



# Copyright guidelines

**Thank you for contributing to the TEDx Community.** As part of our effort to bring your idea to a global audience, our goal is for the upcoming TEDx Talk to be widely distributed across a range of media platforms around the world as TED deems appropriate while respecting the intellectual property rights of others.

Use these guidelines to help you understand how to ensure the speaker clears everything with permission before they record their talk. TEDx is by its nature an event that is brought to a global audience. Before having a Speaker recorded, they have to respect the intellectual property of others. Use these guidelines to help you with each piece of their presentation. Please note that this not meant to be legal advice about your presentation. This is only an overview of commonly asked questions from our TEDx Organizers and can be used as a guide.

TEDx Talks carry your ideas into the world through your production, guidance and unique expertise in curating *ideas worth spreading*. To enable TED to spread your idea, TED will have the right to publish, edit and use the recordings worldwide in perpetuity directly or through third parties in the furtherance of TED's mission as a non-profit educational media company.

**It is essential that the TEDx Talks are original works and are created with your unique experience and view of the world without infringing on any other person's rights or ideas.**

## SLIDES OR OTHER VISUALS

If you decide to add **Slides or other visuals** to the TEDx Talk, we need you to ensure that the materials – whether pictures, clips, images, animations or drawings – are usable, editable and licensed to TEDx to use in the same manner as a component of your TEDx Talk, and do not contain any non-original content or third party intellectual property that have not been authorized, paid for or licensed for TED's purposes.

**As a general recommendation, please use original content only, but if you must use third party content, even if it belongs to a friend or a co-worker, here are some guidelines.**

## THIRD PARTY CONTENT

Third party content refers to any content that is not created 100% by you, for you or owned by you, but is instead owned by another person or entity, such as a company. This can include any type of content, including words, music, images, drawings, art, video clips etc. Ownership can be by a corporation, non-profit organization, clearing house, movie studio, writer, publisher, individuals, groups and or any combination of these.

**Third party content is protected by copyright and owners have exclusive rights to use and publish as they see fit. Just because it is displayed in public or downloadable from the Internet does not mean legal rights are provided to use it.**

## PHOTOGRAPHS

Many people make the mistake of assuming that images can be taken off the Internet with no requirement or permission. While this may be okay for limited circumstances, it is not okay when broadcasting and recording copyrighted images to a worldwide audience. We encourage you to take your own photos or create your own drawings to illustrate your TEDx Talk. This will enhance the presentation with a personal touch and avoid the need to ask other copyright owners for permission.

**Even using Creative Commons images can be tricky because it may require you to include an attribution (indicating they are the owner on the actual slide) and may not allow you to modify the image in any way.**

## CLIPS OF FILMS, MUSIC OR ANIMATIONS

Simply put, it is better not to use a clip unless you have already secured full rights to use it for your TEDx Talk. In this case, prior to giving the talk you need to obtain explicit permission by the copyright owner, whether person or an organization.

**As a note of caution, the more popular the clip or video, the more expensive or complex the release and license may be to acquire for TEDx purposes.**

## PERFORMANCES

If you are going to perform on stage, please use an original work which is owned by you 100% in publishing, the recording (if applicable), etc. If not, you will have to secure the rights to the usage, from the writers, the publisher (Sony/ATV, Warner Chappell), the composer, and/or the record company, and other groups have to approve rights when recorded from the TEDx stage.

**Acquiring performance licenses requires coordinating multiple permissions and is an area that is highly regulated for compliance so obtaining permission is complex, can be expensive, and takes time to clear.**

## WHAT ABOUT FAIR USE?

Fair use is a US law-based doctrine that allows freedom of expression without a license in certain circumstances. Unfortunately, the guidelines are not always clear and require a weighing of circumstances based on the context of the use. Examples of fair use could include criticism, comment, news reporting, teaching, scholarship and research. However, in establishing whether fair use exists, each case is treated uniquely and the US Courts weigh 4 factors in establishing whether fair use exists, or not.

This includes factors that are weighed in different proportions depending on the context:

- 1 What is the purpose of use? Is it non-profit or commercial?
- 2 What is the nature of the work? Is it factual, such as scientific data, or creative, such as a song composition or poem?
- 3 How much of the work is used? Is it the entire piece or only a small section or one line? Is it transformed and changed in any way or is it the original work copied without any modifications or changes?
- 4 What is the impact of the non-licensed work on the copyrighted work in the market? Does the unlicensed use harm the original artist/owner in revenue?

Given these four factors, if you can show that the **use is limited, does not negatively impact the copyrighted work, is factual and/or non-creative**, then the **ability to defend fair use increases**.

This is just the law within the United States; this does not address laws and requirements in other jurisdictions. Because of our goal to share your TEDx Talk around the world, for educational and for revenue-generating/fundraising purposes that support TED's mission, it is essential that we err on the side of caution and obtain permission wherever possible to avoid any future copyright infringement issues.

## THIRD PARTY CONTENT PERMISSIONS

The list below illustrates permission complexity — from simple to complex — based on the type of third party content that you include.

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### EASY

When displaying statistics, factual information or quotes, please identify the source and include it on your slide.

**Permission is suggested but a formal release is not required. Please do include the source.**

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### MEDIUM

When using stock images such as those managed by Getty, Shutterstock or other companies, check to see if you can create your own image instead.

**Permission is needed and stock image companies will issue their own license document. Be sure to purchase a license — such as the Shutterstock “Enhanced” license — that includes all media, worldwide, perpetual, commercial/noncommercial, unlimited distribution by TED.**

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### DIFFICULT

When using highly visible brands, logos, and or creative works such as songs and/or video clips that are popular or easily found online, getting a proper license agreement is essential. Alternatively, don't use it and avoid the risk.

**Ensure they provide you a full license right to use the content to ensure you and TED has permission to use it for the TEDx Talk.**

When in doubt — **request permission and cite your sources!** Please keep a copy of this document for your records.