

How to take down copyrighted course materials from websites like Course Hero

An unofficial guide for university instructors and TAs, by Alexander R. Toftness

Are you worried about the cheating and plagiarism that come with teaching online courses? When students take online quizzes, they often search the Internet for the correct answers to questions. They may also search out examples of assignments completed by other students and plagiarize that work. In this document I will explain steps that you can take to remove your course materials from websites that allow students to buy, sell, and share them without your consent. I will also share some tips for preventing your course materials from being used in ways that you do not want them to be used.

1) What is Course Hero?

Course Hero is a website that allows students to share materials from college courses in exchange for credits that they can use to get materials or tutoring help for college courses. Some of the materials that students upload to their servers are created by students for other students, such as notes taken during lectures or study guides. However, some of the material is copyrighted works from the instructor of the class, such as test questions or prompts for written essays. They can also pay money for access to these documents and other services. If you are wondering “Isn’t that illegal?!” keep reading.

This occasionally results in students cheating in class because they can google the answers to tests or plagiarize long-form assignments like papers. Even though the students do not have the legal rights to upload those documents, Course Hero does not accurately police the documents for instances of copyright infringement. It is left up to the course instructor to discover the stolen works, and demand that they are taken down from the Course Hero servers. **This is important because many classes are online, as will be explained below.**

2) Check if your materials appear on Course Hero:

You should absolutely check to see if previous tests or assignments from your class appear on Course Hero! This is in order to prevent new students from finding and using those documents to plagiarize or cheat on certain assignments. For example, when preparing for or taking online exams, it is extremely easy to use a search engine to attempt to find a copy of the exam or answers. The more that an instructor re-uses classroom resources, the more likely they are to show up on websites like Course Hero. It is also okay if you decide to leave up some of your materials on Course Hero if you do not believe they are causing harm.

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Because Course Hero lets students upload whatever they want with whatever descriptions they want, it can be really difficult to find if your materials are being shared on their website. For example, from the main Iowa State University page on Course Hero (<https://www.coursehero.com/sitemap/schools/864-Iowa-State-University/>) there are at least five sub-directories where a PSYCH class document/test may appear: PSY, PSYC, PSYCH, PSYCHOLOGY, and PYSCH. The sub-directories are then split up by course number, such as PSYCH 101, PSYCH 315, etc.

Additionally, after viewing a certain number of documents on their website, they may ask you to create an account to continue viewing documents. Course Hero may also blur out portions of the documents, making it difficult to tell if it is indeed your copyrighted test or assignment.

It certainly appears that Course Hero intentionally makes their website design frustrating and hard to access for people who want to take down their illegally shared materials. Here are some other websites that are known to redistribute course materials (updated from

<https://libguides.richmond.edu/coursecopyright/>):

- ScribD <http://www.scribd.com/>
- Chegg <https://www.chegg.com/study>
- Koofers <http://www.koofers.com/>
- StudySoup <https://studysoup.com/>

3) Is my work protected by copyright?

Short answer: According to U.S. copyright law [17 U.S.C. § 102], if you created "original works of authorship fixed in a tangible medium of expression", they are automatically protected by your copyright even without you explicitly stating that you are copyrighting them. This includes things like tests, worksheets and other typed, written, drawn, or otherwise created works.

BEFORE attempting to remove materials from sites like Course Hero, you must first be able to make the case that the student is not allowed to share those materials. Because copyright law has gray areas, this is not always straightforward. Here are some things to consider:

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- a) Did you personally create part of or all of a document that appears on Course Hero? For example, is the writing/phrasing that appears on the document your writing/phrasing? Are there any images that you drew or otherwise created? Are there questions, case studies, or writing prompts that you yourself created? ***If you can say yes to any of these questions, then you have a good case for owning the copyright*** and should be successful in taking down the materials.
- b) Was the material created entirely by someone else? For example, did all of the test questions and wording of the test questions come from a test bank that a textbook publisher provided? Were all of the images stock images that came from somewhere else, and you played no hand in modifying them? Is none of the writing or phrasing personally yours, or are the notes/study guides hand-written and paraphrased? ***If you say yes to any of these questions, you do not have a good case for copyright*** and probably should not attempt to take down the materials yourself. You may choose to notify the original copyright holder, such as a textbook company, for them to take action instead.

4) How to get your materials taken down from Course Hero:

I have previously succeeded in using a “DMCA Takedown Notice” to remove copyrighted materials from Course Hero. DMCA stand for Digital Millennium Copyright Act, and it is one of the laws in the United States that protects copyright. Essentially, you can send a DMCA Takedown Notice to someone who is using your work without your permission, and they must cease using that work or else open themselves up to legal trouble. A DMCA Takedown Notice must include the following:

- a physical or electronic signature of a person authorized to act on behalf of the owner of the infringed copyright;
- identification of the copyrighted work or works claimed to have been infringed;
- identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed;
- information reasonably sufficient to permit the service provider to contact the complaining party (e.g., the address, telephone number, or email address);
- a statement that the complaining party has a good faith belief that use of the material is not authorized by the copyright owner; and
- a statement that information in the complaint is accurate and that the complaining party is authorized to act on behalf of the copyright owner.

(source: <https://www.dmlp.org/legal-guide/protecting-yourself-against-copyright-claims-based-user-content>)

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You may use the following template email, which I have successfully used to remove copyrighted content from Course Hero. Send the email to dmca@coursehero.com. You may copy and paste everything located between the ///, replacing everything marked with [replace] or other red text with your own information. You can act on the behalf of someone else (e.g., a Teaching Assistant can send this email on behalf of a Professor), if you have permission from the copyright holder to do so.

///

*** Sent via Email - DMCA Notice of Copyright Infringement ***

Dear Sir/Madam,

I certify under penalty of perjury, that I am authorized to act on behalf of the owner of the intellectual property rights and that the information contained in this notice is accurate.

I have a good faith belief that the page or material listed below is not authorized by law for use by the individual(s) associated with the identified page listed below or their agents and therefore infringes the copyright owner's rights. I HEREBY DEMAND THAT YOU ACT EXPEDITIOUSLY TO REMOVE OR DISABLE ACCESS TO THE PAGE OR MATERIAL CLAIMED TO BE INFRINGING. This notice is sent pursuant to the Digital Millennium Copyright Act (DMCA).

My contact information is as follows:

Name: [replace]

Organization name: [replace]

Email: [replace]

Mailing address: [replace]

My electronic signature follows:

Sincerely,

[replace]

*** INFRINGING PAGE OR MATERIAL ***

Infringing page/material that I demand be disabled or removed in consideration of the above: [replace]

Rights Holder: [replace]

URL(s) Containing Original Work: [<https://www.coursehero.com/file/#####/REPLACE-THIS-EXAMPLE>]

///

5) Protecting your materials in the future:

It would be nice if we lived in a world where websites like Course Hero did not make it our job to protect our own course integrity. However, we instead live in a world where Course Hero is valued at over One Billion Dollars, receives over 400 million visits per year, and makes around \$100,000,000 in revenue each month from students paying subscription costs to the website. And yet they previously stated that: "as a user-generated content site, we don't review the content ... Unfortunately, at times we recognize that

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users may submit materials that they don't have rights to." They have also begun a process of recruiting instructors to their side of things by giving out some grant money.

(Source for all claims in this paragraph: <https://www.insidehighered.com/digital-learning/article/2020/02/19/course-hero-once-vilified-faculty-courts-professors-its>).

To prevent students from uploading your work elsewhere, it is recommended that you include "fine print" on your documents and syllabus that explains your expectation that the work is not to be shared outside of the context of your class. Some instructors already include language to this effect on their syllabus, but few include such language on the documents themselves.

Black Hawk College explains this well (from <https://learn.bhc.edu/courses/734982/pages/syllabus-copyright-statement-samples>; italics, underlining, and bolding added):

"Faculty members may also want to include a copyright notice on the course materials themselves to emphasize that they are protected. ***The form of the notice should contain the word copyright or the © symbol, the year the materials were created (multiple years may be listed when new material is added in different years), and the name of the faculty member.***

The faculty member may want to add notations to the notice such as "All rights reserved," or "Authorization is given to students enrolled in the course to reproduce this material exclusively for their own personal use." Note: Copyright protection is not contingent on including a copyright notice on your course materials. The materials are protected as soon as they are created. However, including a notice reminds students of faculty ownership and copyrights and of students' obligations to respect those rights."

6) Examples of copyright language that you can include on your syllabus:

Please see the below examples of copyright statements that are a good fit for a course syllabus. You may copy and paste these

///

Copyright Statement: The materials provided by the instructor in this course are for the use of the students enrolled in the course. Copyrighted course materials may not be further disseminated.

(modified from: <https://libguides.richmond.edu/coursecopyright> [CC BY-SA 4.0 International License](https://creativecommons.org/licenses/by-sa/4.0/).)

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Notice of Copyright: Unless otherwise marked, all materials in this course are protected by U.S. copyright law [17 U.S.C. § 102]. Materials presented in an educational context are for personal use and study and should not be shared, distributed, or sold digitally or in print outside the course without written permission.

///

7) Examples of copyright language that you can include on your documents:

///

Copyright 2020 [Alexander R. Toftness]. All rights reserved.

///

© 2020 [Alexander R. Toftness]

///

Copyright 2020 [Alexander R. Toftness]. Authorization is given to students enrolled in the course to reproduce this material exclusively for their own personal use.

///

8) Examples of copyright language that allows sharing of your documents

You may be wondering if there is a way to make it clear that a document in your class can be shared with other people or put up on other websites. I'm glad that you asked!

The most straightforward way to do this is to mark the document with a statement that it has been dedicated to the public domain with "no rights reserved." This gives anyone the right to share, modify, sell, and use the document. You can use the following example language to do so:

///

Public Domain Dedication CCO 1.0 No Rights Reserved

<https://creativecommons.org/publicdomain/zero/1.0/>

///

You should include the link to the Creative Commons organization because following that link helps explain the copyright.

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For a more complex example, please see the footer of this page, where it says “© 2020 Alexander R. Toftness CC BY-SA 4.0 International: <https://creativecommons.org/licenses/by-sa/4.0/>”

That’s a great example of me giving explicit permission for anyone to share, modify, and use this document that you are currently reading, with some restrictions. The restrictions that I have chosen are BY and SA. BY means that anyone modifying or sharing this document needs to attribute the original document to me by including my name as the author of the original document. SA stands for “Share Alike” and means that anyone who creates a derivative of this work also must share it under the same license (CC BY-SA 4.0 International) that I used. You can use some, all, or none of those restrictions when assigning a copyright to your documents. You have the power to choose how people can use your work.

To learn more about Creative Commons options, please visit

<https://creativecommons.org/about/cclicenses/>

9) In Conclusion

As someone who has been making educational content available online for the better part of a decade now, I have had my work taken and reused without my permission many times. Sometimes, the people who do it don’t even seem to realize that what they are doing is wrong, like when my video about the [Lost Empire of Yam](#) was incorporated into a documentary made in another language without my knowledge. Other times, copyrighted work is being explicitly stolen to make a profit, like when my videos are downloaded and reuploaded to other websites without my permission.

Perhaps the best that we can do at this point, short of revising copyright law, is to make our expectations for how our work is used explicitly clear whenever possible. The first step is to understand copyright law ourselves, so I thank you for reading through this document. I encourage you to visit this website for an opportunity to learn more about “Copyright Management of Course Materials”: <https://libguides.richmond.edu/coursecopyright> (that website is also shared under a CC BY-SA 4.0 International license, so please consider using it as a resource). For another person’s thoughts on having academic materials sold without permission, please read this blog post by Jonathan Jenkins Ichikawa: <http://blog.jichikawa.net/2015/03/my-academic-materials-sold-without.html>