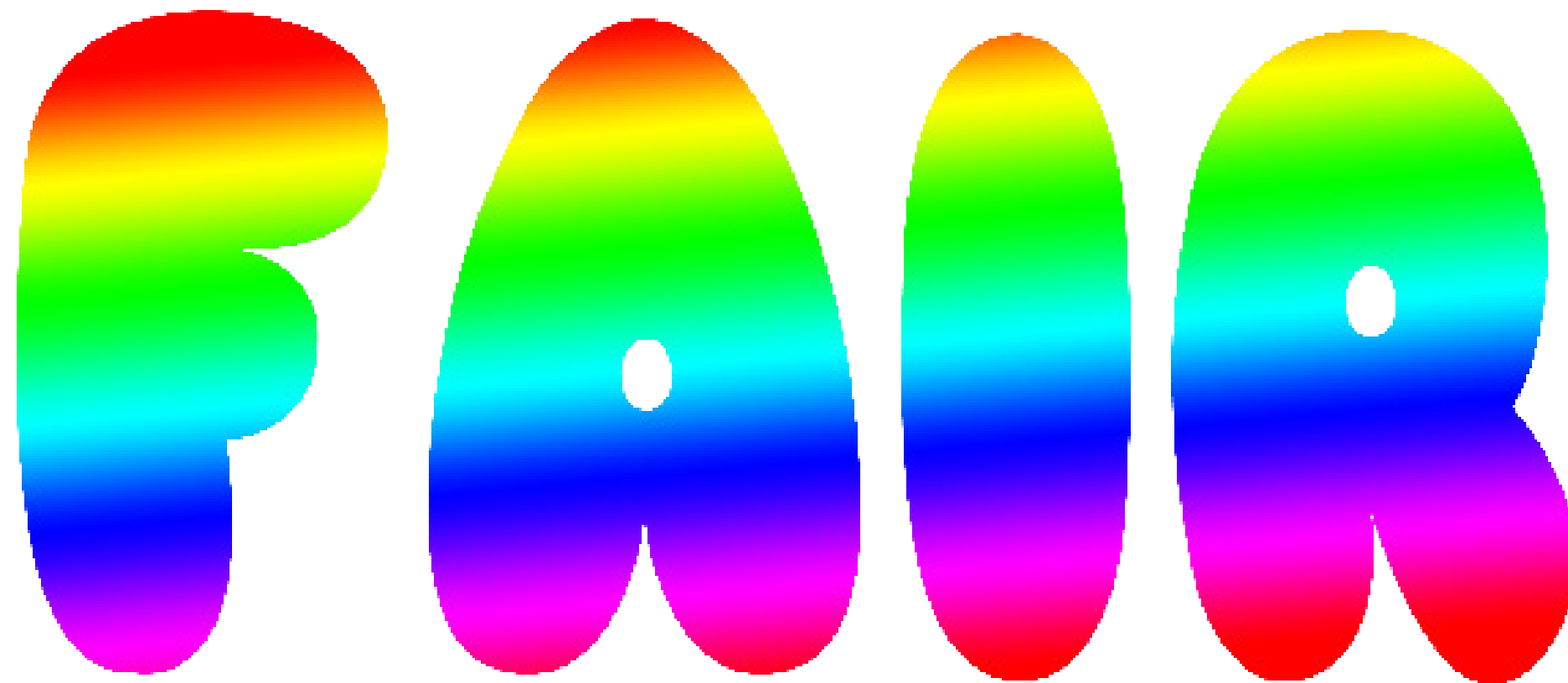


Mama Pony was right, it wouldn't have been fair to use someone else's picture.

But you know, there are some 'fair' exceptions that give ponies rights to use copyrighted works.



THAT'S NOT



OR IS IT?



Fair Use is the right for users to use or copy some portion of a copyrighted work for a limited and transformative purpose.

A transformative work is defined as a work that can be justified in adding social value without replacing or substituting the original work.



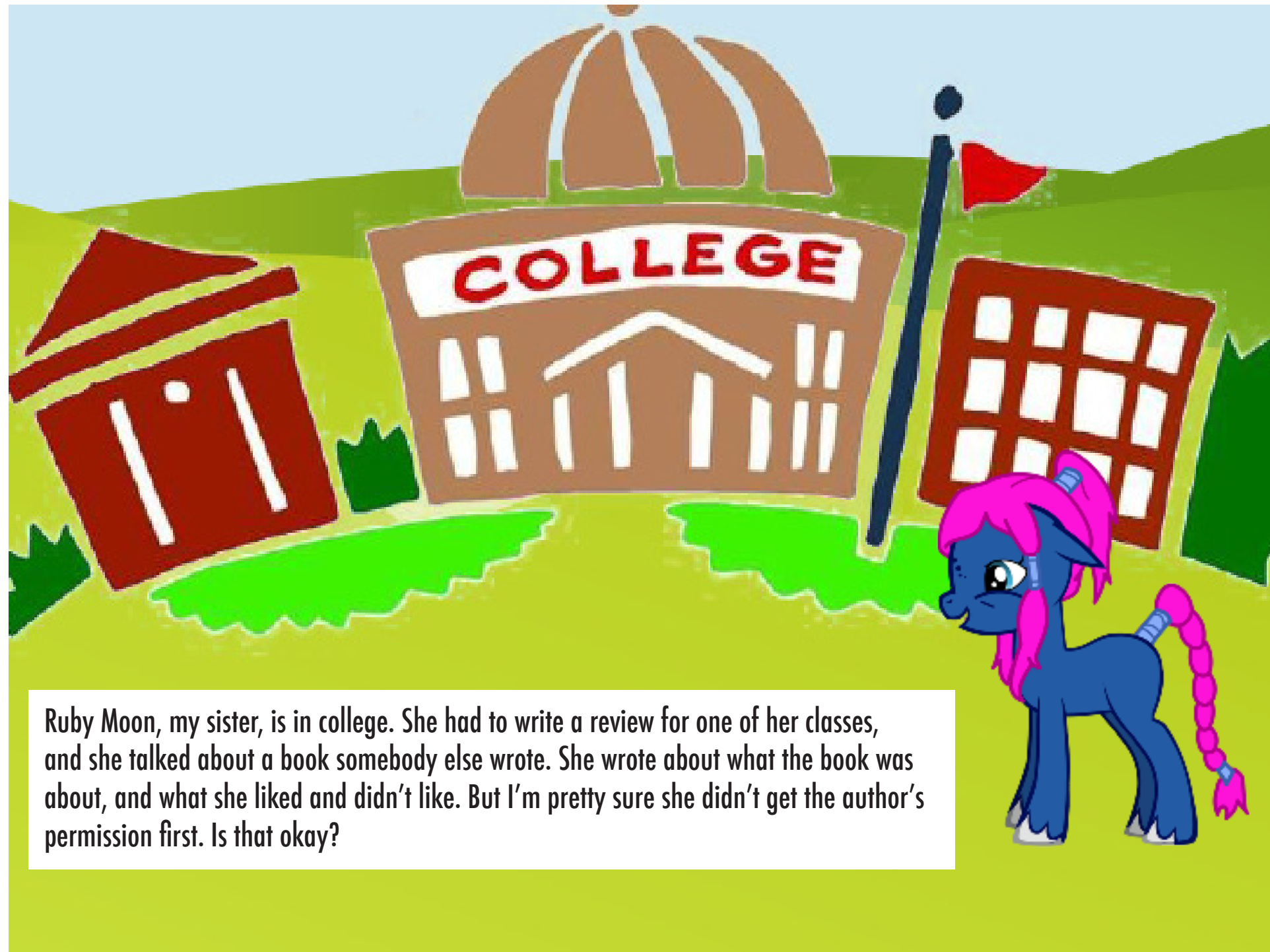
Most fair use analysis falls into two categories. Commentary and criticism, and parody.





So how about when I quote the funny parts from my favorite movies. Is that a fair use of someone else's work?

It sure is, because you're copying a portion of it in the form of a parody.



Ruby Moon, my sister, is in college. She had to write a review for one of her classes, and she talked about a book somebody else wrote. She wrote about what the book was about, and what she liked and didn't like. But I'm pretty sure she didn't get the author's permission first. Is that okay?



Yep, that's a fair use, as long as she correctly cited the author in her review. You see, Fair Use gives ponies the right to use copyrighted works under certain conditions.

These conditions come from a set of guidelines called The Four Factors, which help us determine if a use is fair.

4 The Four Factors affecting Fair Use

transformative nature

nature of the copyrighted work

amount and substantiality of the use

effect on market

The other day in the Pony Play Pen, Jimmy brought a carrot from home. He didn't want to share it, so my friend Salty made up a game for the rest of us to play called Invisi-Carrot. It was really fun. Everyone pretended to be chomping and munching on a delicious carrot.

It's sort of like the first Fair Use Factor, because Salty used the idea of Jimmy's carrot to create a new game.



That's a great example. The first factor regards the *transformative nature* of the use. If what you use of the original work is transformed by adding new expression or insights, then it's considered fair.



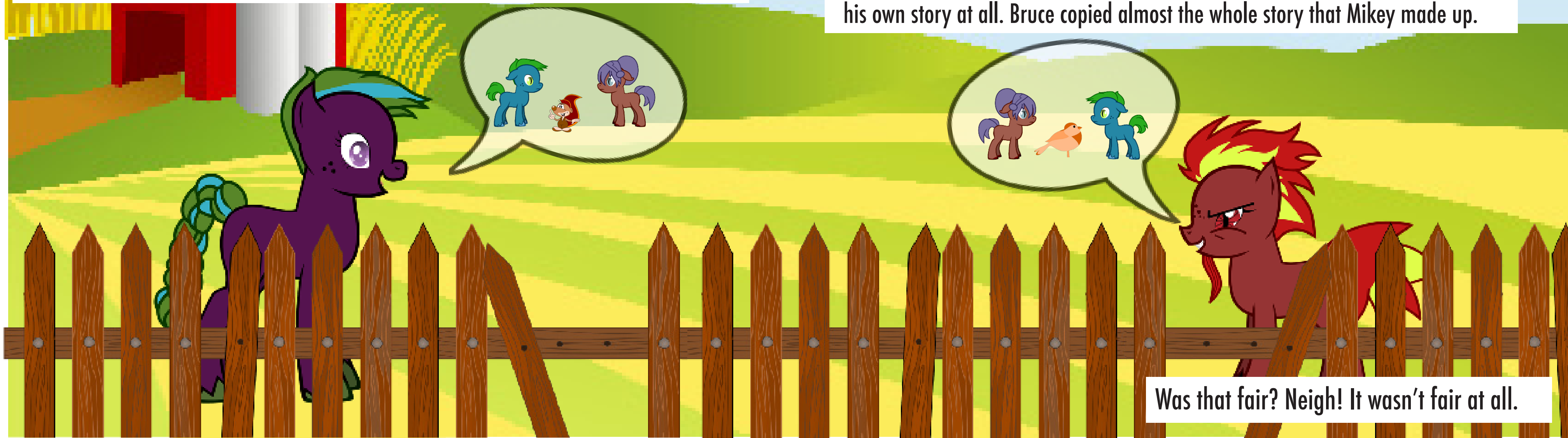
The second factor regards the *nature of the copyrighted work*. It's usually considered more fair to use published material over unpublished material. It's also more fair to use work that is factual over work that is creative. That's because factual work has a greater need to be used and disseminated to inform ponies across the plain.

The third factor relates to the *amount and substantiality of the use*. A good rule of hoof is: Less is more – more fair, anyway. But be careful with whatever little bit you do use of someone else's work: If you take the 'heart' or 'essence' of a material, it probably isn't fair.



That reminds me of a time in the Pony Play Pen. Mikey made up an awesome story about two ponies who go visiting their grandmother, but who get lost and have to befriend a squirrel to help them find their way.

Well, mean old Bruce heard Mikey telling it. The next day he went around telling his own story about two ponies who go visiting their grandmother, but who get lost and have to befriend a bird to help them find their way. It wasn't his own story at all. Bruce copied almost the whole story that Mikey made up.



Was that fair? Neigh! It wasn't fair at all.

The fourth factor deals with the *effect on market*.

If your use deprives the copyright owner of income or takes away from the material's potential market, it isn't fair. Can you think of a time when you saw something unfair like this, Tucker?

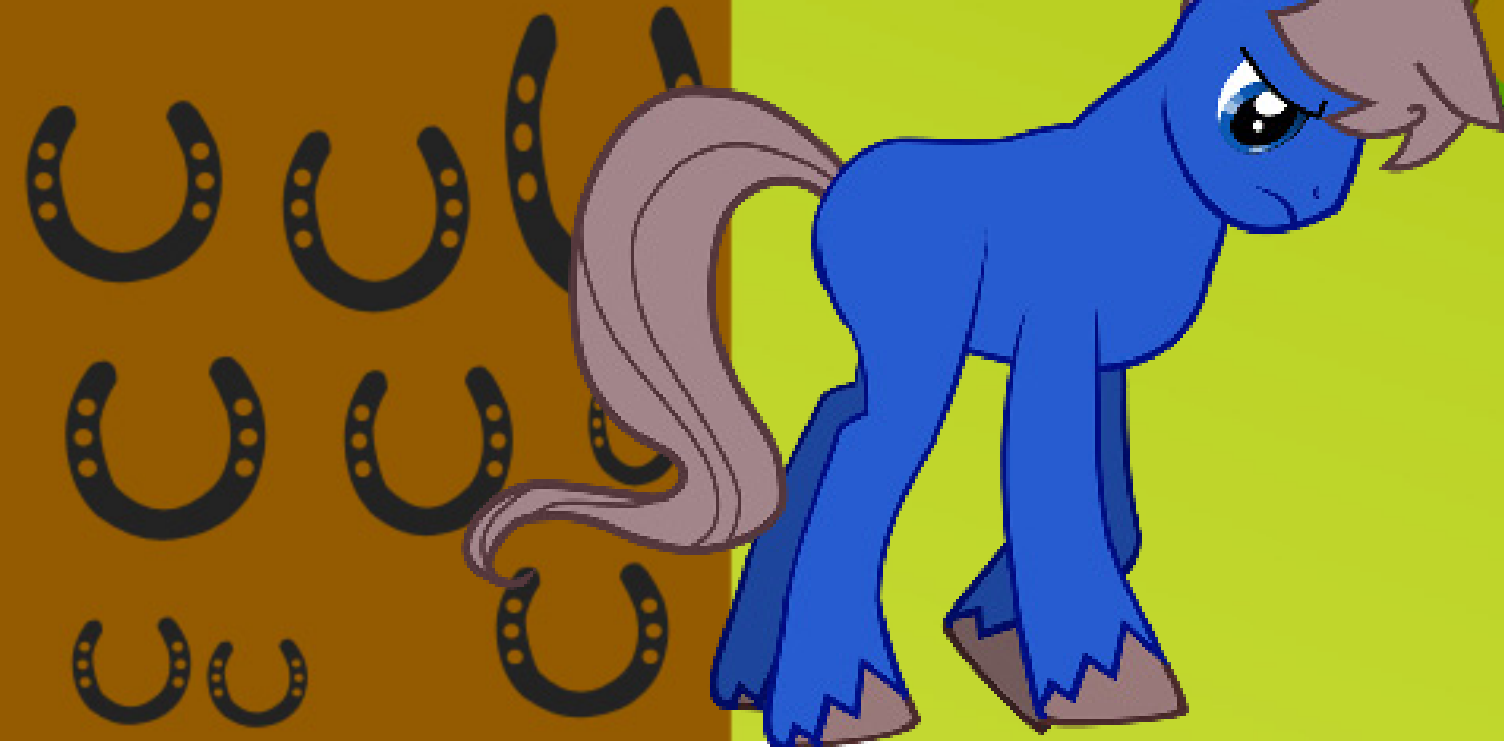


Hmmm. Well last month Papa Pony created a new kind of ponyshoe. They were very stylish and comfortable.



He gave a bunch away for free to make sure all the ponies liked them before opening a shoe store. But while he was giving away free samples of his shoes, Stephanie from our stable took all the samples she could and started selling them to her friends. It hurt Papa Pony's sales at first, and Stephanie got in trouble for getting paid for someone else's creation. It definitely wasn't fair.

Shoe Store



So those are the four factors of Fair Use that help us to know how to share fairly. Gee, learning about sharing sure does stirrup my emotions.



WHAT IS

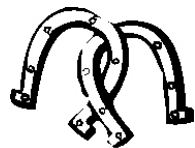
CREATIVE

COMMONS?

Creative Commons is a non-profit organization that lets ponies share creative works without getting into any trouble. Like the Power Ponies, Creative Commons help us all share the RIGHT way. They've created copyright-licenses that are easy and free to use.



The licenses let creators pick which rights they want to reserve, and which ones they want to waive for the benefit of other ponies. It's an easy and standardized way to give permission for other ponies to use things you've created, or to check what permission creators have granted before you use their work.



The licenses work alongside copyright law. They deal with creative work, whereas the Fair Use factors act as guidelines for using all kinds of work.



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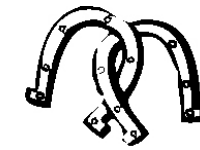
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Hay Power Ponies, what do the different licenses let you do?

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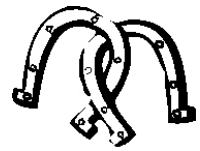
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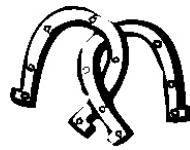
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