


COPYRIGHT AND IMAGE AND VOICE RIGHTS RELATED TO TEACH REMOTELY AT THE INSTITUTO FEDERAL DA BAHIA

 <https://doi.org/10.56238/arev6n4-476>

Date of submission: 30/11/2024

Date of publication: 30/12/2024

**Ana Rita dos Santos Barreiro Santiago¹, Wagna Piler Carvalho dos Santos² and
Aliger dos Santos Pereira³**

ABSTRACT

Objective: The objective of this narrative literature review article is to address the electronic cigarette, an invention created in recent years, which has been widely used by adolescents, young people and adults, and is a product that has been causing several problems in the oral mucosa, dental structure and oral health, impacting in an extremely negative way.

Methodology: To construct this narrative literature review article, a methodology was outlined in a thoughtful and strategic way, so that the maximum amount of information that could be added to the topic of the article could be obtained from online books, doctoral and master's theses, course completion papers, case reports, review articles, monographs, PICs and research on the topic addressed. Thus, to obtain this range of information, research was carried out in the following databases and websites: DeCs, BVS/BIREME, PROSPERO, Web of Science, CAPES Periodicals Portal, Science Direct, Scielo, PUBMED Central, The Cochrane Library, LUMEN ET VIRTUS Magazine, FT Magazine, Research, society and development journal combined with the Google Academy website. **Results:** The electronic cigarette was initially created as something that was supposed to be less corrosive and would cause fewer problems than the conventional cigarette, being something that was created for people who already smoke, so that they would start using this "healthier" cigarette, until the dependence diminished so that smokers could later quit all types of cigarettes. **Conclusion:** Thus, it is seen that the electronic cigarette has a range

¹ Formação: Especialista em Tecnologia de Gestão Pública e Responsabilidade Fiscal e Mestre em Propriedade Intelectual e Transferência de Tecnologia para a Inovação

Filiação institucional: Instituto Federal da Bahia (IFBA)

LATTES: <http://lattes.cnpq.br/7197192703172185>

ORCID: <https://orcid.org/0000-0002-5441-6162>

E-mail: anaritabarreiro@gmail.com

+55 71 98815-6080

² Formação: Doutora em Química (UFBA)

Filiação institucional: Instituto Federal da Bahia (IFBA), Programa de Pós-Graduação em Propriedade Intelectual e Transferência de Tecnologia para a Inovação (PROFNIT)

LATTES: <http://lattes.cnpq.br/7745470765033035>

ORCID: <https://orcid.org/0000-0001-7494-5179>

E-mail: wagna.ifba@gmail.com

+55 71 99400-4762

³ Formação: Doutora em Desenvolvimento Regional e Urbano (UNIFACS) Filiação

institucional: Instituto Federal da Bahia (IFBA), Programa de Pós-Graduação em Propriedade Intelectual e Transferência de Tecnologia para a Inovação (PROFNIT)

LATTES: <http://lattes.cnpq.br/9514806025242255>

ORCID: <https://orcid.org/0000-0002-3541-5412>

E-mail: p.gaba@uol.com.br

+55 71 9145-1126

of harmful effects on the human body, being a product that causes problems in the oral cavity.

Keywords: Electronic Cigarettes. Electronic Cigarette Use. Oral Health. Oral Cancer. Oral Manifestations.

INTRODUCTION

The suspension of face-to-face teaching activities, prompted by the COVID-19 pandemic (World Health Organization, 2019), ignited a debate within the Instituto Federal da Bahia (IFBA) concerning the safeguarding of copyright and personality rights associated with the image and voice of participants—professors and students—engaged in academic activities conducted in Virtual Learning Environments. This article aims to explore the protection of copyright and personality rights concerning image and voice within an academic context.

Blattmann and Rados (2009) previously highlighted concerns about the vulnerability of copyright protection mechanisms in generating content for educational use, especially in accessing and utilizing intellectual works within online environments. Echoing these concerns, Wachowicz (2015a) contends that the Brazilian Copyright Law (Brazil, 1998) necessitates revision, citing weaknesses such as the absence of effective mechanisms for safeguarding materials available in virtual settings.

Vilela and Carvalho (2020) underscored the imperative to adapt to digital technologies for Emergency Remote Teaching, prompting reflections on safeguarding the moral and economic rights of didactic materials created by teacher-authors, as well as the rights associated with the image and voice of professors and students.

The Brazilian Copyright Law, crafted before the technological boom, exposes gaps in legislation, notably the lack of robust protection for materials generated in technology-mediated academic activities, susceptible to sharing, copying, and alteration without the holder's control (Wachowicz, 2015b). In a recent review, Sales and Pinheiro (2022) conclude that there is a need to reformulate Brazilian law, especially in the contemporary digital era and when it comes to educational purposes for sharing works with legal security.

In an effort to contribute to this discourse, this research sought to explore the following: What is the IFBA academic community—professors and students—perception regarding the extent of protection and boundaries concerning copyright and personality rights related to image and voice in Brazilian educational contexts?

Thus, it is hoped that the discussions presented in this article will stimulate contemplation on the significance of safeguarding copyright and personality rights associated with image and voice, ultimately promoting the adoption of best practices within academic environments.

Following this introduction, the subsequent chapter presents the methodological procedures employed to discuss the proposed theme, succeeded by the results and discussions, and culminating in the final considerations.

METHODOLOGY

To conduct this academic study, a deductive approach was employed, centered on applied research that integrates both qualitative and quantitative dimensions in an exploratory manner.

The exploratory research involved bibliographical and documentary inquiries, along with an experience-based survey utilizing a questionnaire as the primary data collection tool. Initially, bibliographical and documentary research was conducted to develop the data collection instrument essential for the case study's formulation.

For the bibliographic search, scientific databases like the Portal of Periodicals, Capes Theses and Dissertations, and Google Scholar were utilized. Additionally, pertinent publications referring to outcomes identified in these databases were consulted to consolidate the theoretical framework.

The documentary research entailed an analysis of pertinent legislation, technical documents, and legal-administrative materials pertinent to the study subject. The extraction of data from these technical documents was accomplished through Content Analysis, following Bardin's (1977) approach encompassing pre-analysis, material exploration, and treatment, inference, and interpretation of results.

Similar to the bibliographical research, the documentary research facilitated the development of a theoretical foundation for subsequent stages within the investigational methodology. This included a case study conducted through an experiential survey aimed at analyzing the IFBA academic community's comprehension of the boundaries and extent of protection concerning copyright and personality rights related to image and voice in the context of Brazilian education.

The research sample involved IFBA professors and students affiliated with different campuses. Selection criteria comprised two factors: 1. Encompassing individuals from campuses at varying distances from the State Capital, including the Capital Campus itself. 2. Enrolling students from the Graduate Program in Intellectual Property and Technology Transfer for Innovation (PROFNIT®). Thus, Campi Salvador (State Capital), Camaçari (Salvador Metropolitan Region), and Jequié (380 km away from Salvador) were chosen.

The Table 1 summarizes the number of professors and students per campus at IFBA, detailing the breakdown by technical courses, undergraduate programs, different levels of graduate programs, and Initial and Continuing Training Courses (FIC).

Table 1. Research Sample. Place: IFBA, Salvador, Camaçari and Jequié Campi. Period: 14/10/2021 to 28/02/2022.

Campus	Profess ors per Campus	Discentes					Students per Campus
		Technical Courses	Undergraduat e Program	Lato Sensu Graduate Program	Stricto Sensu Graduat e Program	Initial and Continuing Training Courses (FIC)	
Salvador	418	3.446	4293	170	170	-	8.079
Camaçari	78	542	263	89	8	47	949
Jequié	61	704	163	42	10	-	919
Total of Professors:		557		Total of Students:		9.947	

Source: Prepared by the authors based on 2022 PNP data (Base Year 2021) (Brazil, 2022).

Ethical clearance for this study was obtained from the Ethics Committee of the Instituto Federal da Bahia (CEP-IFBA) (Process n. 48570321000005031). All participants provided their consent by signing the Informed Consent Form (ICF).

Structured questionnaires using a five-point Likert scale were employed as the data collection method for both teachers and students. Subsequently, a descriptive statistical method was applied for data treatment and analysis, utilizing graphs depicting absolute frequencies.

RESULTS AND DISCUSSIONS

This section delves into the analysis of data gathered from an experience survey, shedding light on the understanding of the academic community—professors and students—concerning the scope and limitations of copyright and personality rights linked to image and voice within the realm of Brazilian education.

The Federal Constitution of Brazil (1988) underscores the importance of protecting not only copyright but also the personality rights of image and voice. Article 5, item V, guarantees the right of response, proportional to any grievance, with compensation for material, moral, or image-related harm. Furthermore, item XXVIII, point "a," ensures the

protection of individual participation in collective works, including the reproduction of human image and voice, encompassing sporting activities.

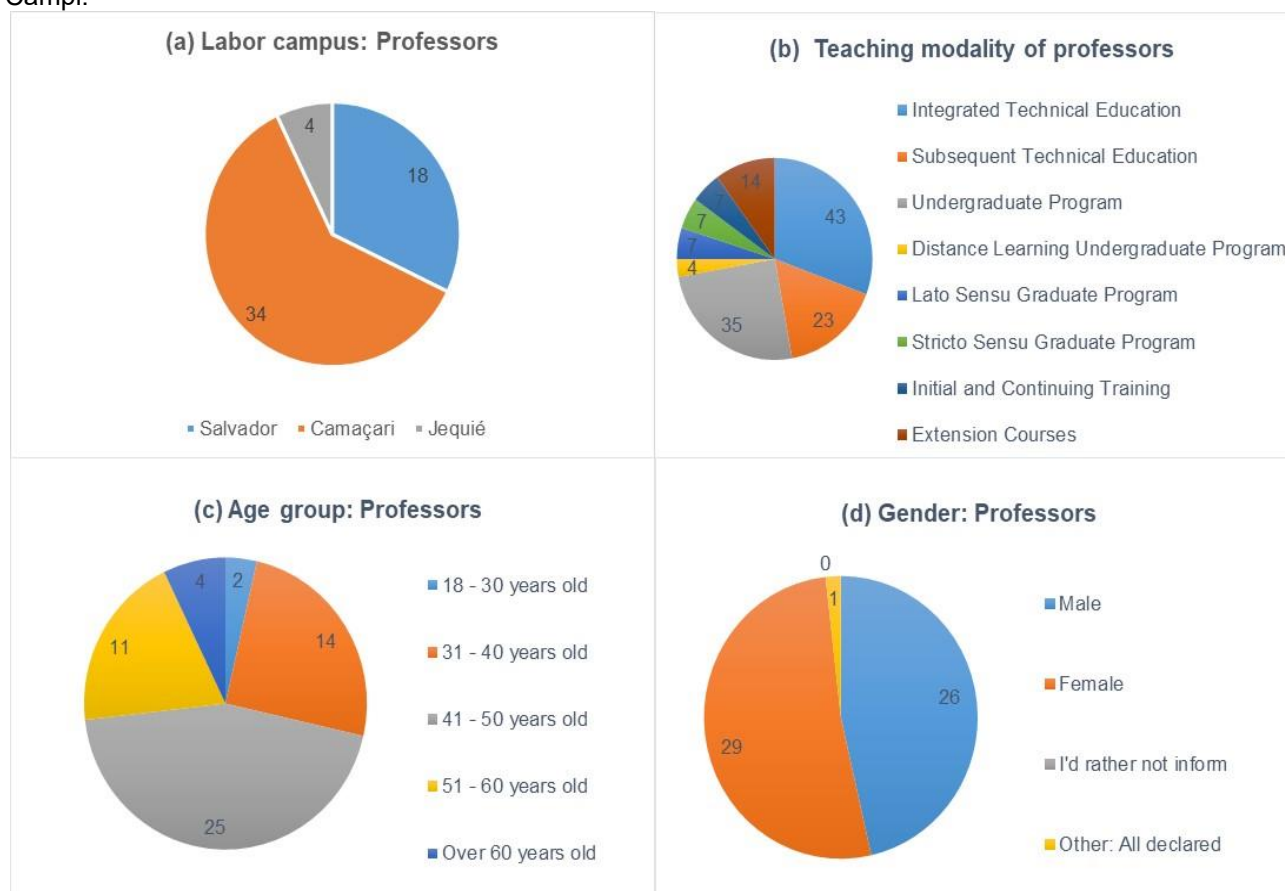
Specifically addressing the IFBA's framework, CONSUP Resolution No.19/2020 (Instituto Federal da Bahia, 2020b), updated by Resolution No.49 in March 2022 (Instituto Federal da Bahia, 2020d), outlines fundamental principles to safeguard copyright and personality rights of image and voice within academic activities. Articles 40 and 41 of the Resolution emphasize the necessity for authorization from professors for the dissemination or reproduction of virtual classes and teaching materials. Moreover, it grants them the right to register their productions to deter potential copyright infringement.

The comprehensive approach of the Resolution of the Superior Council of IFBA (CONSUP) nº 49/2022 (Instituto Federal da Bahia, 2020b) aligns with the constitutional provisions of art. 5th, items V, X, and XXVIII, item "a", guaranteeing measures to defend these rights (Brazil, 1998). Article 41 underscores the importance of respecting "freedom of expression and education servants' chair" while stipulating that the use of teachers' and students' images and oral or written content must exclusively serve academic purposes.

The case study, conducted through an experience survey, aimed to analyze the understanding of the IFBA academic community across Salvador, Camaçari, and Jequié Campi regarding the boundaries and protection of copyright and personality rights associated with image and voice in Brazilian educational settings. Fifty-seven professors accessed the questionnaire, and after the Free and Informed Consent Form (FICF) was read, only one professor opted not to participate. Therefore, 56 professors, representing the total respondents, completed the questionnaire.

Figure 1 offers a characterization of respondents, encompassing social (age group and gender) and professional (teaching modality and campus) profiles of participating professors. Notably, 32% are located at Salvador Campus, 61% at Camaçari Campus, and 7% at Jequié Campus (Figure 1a).

Figure 1. Profile of professors who participated in the survey. Site: Salvador, Camaçari and Jequié IFBA Campi.



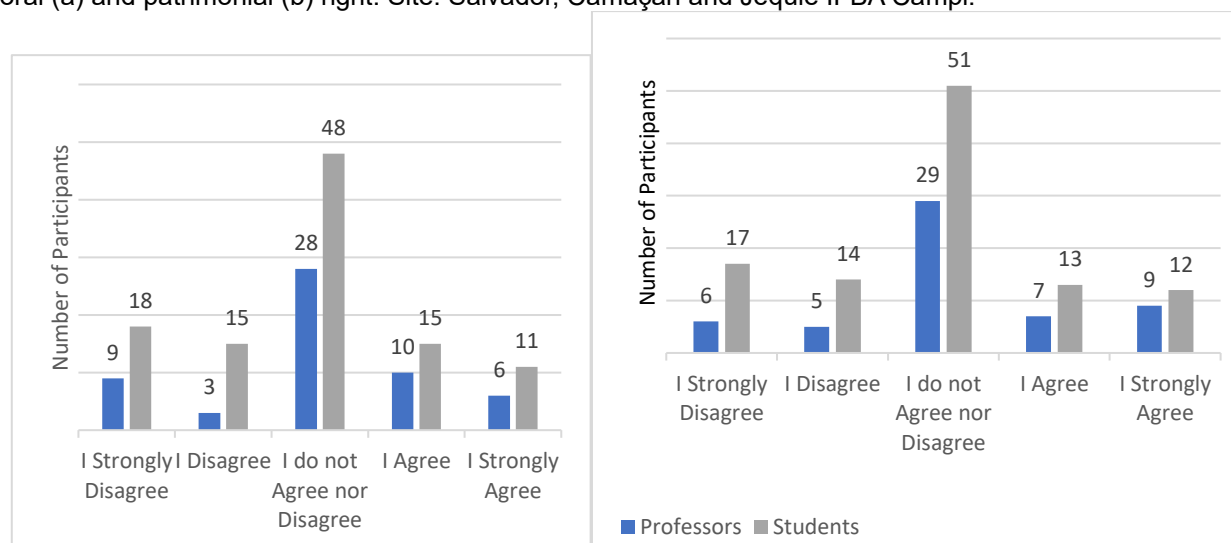
Regarding teaching modalities (Figure 1b), the ability to select multiple modalities resulted in percentages totaling over 100%. For instance, 77% instruct in Integrated Technical Education, 41% in Subsequent Technical Education, and various percentages across other modalities such as Undergraduate, Graduate, and Extension Programs.

In terms of age distribution (Figure 1c), respondents were divided, with 3% between 18 and 30 years old, 25% between 31 and 40, 45% between 41 and 50, 20% between 51 and 60, and 7% over 60 years old. Gender distribution (Figure 1d) reflects 46% male, 52% female, and 2% identifying with multiple genders.

The number of students accessing the questionnaire totaled 126. Out of this, 4 declined participation after reading the Free and Informed Consent Form (FICF), while 15 were ineligible due to being under 18 years old. Ultimately, 107 questionnaires were completed, representing 97% of the total students who accessed the form.

Characterizing the students' profile reveals social and academic dimensions. Concerning campus enrollment (Figure 2a), 64% are enrolled in Salvador Campus, 27% in Camaçari Campus, and 9% in Jequié Campus.

Figure 2. Knowledge of IFBA participants (teachers and students) about the term of protection of an author's moral (a) and patrimonial (b) right. Site: Salvador, Camaçari and Jequié IFBA Campi.



Regarding academic modalities (Figure 2b), 28% are in Technical Courses of Medium Level (Integrated and Subsequent), 37% in Undergraduate Programs, 5% in Distance Learning Undergraduate Programs, 6% in Lato Sensu Graduate Programs, 21% in Stricto Sensu Graduate Programs, and 3% in Extension Courses. No participants were enrolled in Initial and Continuing Training modalities.

In terms of course areas, notable participation rates were seen in Subsequent Electrotechnics and Sanitation (7% each), Degree in Mathematics (10%), Bachelor of Administration, and Professional Master in Intellectual Property and Technology Transfer for Innovation (PROFNIT) (13% each).

Regarding age distribution, 38% fell between 18 and 30 years old, 35% between 31 and 40, 21% between 41 and 50, with 7% between 51 and 60. No participants were recorded over 60 years old. In the gender breakdown, all respondents identified as either male (55%) or female (45%).

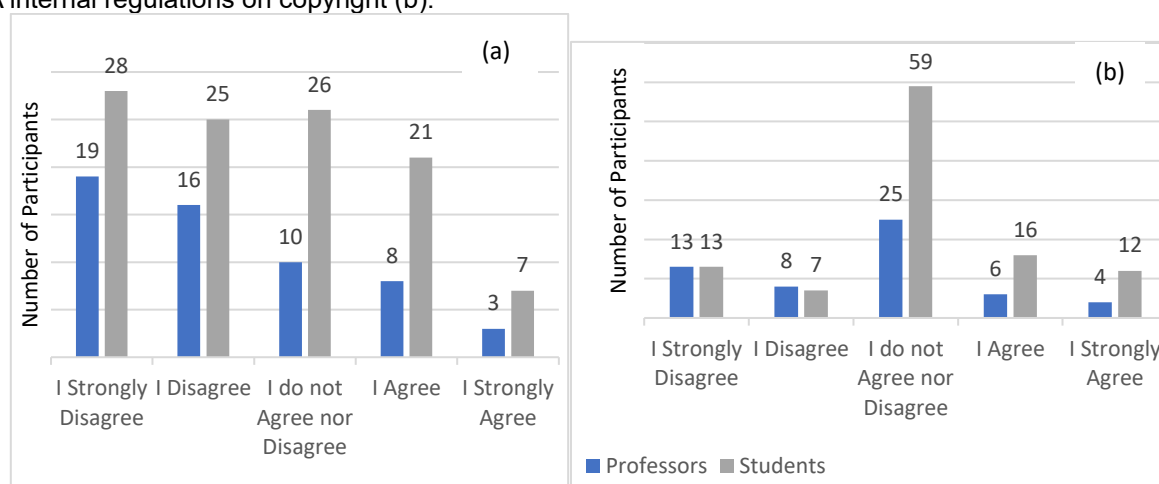
Analyzing the collected data facilitated an understanding of copyright and personality rights within the context of Brazilian education among the IFBA academic community, both teachers and students.

Notably, respondents indicating "neither agree nor disagree" might reflect unfamiliarity with copyright protection. Approximately 74% of participating teachers and students seem unaware of the author's moral rights' imprescriptibility (Figure 2a). Similarly, 76% lack knowledge regarding the duration of author's property rights' protection (Figure 2b).

The study conducted by PRZYBYLOVICZ and MACHADO (2021) focused on examining copyright awareness among high school teachers within the State Public Network, specifically in Curitiba and Colombo, Paraná. Their findings indicated an interest among teachers regarding the subject matter. However, the study revealed a lack of emphasis on investigating legal aspects associated with copyright due to an inadequate understanding of the law and its consequences in instances of infringement.

Figure 3 highlights the participants', including professors and students, perceptions regarding their knowledge of Law No. 9,610/98 (Brazil, 1998), regulating copyright, and IFBA's internal regulations on copyright and personality rights of image and voice.

Figure 3: Perception of IFBA teachers and students regarding their knowledge of Law No.9.610/98 (a) and of IFBA internal regulations on copyright (b).



Absolutely, the data reveals a concerning lack of awareness among the surveyed group about the legal framework governing copyright in Brazil, as indicated by the 77% who showed limited understanding (Figure 3a). This resonates with Sales and Pinheiro's findings (2022), emphasizing the importance for educators to fully grasp copyright concerning their educational materials.

Moreover, the average of 78% unfamiliarity among both professors and students regarding Normative Instruction 04/2020 (Instituto Federal da Bahia, 2020e) regarding IFBA's internal regulations on copyright and personality rights of image and voice is alarming. It's not just a matter of establishing rules; ensuring comprehension of these regulations across the academic community is pivotal for their effective implementation. This understanding is crucial not only to safeguard rights but also to ensure adherence to the specified obligations.

This underscores a critical gap between establishing guidelines and ensuring their comprehension and adherence across the academic landscape. Mere rule-setting is insufficient; there's an urgent need to actively educate and engage individuals, empowering them to both protect their rights and comply with institutional protocols effectively.

The study by Santiago et al. (2022) underscores that apart from a few constraints stipulated in the Copyright Law (CL), the Brazilian legal system deals with this subject matter in a broad manner to safeguard the right to access education. Therefore, there's a need to develop a comprehensive guideline outlining the scope and limitations of copyright, image, and voice personality rights within the educational context. This guideline would serve as a reference for educational institutions across the country, facilitating the adoption of best practices aimed at protecting the copyright and personality rights of individuals' images and voices involved in educational processes.

From a content analysis of Normative Instruction 04/2020 (Instituto Federal da Bahia, 2020e), developed in the light of a theoretical framework and the legislation governing the matter in the Brazilian legal system, it was found that, with regard to Effective Teachers, Article 2 of Normative Instruction 04/2020 (Instituto Federal da Bahia, 2020e) establishes that image rights assignment is natural for the exercise of the attributions of Teachers and Administrative Technicians in Education (TAE). However, the research identified that there is no consensus regarding the recording of classes as a functional duty of teachers who work in Federal Educational Institutions, therefore, there is still a need for them to authorize the recording of these activities.

Thus, the Federal Prosecution Service that works together with the Universidade Federal de Santa Catarina (UFSC) points out that, due to uncertainties regarding the legal limits and exceptions, even in situations where it would be unnecessary, the collection of authorizations for recording and making classes available was adopted as a best practice (Brazil, 2020).

Corroborating this understanding, Rocha de Souza and Amiel (2020) emphasize the need for educational institutions to adopt transparent solutions for authorizing image and voice use of participants in remote classes, recommending that institutions adopt an active authorization format, and establish an use policy and terms of these services.

When analyzing Article 5 of Normative Instruction 04/2020, it is possible to infer that waiving a public servant's authorization for use and dissemination of didactic materials produced by him applies only within AENPE scope, as it is an exceptional situation. That is,

in other activities carried out in virtual environments, dissemination of such materials (texts, audios, videos, etc.) should only occur with the server's authorization, as prescribed in Article 20 of the Civil Code (Instituto Federal da Bahia, 2020e).

As for Substitute Teachers, Normative Instruction 04/2020 does not specifically address issues related to the use of their image and the recording of classes (Instituto Federal da Bahia, 2020e). In this regard, the Federal Prosecution Service that works together with the Federal University of Rio de Janeiro (UFRJ) clarifies that due to the contractual bond, image use of the Substitute Professors, classes recording, and their availability for asynchronous use should be provided for in the contract (Brazil, 2020b). In this vein, the Federal Prosecution Service that works together with the IFBA stressed the need for these teachers' contracts to be amended with the insertion of clauses that address these attributions (Brazil, 2020c).

Regarding students, Article 3 of Normative Instruction No.04/2020 admits that image authorization of students over 18 years old occurs tacitly. However, for publication of a synchronous virtual class, Article 12 establishes the need for an "express acceptance through a duly signed image, voice, and name transfer term" (Instituto Federal da Bahia, 2020e).

From this perspective, it should be noted that when dealing with underage students, the protective measures established in the Child and Adolescent Statute must be observed, such as the importance of preserving their image discussed in its Article 17, among other issues (Brazil, 1990). Therefore, it is crucial that the capture and availability of students' image and voice are always preceded by an express authorization from their legal representative.

It is noteworthy that authorization for the use of students' image and/or voice, even if they are of legal age, must always be given expressly and, if there is no written authorization, the consent must be recorded (Brazil, 1990).

Informing students about the parameters of class recordings, their availability, and providing them with choices regarding their image exposure in virtual settings are vital steps. This includes detailing when, where, and for what duration these recordings will be accessible, allowing students the autonomy to decide whether to reveal their image during virtual activities. Furthermore, empowering students with options, such as choosing to use the camera and microphone or solely engaging via chat, should be actively communicated

by teachers (Bruch, 2021; Rocha and Amiel, 2020). These actions prioritize students' comfort and agency in their virtual learning environment.

In this discussion, it is extremely relevant to point out issues related to the copyright ownership of didactic material produced by public servants. In this regard, Article 6 of Normative Instruction No. 04/2020 establishes that the copyright ownership of didactic material produced by a teacher or by a TAE is "assigned to the IFBA, which appears as a co-owner of property rights (patrimonial) over the material didactic, having the exclusive right to use, enjoy, dispose of and recover." In §1, the assignment is justified "due to an existing functional link between the professor (public servant) and the Institution, which provides that elaboration of teaching and learning pedagogical products is a professor task." (Instituto Federal da Bahia, 2020e).

However, when considering that teaching activity at IFBA covers not only teaching but also research and extension activities, it is observed that §2 of this same article presents a contradiction when it establishes that "Academic productions and protected productions do not fit in the article's caput, in accordance with Article 22 and 23 of Law No. 9.610/1998 and item XXVII of Article 5 of the Federal Constitution of 1988" (Brazil, 2020c).

Therefore, there is no consensus regarding copyright ownership of materials produced by professors who have a statutory link with the Administration, and divergences can also be observed concerning the application of personality rights of image and voice in recorded classes made available in virtual learning environments.

In view of such diverging understandings, the Permanent Chamber of Matters of Interest for Federal Educational Institutions (CPIFES), prompted by the Federal Prosecution Service working alongside the Universidade Federal de Santa Catarina - PF/UFSC, issued Opinion No. 00004/2021 (Brazil, 2021) to standardize understanding regarding these issues. The CPIFES opinion concludes that prior authorization from teachers of Federal Educational Institutions is not required for recording and the availability of synchronous or asynchronous classes, considering that these activities are included in their attributions list, granting copyright ownership to the respective Institutions to which they are linked. It notes that the exception established in item IX of Article 7 of Law No. 13,709 of 2018 (Brazil, 2018) does not apply to this activity.

Moreover, according to the CPIFES opinion, it is not up to professors to decide on the recording and use of their image during remote classes, considering that they are subject to internal rules of each institution, as established by Law No. 12,772 of 2012

(Brazil, 2012). It emphasizes that the availability of recorded classes must be restricted to the educational environment, disallowing their use for other purposes, considering the legal prerogatives inherent to image rights established in Article 20 of the Civil Code (Brazil, 2002).

Finally, the CPIFES opinion recommends the establishment of institutional norms regulating the recording and availability of asynchronous classes to safeguard pedagogical interests, clarifying that this resource should be used on an exceptional basis to prevent the distortion of the nature of face-to-face courses (Brazil, 2021).

As for Law No. 9,279/1996, which regulates rights and obligations related to Industrial Property, Article 88 stipulates that “The invention and the utility model belong exclusively to the employer when they result from an employment contract whose execution takes place in Brazil.” This applies the same understanding when it comes to a statutory bond (Brazil, 1996).

A similar stance is observed in Law No. 9,609/1998, which provides for intellectual property protection of computer programs. In its Article 4, it establishes that the rights related to a computer program developed during the term of an employment contract or statutory bond belong exclusively to the employer (Brazil, 1998).

However, concerning the legislation governing copyright in Brazil, recent discussions and analyses highlight a lack of specific exceptions for transferring copyright ownership based on professional bonds. While laws concerning industrial property and computer programs explicitly outline the transfer of rights to employers, the regulations regarding copyright have not accommodated such exceptions.

Therefore, it is noteworthy that CF/88, without any exception, provides in its Article 5, XXVII, that “authors have the exclusive right to use, publish, or reproduce their works, transferable to their heirs for as long as the law establishes.” Additionally, the LDA establishes in its Article 22 that: “moral and patrimonial rights over the work created belong to the author,” and in Article 28 that “the author has the exclusive right to use, enjoy, and dispose of the literary, artistic, or scientific work.” (Brazil, 1988, 1998).

Recent developments and interpretations of copyright law in Brazil until 2023 suggest ongoing debates and discrepancies regarding the recording and availability of classes in virtual environments. Moreover, discussions persist concerning copyright ownership, specifically the patrimonial rights of didactic materials produced by a teacher-author..

FINAL CONSIDERATIONS

The research findings effectively addressed the core objective of this study: assessing the comprehension levels of the IFBA academic community, both teachers and students, regarding the parameters and constraints of copyright regulations and personality rights linked to image and voice within the context of Brazilian education.

Through the analysis of the collected data via the experience survey, a significant gap emerged within the IFBA academic community. The study revealed a general lack of awareness among teachers and students regarding fundamental aspects governed by Brazilian copyright laws and the rights associated with image and voice, including critical elements like the term of copyright and moral rights protection. Shockingly, approximately 74% of the surveyed individuals were unaware of the duration of moral rights protection, and 76% lacked knowledge about the term of copyright protection.

Moreover, despite the existence of Normative Instructions from Instituto Federal da Bahia and Law No. 9,610/1998 (Brazil, 1998), a substantial majority (an average of 78% and 77%, respectively) of participants remained unaware of these regulatory frameworks. This points to a critical issue: merely having legal texts in place isn't sufficient for disseminating essential knowledge about copyright, image, and voice rights. The consequences of this lack of awareness may range from stifling academic creativity to potential legal risks or compromising freedom of expression within the academic environment.

The research highlighted a concerning aspect: the unawareness of rights and obligations not only risks violating others' rights but also potentially curtails the rights of individuals themselves. This lack of understanding among all stakeholders involved in the teaching-learning process serves as a significant impediment to the effective protection of copyright and personality rights linked to image and voice in the educational sphere.

In light of these revelations, it becomes evident that the Institution must take proactive measures to actively disseminate knowledge about the legal standards governing copyright and image and voice personality rights in Brazil. Addressing this knowledge gap becomes pivotal in ensuring the safeguarding of rights while fostering a more informed and legally compliant academic community.

This research, conducted during the unprecedented context of Emergency Remote Teaching, shed light on the controversy surrounding the ownership of patrimonial rights concerning teaching materials produced by teachers with statutory affiliations to the

Administration. This underscores the need for further in-depth studies to explore the boundaries and implications of copyright and personality rights within Federal Educational Institutions.

Anticipating future research endeavors stemming from this study, there's a pressing need to delve deeper into the nuances of copyright and image and voice personality rights within Federal Educational Institutions. Additionally, emphasizing the importance of crafting a guiding text dedicated to the Brazilian educational network emerges as a key recommendation from this investigation.

ACKNOWLEDGEMENTS

The authors would like to thank the Dean of Research, Graduate Studies and Innovation (PRPGI) and PROFNIT Masters Board of the Federal Institute of Education, Science and Technology of Bahia (IFBA) for their financial support.

REFERENCES

1. Bardin, L. (1977). Content analysis (L. Antero Reto & A. Pinheiro, Trad.). Edições 70.
2. Blattmann, U., & Rados, G. J. V. (2009). Copyright and the Internet: From content to access. *Educação Temática Digital*, 2(3), 86-96. <https://periodicos.sbu.unicamp.br/ojs/index.php/etd/article/view/583>. Acesso em 30 jul. 2022.
3. Brazil. Advocacia-Geral da União. (2021, June 28). Opinion No. 00004/2021. Prosecutor General Office. Consultancy Department of Federal Prosecution Service. Permanent Chamber of Matters of Interest for Federal Educational Institutions. Disponível em: <https://www.gov.br/agu/pt-br/composicao/procuradoria-geral-federal-1/consultoria-juridica/PARECERn.000042021CPIFESDisponibilizaodevideoaulasgravadasoutransmitidasaovivopordocentes..pdf>. Acesso em 01 jul. 2021.
4. Brazil. Advocacia-Geral da União. (2020c, November 25). Opinion No. 00207/2020. Union Attorney General Office. Federal Prosecution Service that works together with the Institute of Education, Science and Technology of Bahia. Disponível em: https://sei.ifba.edu.br/sei/modulos/pesquisa/md_pesq_documento_consulta_externa.php?9LibXMqGnN7gSpLFOOgUQFziRouBJ5VnVL5b7-UrE5RI7slGGR-sRzdhJiJbBVNu1gG_Zjq_3vSJrTOHr4LXmf3PnlbfBifKyA6E57d_fnkwG8U2X5tUO4_2ANa1BJ7B. Acesso em 01 jul. 2021.
5. Brazil. Advocacia-Geral da União. (2020b, July 15). Opinion No. 00383/2020. Union Attorney General Office. Federal Prosecution Service that works together with the Federal University of Rio de Janeiro. Disponível em: <https://gtremoto.macaue.ufrj.br/wp-content/uploads/2020/07/PARECER-EAD-DIREITO-AUTORAL-E-%C3%80-IMAGEM.pdf>. Acesso em 01 jun. 2021.
6. Brazil. Advocacia-Geral da União. (2020a, November 23). Order No. 00188/2020. Union Attorney General Office. Federal Prosecution Service that works together with the Federal University of Santa Catarina. Núcleo de Matéria Administrativa. Disponível em: <https://www.gov.br/agu/pt-br/composicao/cgu/e-cjus/pareceres-referenciais-das-e-cjus/patrimonio-1/pareceres-2020-1/PARECERn.00188.2020.NUCJUR.ECJU.PATRIMNIO.CGU.AGU.pdf>. Acesso em 01 jun. 2021.
7. Brazil. (1988). Constitution of the Federative Republic of Brazil of 1988. Disponível em: http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm. Acesso em mar. 2021.
8. Brazil. (1996, May 15). Law No. 9,279, of May 14, 1996. It regulates rights and obligations related to Industrial Property. Disponível em: http://www.planalto.gov.br/ccivil_03/leis/l9279.htm. Acesso em 01 mar. 2021.
9. Brazil. (1998, February 20). Law No. 9610 of February 19, 1998. Disponível em: http://www.planalto.gov.br/ccivil_03/leis/l9610.htm. Acesso em 01 mar. 2021.

10. Brazil. (2002, January 11). Law No. 10,406, of January 10, 2002. It establishes the Civil Code. Disponível em: http://www.planalto.gov.br/ccivil_03/leis/2002/l10406compilada.htm. Acesso em 01 mar. 2021.
11. Brazil. (2012, December 28). Law No. 12,772, of December 28, 2012. Disponível em: http://www.planalto.gov.br/ccivil_03/_ato2011-2014/2012/lei/l12772.htm. Acesso em 01 mar. 2021.
12. Brazil. (2018, August 15). Law No. 13,709, of August 14, 2018. Disponível em: http://www.planalto.gov.br/ccivil_03/_Ato2015-2018/2018/Lei/L13709.htm. Acesso em 01 mar. 2021.
13. Brazil. (1990, July 14). Law No. 8069, of July 13, 1990. Disponível em: http://www.planalto.gov.br/ccivil_03/leis/l8069.htm. Acesso em 01 mar. 2021.
14. Brazil. (1998, February 20). Law No. 9609, of February 19, 1998. Disponível em: http://www.planalto.gov.br/ccivil_03/leis/l9609.htm. Acesso em 01 mar. 2021.
15. Brazil. (2020d, March 20). Legislative Decree No. 6, of March 18, 2020. Disponível em: http://www.planalto.gov.br/ccivil_03/portaria/DLG6-2020.htm. Acesso em 01 mar. 2021.
16. Brazil. Ministério da Educação. (2020a, June 17). Ordinance No. 544, of June 16, 2020. Disponível em: <https://www.in.gov.br/en/web/dou/-/portaria-n-544-de-16-de-junho-de-2020-261924872>. Acesso em 01 mar. 2021.
17. Brazil. Ministério da Educação. (2022). Plataforma Nilo Peçanha (2022). PNP (Base year 2021). Disponível em: <http://plataformanilopecanha.mec.gov.br/2022.html>. Acesso em 01 jun. 2021.
18. Bruch, K. L. (2021). Best practices for emergency remote teaching: Image rights [Portuguese]. Disponível em: <https://www.ufrgs.br/lea/wp-content/uploads/2021/06/Recomenda%C3%A7%C3%B5es-Direito-de-Imagem.pdf>. Acesso em 01 mar. 2022.
19. Instituto Federal da Bahia - IFBA. (2020a, March 22). Resolution No. 07, of March 22, 2020. Disponível em: <https://portal.ifba.edu.br/institucional/consup/resolucoes-2020/res-no-07-de-22-03-2020-aprova-plano-de-medidas-de-protecao-e-reducao-de-risco-covid-19>. Acesso em 01 mar. 2021.
20. Instituto Federal da Bahia - IFBA. (2020b, August 24). Resolution No. 19, of August 24, 2020. It revokes ad referendum Resolution No. 18, of August 24, 2020. Disponível em: <https://portal.ifba.edu.br/institucional/consup/resolucoes-2020/res-no-19-revoga-res-18-e-regulamenta-a-implementacao-a-enpe-nos-cursos-do-ifba.pdf>. Acesso em 01 mar. 2021.
21. Instituto Federal da Bahia - IFBA. (2020c, December 23). Resolution No. 30, of December 23, 2020. Disponível em: <https://portal.ifba.edu.br/camacari/noticias-2/noticias-2021/documentos-noticias->

2021/2021_aenpe_resolucao30_alterares19_2020_regulamentaaenpe_03fev.pdf.
Acesso em 01 mar. 2021.

22. Instituto Federal da Bahia - IFBA. (2020e, December 4). Normative Instruction No. 04 /Ordinance No. 3,973, of December 3, 2020. Disponível em: <https://portal.ifba.edu.br/anexo-menu-institucional/portarias-gabinete-2020/instrucoes-normativas/instrucao-normativa-04-e-portaria-3973-institui-as-diretrizes-em-relacao-aos-direitos-autorais-e-protecao-de-imagem-decorrentes-das-aenpes-e-outras-atividades-em-plataformas-ou-ambientes-virtuais.pdf/view>. Acesso em 01 mar. 2021.
23. Instituto Federal da Bahia - IFBA. (2020d, March 10). Resolution No. 49, of March 10, 2022. Disponível em: <https://portal.ifba.edu.br/institucional/consup/resolucoes-2022/res-no-49-de-10-03-2022-altera-a-resolucao-consup-ifba-30-2020-que-dispoe-sobre-as-atividades-educacionais-nao-presenciais-emergenciais-aenpe-no-ambito-do-instituto-federal-de-educacao-ciencia-e-tecnologia-da-bahia/view>. Acesso em 01 mar. 2021.
24. Rocha, A. S., & Amiel, T. (2020). Guide to copyright and open and distance education: Questions and answers (V.1.0). Iniciativa Educação Aberta. Disponível em: <https://remix.internetlab.org.br/GuiaEAD-PerguntasRespostas.pdf>. Acesso em 01 jul. 2021.
25. Sales, I. C. S., & Pinheiro, H. D. (2022). Uma análise do direito autoral na produção de material didático: uma revisão sistemática. *Rev. Tecnol. Soc.*, Curitiba, 18(52), 349-370. Disponível em: <https://periodicos.utfpr.edu.br/rts/article/view/14228>. Acesso em 20 fev. 2023.
26. Santiago, A. R. DOS S. B., Santos, W. P. C. DOS, & Pereira, A. DOS S. (2022). Protection scope and limits of copyright and personality rights of image and voice in the context of Brazilian teaching in the face of emergency remote teaching. *International Journal for Innovation Education and Research*, 10(8), 94-107. <https://doi.org/10.31686/ijer.vol10.iss8.3848>
27. Przybylovicz, L., & Machado, M. F. R. C. (2022). Direitos autorais e propriedade intelectual: o conhecimento e o (des)conhecimento dos professores. *Rev. Tecnol. Soc.*, Curitiba, 18(50), 266-278. Disponível em: <https://periodicos.utfpr.edu.br/rts/article/view/12855>. Acesso em 30 mar. 2023.
28. Vilela, M. V. F., & Carvalho, D. F. (2020). Guidelines on copyright and image rights: Aspects of copyright and image rights applied to emergency remote academic activity. Disponível em: <https://publica.ciar.ufg.br/ebooks/ensino-remoto-ufg/volume4/index.html>. Acesso em 01 jul. 2021.
29. Wachowicz, M. (2015a). The revision of the copyright law: Main changes, debates, and motivations. *Revista PIDCC*, 8, 542-562. Disponível em: https://www.gedai.com.br/wp-content/uploads/2015/03/artigo_revisao_da_lei_autoral_revista_pidcc-1.pdf. Acesso em 01 sep. 2021.

30. Wachowicz, M. (2015b). Distance learning and copyright: Knowledge production and its legal protection. Disponível em: https://www.gedai.com.br/wp-content/uploads/2015/01/artigo_direito_autoral_ead_0-1.pdf. Acesso em 01 sep. 2021.
31. World Health Organization. (2019). Coronavirus disease (COVID-19). Disponível em: <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>. Acesso em 01 oct. 2021.