

# QUICK REFERENCE GUIDE FOR FINDING TERMS OF USE

Do you want to use other people's texts, images or other material that you found on the Internet? Not everything you find or download from the Internet is free to use, because the work may be protected under the Dutch Copyright Act. This quick reference guide explains how to find out how you can use other people's work, the terms of use that may be attached to the work and what these conditions may entail.

## WHAT IS A WORK?

Work is defined as any product in terms of literature, science or art, produced in any way or form whatsoever. Under Dutch case law the work must have an original character, be the result of creative choices and bear the personal stamp of the creator. In addition, the form may not be borrowed from other works. The following are not considered a work:

- facts
- data
- ideas
- thoughts
- styles
- methods and theories
- technique

Data collections may be protected under the Dutch Database Act.

## PROTECTION UNDER THE DUTCH COPYRIGHT ACT

Copyright is a right granted by law to the creator. As an author, this entitles you to a right to the work you created. Copyright is a so-called "sole" or "exclusive" right. This means that you, as the creator, decide what should happen to your work. You have the sole and exclusive right to exploit your work: this is also called exploitation right.

For more information about copyright, read the [Quick reference guide for basic knowledge of copyright](#).

## OPEN ACCESS WORKS

The main feature of open access works is that they are accessible and available without any financial, legal or technical barriers. Open Access works can be identified by the Open Access logo (see image).



## CREATIVE COMMONS LICENCES

A copyright holder may attach conditions to his or her work stating whether and in what way his or her work may be published or reproduced by others. By means of a licence, the copyright holder can make clear to everyone under which conditions the work may be used without

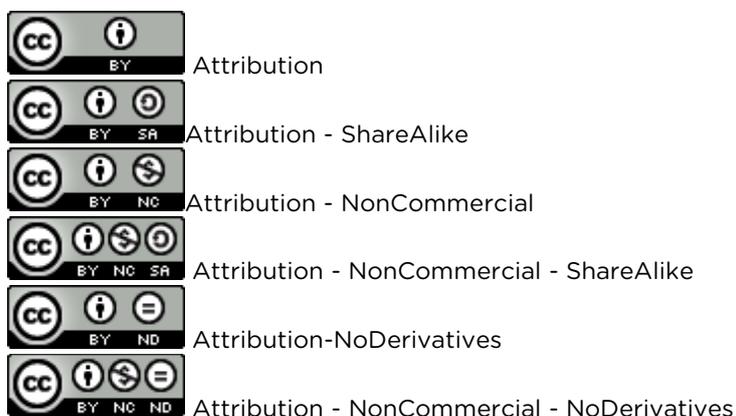
permission from the copyright holder. Offering a work under such conditions does not mean that the copyright holder waives his or her copyright.

The Creative Commons licence is the most frequently used licence. There are six (free) standard licences available (see images below) by which the copyright holder may determine the conditions under which, and to what extent, the work may be distributed. The options for the free publication or reproduction of the work by third parties are more or less extensive, depending on the Creative Commons licence the copyright holder uses.

The author may also possibly publish his or her work under a different licence. So pay attention to the conditions the author gives for permission to reuse the work. If no information is provided about reuse for a work you found on the Internet, this means, in the majority of cases, that the material is protected by copyright.

### Explanation of the six different Creative Commons licences

There are six different Creative Commons licences in total. The different licences can be identified by their logos. They are ranked here from the least restrictive to the most restrictive.



### Creative commons public domain

A work falls under public domain if the copyright has expired (70 years after the creator's death, or 70 years after publication if the work was created by a company), or if the author states that the work is in the public domain. An adaptation or reproduction of a work in the public domain is not automatically also in the public domain.

In the Netherlands, legislation, regulations and court decisions are free of rights and automatically belong to the public domain. Other government publications are not in the public domain in the Netherlands and are therefore subject to copyright law. However, please note that if the government publications have also been (co)written by external parties such as research agencies, copyrights will usually apply.

The Creative Commons (CC0), or CC zero, public domain statement is not a licence but a document by which the copyright holder indicates to waive all copyright. CC0 applies to works that are still protected by copyright, but where the copyright holder wishes to waive these rights. Works made available under CC0 may therefore be published and reproduced by everyone. Attribution is thereby also not required.



The Public Domain Mark is not a licence, but a method to mark works that are no longer protected by copyright or cannot be protected by copyright. The



Public Domain Mark is therefore intended for works that are not protected (any more) by copyright and related rights. Works with the public domain mark may therefore be published and reproduced by everyone.

## HOW CAN YOU FIND MATERIAL THAT YOU CAN REUSE?

### Search via CC Search

You search for content that you can share, use and remix via the [Creative Commons](#) website. The site provides access to several search engines for images, media, videos or music and ensures that you are only searching for works with a licence for reuse.

### Use filters in search engines

Most major search engines for websites, images, videos etc. have a filter option that allows you to search specifically for materials with specific rights of use or licences (including Google, Bing, Flickr and YouTube).

### Special sites with materials for reuse

Sites such as [Wikimedia Commons](#), [Europeana](#) or [Wikiwijsleermiddelenplein](#) offer large quantities of material with a licence for reuse or a CC0 mark.

### Availability on stock sites

Stock sites are sites specialising in the provision and sale of photographs, images and audio(visual) works for reuse in various media. These are often commercial sites. However, there are also stock sites that offer free stock photographs with very broad options for reuse.

Examples of sites where you can find copyright free photographs and illustrations:

- [Pixabay](#)
- [Pexels](#)
- [MMT](#)
- [Unsplash](#)

### SHERPA/RoMEO Database: the largest Open Access database

[SHERPA/RoMEO](#) aggregates (scientific) publisher open access policies from around the world. RoMEO stands for RightsMEtadata for Open Archiving. The database makes it possible to check what open access options a specific journal offers in a uniform and clear way.

## QUESTIONS? GET IN TOUCH WITH YOUR COPYRIGHT INFORMATION POINT (AIP)

Do you have further questions about this quick reference guide? Please contact one of the members of staff at the [Copyright Information Point \(AIP\)](#) of your institution.

SURF

[auteursrechten@surfmarket.nl](mailto:auteursrechten@surfmarket.nl)

[www.auteursrechten.nl](http://www.auteursrechten.nl)  2019

No rights may be derived from this document.

available under the Creative Commons licence  
Attribution 3.0 Netherlands.

[www.creativecommons.org/licenses/by/3.0/nl](http://www.creativecommons.org/licenses/by/3.0/nl)