

Communications

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INTRODUCTION

A word is not a crystal, transparent and unchanging, "it is the skin of a living thought and may vary greatly in color and content according to the circumstances and time in which it is used." Oliver Wendell Holmes

"Effective communication is the lubricant that can prevent friction between human beings." Alfred Fleishman

"If I can listen to what he can tell me, if I can understand how it seems to him, if I can see its personal meaning for him, if I can sense the emotional flavor which it has for him...that is listening with understanding." Carl Rogers

Your actions speak so loudly, I cannot hear a word you are saying. Father Time

Communication is the key to a successful 4-H program.

4-H professionals must successfully communicate with volunteers, parents, members, teen leaders, co-workers, district and state staff, county chairs, the 4-H council, 4-H project committees, the general public, the district director, other types of youth groups, 4-H clubs, sponsors, community leaders, school officials, newspapers, the mass media, etc. The list goes on and on, and what an

important list it is! Each can be approached differently, depending upon the situation and reason for the communication, which brings us to the one most important rule to observe:

Professionals, who develop sensitivity to the effect of their communications and constantly strive to improve each newsletter, speech, teaching situation, etc., strengthen the total communication system. By knowing the specific audience being addressed and the objective of communication, the professional can be a more effective communicator. This sounds so obvious, and 4-H professionals are apt to say "If I didn't know whom I was writing to or why I was writing, I would be in bad shape!" Unfortunately, the rule is far from obvious and all too easily forgotten in the busy pace of the 4-H program.

Often a basic mistake in communication is one that is eternally repeated; that is, to assume that what is known to us is known to everyone else, and will be interpreted the same from person to person. Know whom you are trying to reach and what you hope to accomplish then much misinformation can be eliminated and a well-operating 4-H communication system can be developed.

COMMUNICATION METHODS

1. Clear communications. Make sure your communication can be understood clearly by the audience for which you have intended and the purpose that you have identified.
2. Correct communication. Meeting dates, times, places, people's names, addresses, 4-H club affiliation should be proofread in all communication before it is delivered.
3. Give constant communication on a consistent basis. Newsletters should be sent out on a regular basis. Answer phone calls within 24 hours if possible.
4. Be concise. The 4-H professional's material must be to the point. Tell them what they need to know in correct, plain English. Remember: communication that fails is usually ambiguous; too long, with not enough information, difficult to read or understand; or too late to be effective.

INTERPERSONAL COMMUNICATIONS TIPS

Communicating on a personal level is a skill that we all have to some degree, but there is always room for improvement. Here are some tips to help in this area:

1. Self-disclosure builds openness and trust in a relationship and lets others know where you stand.
2. Acknowledge the strengths and talents of others and yourself.
3. Ask for comments often and listen to clues about your effectiveness and areas needing improvement.
4. Give feedback to others that will help them communicate more effectively with you--and do it privately.

GROUP COMMUNICATION AND FACILITATION SKILLS

Develop a plan for achievement of a goal is critical to the success of the 4-H professionals working with groups of people to reach a decision, develop a plan or achieve a objective. As facilitator you have a central role in achieving success. You need to have an understanding of people, groups and facilitating styles. There are four basic steps that will help you work with groups:

- **Preparation** -- A major part of your work is done before the group comes together. Identify objectives for the activity or meeting. Prepare all the materials or information needed by the group or delegate parts of this preparation to people who have the resources to get it done. Insure that the physical setting of the group is adequate. If the group has officers, visit with them regarding agenda and needs.
- **Introductions** -- For a group to function, the group needs to form. Allow members to get to know each other and the role that each fills. The facilitator should see that the group understands its mission and the environment in which they will function. Many leadership styles are effective in different settings. Present enough instructions to get the group going without being too authoritarian.
- **Action** -- While the group is working you have many responsibilities: bringing in people who are left out, returning the group to task, sharing information, summarizing progress, etc.
- **Closure** -- Sometimes the most difficult part of group action is stopping. You perform an important role when the meeting ends on time and celebrate successes so people can move on to greater achievements.

A facilitator models the following behaviors: accepts individuals but not all behavior, encourages, self-discloses, invites others to self-examine, confronts behaviors not people, identifies issues, keeps group on task, and owns the interactions of the group.

TIPS FOR IMPROVED FACILITATION

1. **Self Awareness** -- Keep in touch with your own feelings and communicate with the group.
2. **Attitude** -- The attitude of the facilitator sets the tone. Be alert, focused, show positive energy, and remain flexible.
3. **Acceptance** -- Encourage everyone to be themselves and to participate. This requires listening, giving attention and being non-judgmental. Establish that all individuals are unique, different, and valued.
4. **Focus** -- Focus the attention of yourself and the group on the person who is talking and on the task being discussed. Initiate the idea of one person talking at a time to help listening skills.
5. **Clarify** -- Help others clarify and speak their feelings, thoughts, ideas, values, questions, and concerns.
6. **Posture** -- Watch your body language and keep it open and inviting.
7. **Questions** -- Ask open-ended questions and redirect questions to the group instead of answering them yourself (except questions of University/4-H policy or where you are the only member of the group who has the information to answer the question).
8. **Summarize** -- Make summary statements often to help the group see what progress has been made, monitor progress toward goals.
9. **Inclusion** -- Try to draw everyone into the conversation.
10. **Feedback** -- Give and request feedback from the group.

BARRIERS TO EFFECTIVE COMMUNICATION

In the book, *The Effective Management of Volunteer Programs*, Marlene Wilson devotes an entire chapter to communications. She stresses that communication is an all pervasive and dynamic ingredient of all human relations, and is a key to success in volunteer organizations. Ten common barriers or blocks to effective communication are identified by Wilson. Spotting these barriers can help us deal with them as 4-H professionals.

Distance and/or Inaccessibility -- People need to be in touch with each other for communications to occur. If you are never around or have an image of not listening, communication will be hindered.

Distortion -- Confusing facts and feelings often create miscommunication. Focus on facts and avoid communicating what we think someone meant or said.

Lack of Trust and Leveling -- Often people do not communicate problems with programs or performance because they are afraid of the reaction. We need to build a supporting climate where people know that a good try is a success and we all want what is best for 4-H members. This should be a two-way street between 4-H professionals and volunteers.

Hidden Agendas -- Beware of this barrier that often shows its head near competition and needs assessment. When people have a strong desire for a preconceived outcome, it has a powerful impact on communication.

Ineffective Listening -- I am painfully aware of the difficulty related to listening when a participant asks what I think about their comment and I have no idea what was just said. Work at listening for the meaning that is being communicated.

Believing Something Must Be So Just Because We (or Someone Else) Say It Is -- This also goes for believing something just because it was written. We must always use all our skills to interpret the validity of messages, sources of information, and alternatives available.

Using the "Illness Syndrome" -- Allowing ourselves to operate based on stereotypes and traditions can hide true opportunities and meanings. All farmers are not alike. All volunteers are not alike. All low income people are not alike.

Either/Or Syndrome -- There are more than two sides to most stories. Look for middle ground and fringe alternatives to find solutions.

Frozen Images -- I saw a cup the other day that carried the message "the older I get, the better I used to be." Things are not what they used to be. The best way for this year may not be the best for tomorrow.

Gaps Between People -- " Not good, not bad, just different!" Remember this quote. Differences can cut off communication completely if we let them.

USING THE TELEPHONE

1. Have your purpose in mind before dialing.
2. State your problem, situation, etc.
3. Listen carefully.
4. Be enthusiastic in your responses.
5. Write pertinent information
6. Be prepared to end the conversation and on a positive statement.

If possible, place your own calls. If you place your own phone calls, it takes only your time. If you ask the secretary to place the call, it takes the time of two people.

USING EMAIL

Email: What is it?

- Email is a conversation that does not require an immediate response
 - Not interactive
 - Unlike a telephone or Instant Message
 - Receiver can deal with it when they can
 - Can be formal or informal
- Emails are public documents
 - May be subpoenaed
 - Can you openly defend its contents?

What is email etiquette?

- A set of dos and don'ts
 - Recommended for increased communication
 - Effectiveness
 - Appropriateness
 - Part of a world of virtual communication
 - A virtual chat room?
 - Less formality and sometimes too aggressively
 - Few, if any, non-verbal expressions

What email format should I use?

- Outlook 2003
 - Tools, Options, Email Format
 - Rich Text
 - Quasi Microsoft Word format
 - HTML Text
 - Same formatting style as Web pages
 - Plain Text
 - Anyone using any email client can read it!
 - Lack fonts, formatting, embedded jpegs, etc.

Formatting Tips

- Word Wrap
 - Set text to wrap at about 70 characters if using plain text
- Keep email brief
- Use capitalization and punctuation as you would in any other document
- Use proper spelling, grammar, and punctuation
- Write a salutation or greeting

Email Tone

- Formal to:
 - Colleagues when collaborating
 - Administrators concerning business
 - Outsiders
- Informal to:
 - Colleagues or others on close personal terms
- If someone receives an email, you cannot assume that they read it word for word.

Some Tips

- Be concise and to the point
 - Reading email is harder than printed publications
- Appropriate and specific subject lines
 - Not “meeting”,
 - But “March 15th meeting agenda”
- When asking: Supply sufficient information to obtain an answer
- When answering: Answer all the questions
- Do not attach unnecessary files
 - Or large files
- Do not over use “high priority” option
- Read email before you send it
 - Edit for grammar
 - Make it understandable
 - Delay sending if cool down time is necessary
- Don’t forward virus, hoaxes, and chain letters

- Do a Google search instead!
- Then educate the sender!

Addressing Issues: To, Cc, and Bc

- To: Actually addressing
- Cc (Carbon Copy) : Indirectly addressing
 - Like a carbon copy
- Bcc (Blind Carbon Copy): Are like Cc;s, except
 - The To's and Cc's do not know who is on the Bcc list!

Reply v. Reply to All

- Reply goes to the originator of the email
 - Others on the To or Cc list don't receive the reply email
- Reply to All goes to everyone on the To or Cc
 - Use with care
 - Especially embarrassing if you are Bcc'd and are not on the original To or Cc list

Sending to a Lyris Listserv

- Have to be subscribed
 - Is @tricity.wsu.edu the same as @wsu.edu?
 - Cahrsall and Allex- required
 - Most are voluntary
 - Join-listname@lyris.cahrs.wsu.edu
- If sending to two or more lyris lists
 - Include both in the To:
 - But only one will be delivered
- Lyris limits attachment size

Smilies for Informal Emails

Use sparingly and only for informal communications

☺ or : -)

;-) wink

:-> devilish grin

:-D shock or surprise

☹ or : - (

:-P wry smile

:-e disappointment

:-@ scream

:-O yell

Signatures

- Originating v. Replying
 - Outlook allows multiple signatures
- Four or less lines, including:
 - Name
 - Email address
 - Organization
- Questionable
 - Favorite quote
 - Does it reflect you and/or the organization?
 - Graphics

Privacy

- There is no such thing a “private email”
 - Public record
 - Lawyers can read anything
 - Email sent to wrong address
- Issue of forwarding
 - Can state, “Not for distribution,” but...
- Don’t send anything you wouldn’t wish to have distributed

Deleting Emails

- Are deleted emails really deleted?
 - Over night email backup
 - Can recover from the 2 week “deleted” Exchange CAHNR
 - Recipient still has it in their inbox
 - Really not deleted until
 - All instances of the email have been deleted
 - When the last entry is deleted from the CAHNR
 - One should delete their emails once a month

Flames and Other Arguments

- You’ve sent an email causing a not-so-nice email response
 - Sometimes an obvious reason
 - Other times not so obvious
- Best answer?
 - Ignore it and go on with your life
 - If a colleague, skip an email response and discuss the issue in person
 - Apology

How to Start a Flame

- Send an email with UPPER CASE
 - Equivalent to shouting
 - ONLY use upper case words when trying to make a point

- Make an unthinking comment about:
 - Grammar, punctuation, or whatever
- Send a mass-mailing advertisement
- Request assistance without specific information

Causes of Infections

- Old anti-virus definitions
- Operating system not patched
- Opening infected emails
- Clicking on links to infections
- Improper computer shares

Viruses

Computer programs that spread across computers and networks by making copies of themselves, usually without the user's knowledge.

A virus program has to be run before it can infect your computer. Viruses have ways of making sure that this happens. They attach themselves to other programs or hide in code that is run automatically when you open certain kinds of files.

What can viruses do?

- Display messages
- Play pranks
- Deny access
- Steal data
- Corrupt data
- Delete data
- Disable hardware

Worms

A special kind of computer program that can replicate itself and consume computer memory, but it cannot attach itself to other programs. They create exact copies of themselves and use communications between computers to spread.

Trojan Horse

Programs that do things that are not described in their specifications. The user runs what they think is a legitimate program, allowing it to carry out hidden, often harmful functions such as overwriting the hard disk. These programs are sometimes used to infect a computer with a virus.

Backdoor Trojans are programs that allow others to take control of your PC.

Hoaxes

Hoaxes are not viruses but are deliberate or unintentional email messages warning people about a virus or other malicious software program; may cause as much trouble as viruses by sending massive amounts of unnecessary email.

Hoaxes may:

- Contain warnings about viruses and their damaging consequences
- Tell the reader to forward to as many people as possible
- Contain technical sounding language describing the virus
- Contain bogus comments for officials: FBI, software companies, news agencies, etc.

Symptoms and Indicators

- Programs take longer to start or run slowly
- Disk access time seems excessive
- Access lights turn on for non-referenced devices
- Unexplained decreases in available memory
- Sudden reduction in disk space
- Unexplained hidden files appear
- Email message with strange attachment
- Anti-virus program will not run
- Strange sound or music plays from speakers unexpectedly

Security and Protection Strategies

- Never download from people or sites you aren't 100% sure about
- Even if you know the source, be aware of what the file is before you open it
- Unhide file extensions to identify executable files
- Never use automatic preview features of programs
- Never blindly type or run commands

Security and Protection Strategies

- Keep virus protection updated
 - Don't think that just because you have virus protection you're safe, you're not!
- Keep security patches updated
- Backup!
- Forward warnings to only one authorized person to avoid hoaxes
 - Search Google for the email text

Email Lists: a Productivity Tool

- Reaching your audience
 - Clientele
 - Volunteers
 - Colleagues

- Target efficiency
- Cost effectiveness
- Easy to manage

Nickname Lists

- Strengths
 - You manage it within your email program
- Weaknesses
 - Large number of email addresses in each email
 - Errors and Replies to:
 - No singularity
 - No permanent record

Lyris Email Lists

- Complete admin web interface
- Absolute email control
 - Who may submit emails
 - Complete delivery/non-delivery history
- HTML based email formats
- Threaded forums

Getting Subscribers

- Opt-in
 - Leave the join check box unchecked
 - Confirmation message
- Provide explicit information
 - Type of information on the list
 - Frequency
 - Sample

Mailing List Usability

- Ultra-short
 - Push
 - Link to website information
- Separate addresses for:
 - Subscribing and unsubscribing
 - How to get off on each email
- Forums

Washington State University Electronic Communications Policy

- All University electronic communications that contain confidential or operational information must be sent via secure mechanisms that ensure message authenticity, confidentiality, and integrity.
- Non-secure electronic communications may be used to communicate open (public) information.

Secure Communications

Originator Responsibility...Use is only for official business purposes

- Hipaa (Gramm-Leach-Bliley Act)
- Family Educational Rights and Privacy Act (FERPA)
- Privacy

Recipient Responsibility...Read it! Just as a printed version

Some Useful Links

- Purdue Online Writing Lab
 - http://owl.english.purdue.edu/handouts/pw/p_emaillett.html
 - http://owl.english.purdue.edu/handouts/pw/p_tone.html
- Etiquette rules for effective email replies
 - <http://www.emailreplies.com/>
- "I Will Follow Services"
 - <http://www.iwillfollow.com/email.htm>
- Or search Google.Com for "email etiquette"

HRS Skillsoft Online Training

- <http://www.hrs.wsu.edu/skillsoft>
- Sign in and then search for "email"
- Some search Results:
 - E-mail as a Marketing Tool
 - Essentials of Electronic Communication
 - Optimizing E-mail at Work
 - The Customer Loyalty Solution

USING MAIL

As we discuss the mail as a means of communications, let's break it down in two categories personal letters and mass mailings or circular letters.

Personal Letters

If a card or letter can answer a question or call, then consider the following advantages.

1. You have what you said in writing.
2. The client can file your letter for future reference.
3. You can re-write it to state exactly what you intend before you send it.
4. A letter is short and to the point.

5. It can provide written recognition

Some disadvantages may be:

1. Your client has what you said in writing.
2. It may be more time consuming for both you and your secretary.
3. It may not be as personal as a phone call.
4. It may not arrive in time if the message was urgent.

Some keys to successful personal letters:

1. Keep it short and to the point.
2. Information must be accurate and exact.
3. If it includes dates and times, make sure they are correct and complete.
4. Correct grammar.
5. Correct spelling.
6. Neatly typed

Mass Mailings or Circular Letters

Many professionals are quite successful in the use of circular letters as a communication technique.

Some do's and don'ts:

Do:

1. Make them as short as possible and still adequately cover the subject or subjects.
2. Use pictures or charts or cartoons if appropriate. Make sure you follow copyright laws.
3. Make sure they are precise and accurate.
4. Keep the sentences short and easy to read.
5. Write as if you are talking to the people.

Don't:

1. Fill them with trivia.
2. Make them too long.
3. Try to impress people with your knowledge of big words.
4. Expect people to read every word you write. (This means you may need to repeat important dates, times, locations, etc.).

USING MEDIA

Getting to Know the Media in Your County

What Newspapers are published in your county?

| Name | How Often Circulated | Contact/Phone |
|------|----------------------|---------------|
| | | |
| | | |
| | | |
| | | |
| | | |

What is the Newspaper of Record?

| What radio stations are listened to in your County? | | | | | |
|---|-----------|--------|-----------------|---------------|---------------|
| Call Letters | Frequency | Format | Target Audience | Contact/Phone | Special Notes |
| | | | | | |
| | | | | | |
| | | | | | |

| What television stations are watched in your County? | | |
|--|---------------------|---------------|
| Call letters | Network Affiliation | Contact/phone |
| | | |
| | | |
| | | |
| | | |

| | |
|---|---------------|
| What cable system operate in your County? | |
| Name Communities served | |
| Public Access Station | Contact/phone |
| | |
| | |

WRITING NEWS ARTICLES

Professionals have found several systems that work in communicating with their clientele through newspapers.

1. They may have their own weekly or monthly news columns.
2. They write news releases and send them to the paper or papers and hope they get printed.
3. They have a contact at the paper that they call when news is breaking and the paper then sends a reporter to cover the event.

If you find yourself doing your own writing, some important tips to remember include:

1. Nearness -- Editors want stories localized.
2. Importance -- How many people does it affect?
3. Accuracy -- Proofread your copy. Watch spelling, double check names, date, and times.
4. Be precise -- It convinces your readers, you know what you are talking about.
5. Timely -- old news is no news and they won't use it.

If you are fortunate enough to have the editor as your friend or have a contact in the newsroom, some general guidelines are needed to keep you in their good graces.

1. Do not waste their time.
2. If you are giving them the information and they are writing the story make sure your facts are correct.

3. If they send someone to cover the event, make sure your directions are accurate and the time and location is clear.

Some General Guidelines

1. Do your homework on public relations (get to know the editor).
2. Don't forget the weekly papers. Sometimes coverage can be as good with a weekly newspaper as with a daily.
3. If you have several papers in the area, make sure they all get the same release at the same time.
4. Follow the local editorial policies.

Guidelines for Writing a News Article

A well-written news article should contain the following items:

1. **Headline** - Your headline should be a "hook" to grab the reader's attention.
2. **Byline** - That's you!
3. **Lead-in sentence for opening paragraph** - Just like your headline, your lead-in sentence needs to be a "grabber."
4. **Opening paragraph** - Besides an interesting lead-in sentence, be sure to answer the following basic questions:
 - a. Who?
 - b. What happened?
 - c. When?
 - d. Where?
 - e. Why?
5. **Supporting paragraphs** - You will need one to three paragraphs that explain the details surrounding your photograph. What events lead up to the picture? Your details should be interesting and logically connected. What evidence can you add to support your statements? Quotations?
6. **Effective closing paragraph** - End with a summary of your main idea.

Remember: a news article is different from an essay. Report on what actually was happening in your photograph. Be objective. Do not give the reader your personal opinions.

USING RADIO

The radio can really help your communications system. There are several ways you can put the radio to work for you.

1. Write your news releases for radio and send them to the local and area stations.
2. Do guest appearances on local radio stations.
3. Tape shows and have the local station use them at their leisure.
4. Do a regular radio show -- produced live at the station -- daily, weekly, monthly, etc.
5. Broadcast a radio show live from your home or office, via telephone. (Most stations are equipped to handle phone-in-shows.)

Some general ideas to help you communicate more effectively by radio include:

1. Write your releases specifically for broadcasting.
2. Use only current information -- radio news is NOW!
3. Remember -- broadcasting is conversation.
4. Keep your audience in mind. Remember once news is reported it's gone.
5. Keep information localized as much as possible.
6. Keep the language simple -- not too much technical information.
7. Be enthusiastic.

USING TELEVISION

This medium is a good way to communicate with the public. Many of the same techniques used in writing for radio apply to television, with the added use of another of the senses. The news story or the radio show must be converted to an audio-visual presentation. The best advice on how to succeed in television comes from the television staff themselves. Find a station that is willing to work with you and let them help you develop your programming. Some possibilities might be: Commercial television -- Public service time may be available. Public or Educational Television -- They are usually looking for programming. Cable Television -- Local stations are usually looking for talent for programming. They

may even provide the equipment and let you do the taping. In any case, with any system, find out who your audience is and gear your programming to that audience.

USING AUDIO-VISUAL AIDS

A picture is worth a thousand words. Experts say that before an individual really learns something it must be communicated to them seven times. If one of our senses is used more than once, more is learned quickly. Do not overlook the use of audio-visual aids in conducting the 4-H educational programs. CDs, DVDs, video, power point, audio tapes, and flip charts are just a few.

COPYRIGHT AND THE INTERNET EXCLUSION

(From The Backgrounder, OSU)

There's a lot of confusion about copyright, much of it stemming from the capabilities that computers and computer networks put at our fingertips. Case in point: a subscriber to a computer bulletin board service scanned pictures from *Time Magazine* and uploaded the files to the bulletin board without the bulletin board operator's knowledge. Permission to use the pictures, which were copyrighted as part of the magazine, had not been sought from *Time Magazine*. So who's liable here? The subscriber? The bulletin board operator? No one?

This is just one of the fascinating cases that are regular fare on the Copyright and Intellectual Property Forum and Coalition for Networked Information, an electronic mailing group on Internet, the information superhighway. It was through this mailing group that I learned about *Frequently Asked Questions About Copyright* by Terry Carroll. In keeping with modern times, Carroll's work doesn't exist on paper. Rather, it's an electronic document in a server connected to the Internet. I retrieved it from the Internet and translated it into an MS Word file on my Macintosh computer.

What is copyright? "A copyright is a right of intellectual property" that gives authors (i.e., writers, scholars, artists, performers, photographers, et cetera) specific exclusive rights to their works for a limited time. There are seven rights are recognized in the United States. Five of the most important rights are:

- 1) The right to reproduce the work in copies. Example: I buy copyrighted software about pasture management. I can't make copies for my neighbors, even if I intend to give them away.
- 2) The right to produce derivative works based on the copyrighted work. Example: I buy a photograph from a local artist to decorate my office. I can't scan the image and use it to make, say, postcards.

3) The right to distribute copies of the work. I obtain permission to scan a copyrighted drawing for my newsletter. I can't give that digitized drawing to someone else to use in a publication.

4) The right to perform the copyrighted work publicly.

5) The right to display the copyrighted work publicly.

What is "**public domain**?" According to Carroll, "A work in the public domain is one that can be freely used by anyone for any purpose." A change in copyright law in 1988 had a significant impact on the public domain. Carroll: "It used to be that if a work was published without notice [i.e., without a statement clearly stating that the work is copyrighted], it lost all copyright and entered the public domain. That's no longer true, and now public domain is more the exception than the rule." (Emphasis added.) The lesson here is to err on the side of caution and seek permission when you are unsure of the copyright status of a work you want to reproduce.

Contrary to popular belief, a copyrighted work does not go into the public domain if someone illegally reproduces it and the copyright owner doesn't sue or challenge the illegal use. Carroll: "I can't find anything that supports the idea that failure to assert a copyright against an infringer can alone lead to placing the work in the public domain."

Sometimes an author seeking widespread distribution of a work places it in the public domain, but only under certain conditions. Carroll cites the following statement: "This [computer] program is public domain. It may be freely distributed, but you may not charge more for it than the cost of the media." This is contradictory, says Carroll. "If the program is public domain, you can do whatever you want with it, including charging whatever you want." If any restrictions are placed on the use of the work, even the restriction that it must be given away for free, and the work is not in the public domain.

Other interesting highlights about the public domain. Works of the United States government- and, thus, Extension because it is part of the Federal government- are in the public domain. (There's one exception: "standard reference data produced by the Secretary of Commerce under the Standard Reference Data Act.") So when people ask Agricultural Communications for permission to reprint an Extension publication, we ask them to give OSU Extension credit as the original publisher and to reprint the work in its entirety, but they are under no legal obligation to do so.

How do you copyright a work? Getting a copyright is simple now. A work is copyrighted as soon as it is created. Here are excerpts from the actual law:

Copyright protection subsists...in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device.

And

A work is "fixed" in a tangible medium of expression when its embodiment in a copy or phonorecord, by or under the authority of the author, is sufficiently permanent or stable to permit it to be perceived, reproduced, or otherwise communicated for a period of more than transitory duration.

"What this means in simple terms," says Carroll, "is that as soon as you've created your original work, it's copyrighted. Because of the 'either directly or with the aid of a machine or device' provision, it doesn't matter whether you've printed it out, or if it's only on your hard drive or floppy disk."

There are no formal requirements for a copyright. You don't have to pay a fee and register a work with the U.S. Copyright Office. You don't have to put a copyright notice on your work (i.e., a © and the year of first publication and the name of the copyright owner).

But, advises Carroll, there are advantages to putting a copyright notice on your work. Then a violator can't plead ignorance in order to lessen the penalty for copyright infringement.

Now, let's get back to the *Playboy* case. Remember, the digitized files of the *Playboy* pictures had been placed on the computer bulletin board service without the operator's knowledge. In fact, the operator removed them as soon as they were discovered. However, that didn't stop a Federal district court in Florida from holding the bulletin board operator liable for infringing *Playboy's* copyright. Failure to obtain permission to use the pictures violated *Playboy's* exclusive rights to control the copying, distribution, and display of its works.

As one commentator on the Internet copyright forum noted, this ruling places a considerable burden on computer bulletin board operators. They can ban uploading, which defeats the interactive nature of a bulletin board, or allow uploading that cannot be downloaded until the operator approves it. Either way, the commentator concludes, it involves "Lots of monitoring. Lots of liability- might be cheaper just to shut down." -Tom Gentle

COPYRIGHT AND MULTIMEDIA

(from *The Backgrounder*, OSU,)

Note: The discussion of multimedia copyright issues is based on Intellectual Property Law Primer for Multimedia Developers, by J. Dianne Brinson and Mark F. Radcliffe. The Primer is available on the World Wide Web at <http://www.eff.org/pub/CAF/law>.

The subject is copyright law and multimedia. We've dealt with copyright before in *Communicate!*, mostly in connection with publications and software. As a result of the rapid development of computer-based multimedia, copyright issues once again are a matter of concern.

Desktop computers and peripheral hardware such as scanners allow us to copy and combine a variety of materials created by others- text, photos, drawings, cartoons, music and other audio recordings, color illustrations, video footage- into a multimedia program. But just because we have the capability to copy them doesn't mean we have the legal right to do so. Failure to obtain permission to use copyrighted material opens the door to a lawsuit by the material's creator.

Moreover, because multimedia tends to use bits and pieces of other works rather than the entire work, many people mistakenly assume that copyright is not a concern.

According to Brinson and Radcliffe, "Most of the third-party material you will want to use in your multimedia product is protected by copyright. Using copyrighted material without getting permission can have disastrous consequences. The owner of the copyright can prevent the distribution of your product and obtain damages from you for infringement, even if you did not intentionally include his or her material."

Copyright law gives authors (i.e., writers, scholars, artists, performers, photographers, etc.) specific exclusive rights to their works for a limited time. Seven rights are recognized in the United States, but I'll cover five of them here.

- 1) The right to reproduce the work in copies, or *reproduction right*. This applies to copying, duplicating, transcribing, or imitating the work in fixed form.
- 2) The right to produce derivative works based on the copyrighted work, or *modification right*. This prevents anyone other than the original author from altering or modifying a work to create a new one.
- 3) The right to distribute copies of the work, or *distribution right*. This refers to giving, selling, renting, loaning, or leasing a work.

4) The right to perform the copyrighted work publicly, or *public performance right*. According to Brinson and Radcliffe, this entails "the rights to recite, play, dance, act, or show the work at a public place or to transmit it to the public. In the case of a motion picture or other audiovisual work, showing the work's images in sequence is considered 'performance.' Some types of works, such as sounding recordings, do not have a public performance right."

5) The right to display the copyrighted work publicly, or *public display right*. According to Brinson and Radcliffe, this involves "the right to show a copy of the work directly or by means of a film, slide, or television image at a public place or to transmit to the public. In the case of a motion picture or other audiovisual work, showing the work's images out of sequence is considered 'display.'"

What kinds of works are covered by copyright? The operative is "works of authorship." According to Brinson and Radcliffe, here are the types of works of most interest to creators of multimedia programs:

- **Literary works.** Novels, nonfiction prose, poetry, newspaper articles and newspapers, magazine articles and magazines, computer software, software manuals, training manuals, manuals, catalogs, brochures, ads (text), and compilations such as business directories.

- **Musical works.** Songs, advertising jingles, and instrumentals.

- **Dramatic works.** Plays, operas, and skits.

- **Pantomimes and choreographic works.** Ballets, modern dance, jazz dance, and mime works.

- **Pictorial, graphic, and sculptural works.** Photographs, posters, maps, paintings, drawings, graphic art, display ads, cartoon strips and cartoon characters, stuffed animals, statues, paintings, and works of fine art.

- **Motion pictures and other audiovisual works.** Movies, documentaries, travelogues, training films and videos, television shows, television ads, and interactive multimedia works.

- **Sound recordings.** Recordings of music, sounds, or words."

How does a work become copyrighted? Getting a copyright is simple now. A work is copyrighted as soon as it is created. Here are excerpts from the actual law:

Copyright protection subsists...in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they

can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device.

A work is "fixed" in a tangible medium of expression when its embodiment in a copy or phonorecord, by or under the authority of the author, is sufficiently permanent or stable to permit it to be perceived, reproduced, or otherwise communicated for a period of more than a transitory duration.

Basically, this means that an original work is copyrighted as soon as it is created. Because of the "either directly or with the aid of a machine or device" provision, it doesn't matter whether the work is printed out, or if it's only on a computer hard drive or floppy disk.

The "originality" provision does not call for much. A work doesn't have to be unique or meet any standard of artistry. Moreover, a work can contain materials from other works and still be considered original. The copyright of such a work applies only to the new material created by the author and not to the borrowed material. For example, if you obtain permission to use copyrighted photographs to illustrate a script you wrote for a multimedia presentation, the copyright for your multimedia program applies only to the words you wrote and not to the photographs.

There are no formal requirements for a copyright. A work does not have to be registered with the U.S. Copyright Office. And it doesn't have to bear a copyright notice (i.e., a © and the year of the first publication and the name of the copyright owner). However, putting a copyright notice on a work can keep a violator from pleading ignorance in order to lessen the penalty for copyright infringement.

To illustrate just how complicated the copyright situation can be with a multimedia production, Brinson and Radcliffe give the following example:

"Productions, Inc. created an interactive multimedia training work called *You Can Do It*. The script was written by a freelance writer. *You Can Do It* includes an excerpt from a recording of Julie Andrews singing 'Climb Every Mountain.' It ends with a photograph of Lauren Bacall shown above the words, 'Good luck.'

"In this example, if the Productions staff did not obtain permission to use the recording of 'Climb Every Mountain' or the photo of Lauren Bacall, *You Can Do It* infringes three copyrights: the copyright of the song, the copyright on the Julie Andrews recording of the song, and the copyright on the photograph. Furthermore, if Productions did not acquire ownership of the script from the freelance writer, Productions does not have clear title to *Do It*, and distribution of *Do It* may infringe the writer's copyright in the script. Any of the copyright owners whose copyrights are infringed may be able to get a court order preventing further distribution of this multimedia product."

Here's a handy checklist of the most common misconceptions about copyright:

Misconception: If a work does not have a copyright notice, you can use it.

Fact: Works published after March 1, 1989 do not require a copyright notice. Remember that under current law, a work is protected by copyright as soon as it is created.

Misconception: It's okay to use small portions of copyrighted work.

Fact: There are no hard and fast rules that define what constitutes a small portion. Brinson and Radcliffe cite a legal case in which "a magazine article that used 300 words from a 200,000- word autobiography written by President Gerald Ford was found to infringe the copyright on the autobiography."

Misconception: If you credit the original authors, you are not violating copyright.

Fact: As Brinson and Radcliffe point out, you avoid the charge of plagiarism. However, even though you acknowledge the original authors, you still must obtain permission to use the copyrighted work.

Misconception: Authors of copyrighted works will be delighted that you brought their work to the attention of a wider audience through your multimedia program.

Fact: Multimedia is considered to be a new source of income by creators of copyrighted works.

Misconception: Permission to use a copyrighted work is not necessary if you alter the work you copy.

Fact: Remember that copyright law gives the copyright owner control over all copying and modification of the work. -Tom Gentle