



COPYRIGHT & SMALL PRINT

Licensing and using 'samples' in your entry

You retain ownership of entries you submit to X and Y Factor. For us to publish them, you have to give us your explicit permission, by agreeing to a publication license.

The licenses we're using are international, widely-used, and intended for exactly this sort of circumstance. They come from the Creative Commons project, and are about as simple as licensing gets. There are other benefits to using them too, which are explained below.

All the normal protections of UK (or Irish) copyright law apply. The rest of the document explains the licenses and what this means for you when you put material into your entry.

Creative Commons License Terms — Attribution

The simplest form of Creative Commons license is the 'Attribution' license, sometimes referred to as 'BY.' This stipulates that anyone is free:

- **to Share:** to copy, distribute and transmit your work
- **to Remix:** to adapt your work (that is: to use parts of your work in other projects)

Provided:

- **Attribution:** the original author must be given credit.

That's it. Well, there's a teeny bit more — for the full text, see the following:

- [Creative Commons Attribution License UK: England & Wales](#)

We'd like everyone to agree to these terms, because they allow us not only to publish your entries, but to distribute them as widely as possible. However, you can choose a more restrictive Creative Commons license, Attribution/Non-Commercial/Share-Alike.

When you submit your entry, you'll be asked to choose your license terms.

Creative Commons License Terms — Attribution/Non-Commercial/Share-Alike

Sometimes referred to as 'BY-NC-SA', this is one of the most restrictive licenses Creative Commons offers. Your entry is more carefully protected than if it's published under an Attribution license, but we won't be able to pass it on to some of our distribution partners, who are technically commercial organisations.

The terms are exactly the same as for Attribution license. Anyone is free:

- **to Share:** to copy, distribute and transmit your work
- **to Remix:** to adapt your work (that is: to use parts of your entry in other projects)

The conditions are a little different, however:

Attribution: The original author must be given credit.

Non-Commercial: You may not use this work for commercial purposes.

Share-Alike: If you alter, transform, or build upon this work, you may distribute the resulting work only under the same license to this one.

See the following links for the full text:

- [Creative Commons Attribution/Non-Commercial/Share-Alike License UK: England & Wales](#)

Why we're not just imposing one license for everyone

It is to save us from having to contact loads of people who've submitted terrific entries, asking them specifically if they'll agree to us distributing their entries to a company who'll show them on hundreds of screens in schools across the country, and to another organisation who have huge screens in big civic squares in cities across the UK.

Now, we could use the broader Attribution license for all new entries, but there are two problems with that. Firstly, that would limit the sorts of material you could include from others in your entry (see the next section on using photos, video, and music). Secondly, we'd like to offer you the choice. It's really pretty straightforward:

1. Would you like your entry distributed as widely as possible, so more people see it? If so, pick the **Attribution license**, but be aware that (in principle) somebody could make money out of your entry.
— or —
2. Would you like your entry protected as much as possible, even if that limits its use to others and the size of the audience that might see it? If so, pick the **Attribution/Non-Commercial/Share-Alike license**.

There's no right or wrong answer, just pick which seems most suitable to you.

Why bother with licenses

We're insisting on proper licenses partly so we're on firm legal ground, but also because, these days, almost all of us are publishers. In a typical classroom around half the students will have a Bebo or Myspace page, or a blog, or will publish their photos or videos. It's increasingly important that we understand our rights and responsibilities, and getting X and Y Factor licensing right is a small contribution towards that.

Creative Commons is also a widespread global movement that's collectively building publicly-available, reusable resources. That sounds like a good idea to us, and we're proud to be contributing so much high-quality videos.

Finally, because Creative Commons resources are reusable, you get to use other peoples' work in yours, which helps solve another problem: using music and stills.

Using other peoples' stuff (eg. photos, video, and music)

The brief version:

If you didn't originate it, don't put it in your entry

If you use anything from somebody else — a bar of music, a still photograph, a single frame of video — we'll need to know where it's from. Why? Because we're publishing your entry for the world to see. There's no way around this. There are no educational exemptions that apply.

So: the only way to be utterly, absolutely, 100% sure that your entry can be published is to originate every last bit of it yourself.

If you want to save yourselves some time by using other peoples' media, or spruce up your entry with sounds or pictures from somewhere else, you'll need to invest a little time in understanding a bit of copyright law. It's not too difficult.

Things you just can't do

You can't use any of the following:

- Music ripped from CDs bought in shops, from films, or from TV shows.
- Video clips taken from the BBC archives website, or from other downloads.
- Videos taken from YouTube.
- Illustrations scanned from textbooks.
- Professional photographs taken from websites.
- Students' performance of music composed by somebody else (eg. the Beatles)

There are lots of misconceptions around some of these. Some people think it's OK to use YouTube clips because "anything that's illegal is taken down from YouTube." Well, no. Lots of material at YouTube is indeed infringing somebody's copyright. Anything that isn't, you still can't use, under the terms of YouTube's license. No, really: have a look yourself (Section 10).

Also, it's not OK to use "Just 30 seconds of music," or "Less than 10% of a textbook," or "BBC videos, because we pay our license fee."
As a rule-of-thumb: **If somebody's selling it commercially, you can't use it.**

To be crystal clear: if you use anything that's commercial, we won't be able to publish your entry.

Specific thing you can't use: 'Royalty-Free' Library Music

You may think that you can use music from one of the commercial 'production music' libraries. Some Local Authorities have a blanket agreement for their schools. The libraries are great, and if you have a 'royalty-free' blanket deal you can indeed copy their music into your project without paying extra fees.

But we can't publish it. The 'Royalty-free' part applies to you, not us.

So, what can you do?

You can use anything that the copyright holder allows you to use, so long as you follow the conditions they specify.

Stuff you can use: 1. Music from loops or editing software

If your editing software came with music loops or clips, or you have music software like GarageBand or Steinberg Sequel (see the Gear - Editing page), then you're probably OK with that stuff. Check the precise terms and conditions, if you can. We know you're OK with Apple's GarageBand, for example.

This works because the music loops are provided with open licenses, and the final composition is yours, so you're free to apply the Creative Commons license we require.

Stuff you can use: 2. Material owned by a friend, for which they give you permission

Need a photo of the Leaning Tower of Pisa, and have a mate who was there last year? By all means use their photo, if they'll let you. Make sure you explain what's going to happen to their picture, and how it's going to be licensed, so they know what they're agreeing to. The same applies to music they've recorded for you — as long as they composed the track themselves. If it's somebody else's music and they're just performing it, you're back to square one.

Stuff you can use: 3. Material licensed under Creative Commons

It's not just us who are using Creative Commons. Thousands of people, all over the world, are joining in too. And most of the work they're doing, you can reuse in your entry — just as they could reuse your entry in their work.

You need to be slightly careful, though. There are several varieties of Creative Commons license, so check the terms carefully. Of particular note:

- **"No derivatives"** — You can't change anything: you can't mix or edit music licensed this way, for example, or crop a picture. It's very rare to find something under a Creative Commons No Derivatives license, because it's basically unusable. Yes, we know this is odd. Every silver lining has a cloud.
- **"Share-Alike"** — you can use works with this license condition, but your entry will have to use the same license too.

Stuff you can use: 4. Other stuff

There's quite a lot of material out there — NASA photographs, for example — that's freely available if your project is for educational purposes, or under certain conditions (NASA's are here). Read the details carefully and see if you think the conditions are workable. Send an e-mail to us if you're not sure.

If you use this sort of material, you should probably choose to license your entry under the Attribution/Non-Commercial/Share-Alike license when you submit it to us, just to make sure that someone doesn't accidentally sell NASA photos, or whatever.

Things to be careful of

If you use Creative Commons material in your entry, or stuff from NASA, or whatever, be careful about how you use your entry too. It's no longer entirely yours — bits of it are owned by other people.

For example, you shouldn't upload your entry to YouTube. Doing so grants YouTube permission to sell your entry commercially, but you can't grant that permission for things you don't own — like NASA's pretty photographs of Venus.

There is more detail but hopefully these examples have given you some of the background you need to make your own judgements, when you come across new situations.

Talk to us

Think you've found an exception, or want to query something? Please send us an e-mail with as much detail as you can — preferably before you include someone else's material in your entry.