

University of Essex

INTRODUCTION TO COPYRIGHT

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OVERVIEW

- **Copyright in publishing**
- **Copyright in teaching**
- **Common copyright questions**

COPYRIGHT IN PUBLISHING



COPYRIGHT IN PUBLISHING

- Preparing a manuscript

The journal/publisher will expect *you* to sort out all the clearance for any third party material, and give appropriate attributions.

COPYRIGHT IN PUBLISHING

How is research published?

- **Subscription based journals**
- **Open Access journals**
- **Hybrid journals**
- **Books**
- **Open Access monographs**

SUBSCRIPTION BASED JOURNALS

A close-up photograph of a person's hands signing a document. The person is wearing a light blue shirt. Their right hand holds a black pen with a silver tip, and they are in the process of signing a white piece of paper. Their left hand rests on the paper. The background is blurred, showing what appears to be an office setting. The entire image is framed by a red border.

Through terms and conditions, many researchers sign over the copyright to the publisher



SUBSCRIPTION BASED JOURNALS

Usually researchers keep the copyright to the **Author's Accepted Manuscript** (AAM).

However, there might be **restrictions** in terms of what you are allowed to do with the content, and there is often an **embargo** on the AAM.



SUBSCRIPTION BASED JOURNALS

**Did you
know?**

Some journals will allow you to request a change of the copyright agreement so that you can keep all rights to the document.

OPEN ACCESS JOURNALS

Author keeps all rights to their work, including the published version. The journal gets a **licence to publish**.



HYBRID JOURNALS

A hybrid journal is a subscription based journal



...with an open access option for single articles

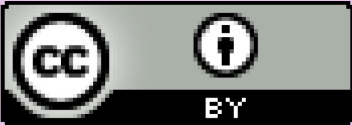

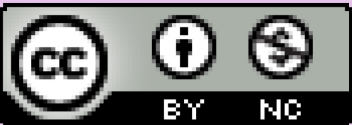

HYBRID JOURNALS

If publishing **open access**, a CC licence is attached to the work and all rights remain with the author.

If publishing '**traditionally**' the copyright is usually transferred to the journal.

OPEN ACCESS JOURNALS

Articles published in an Open Access journal have a **CC (Creative Commons) licence**.

Icon	Abbreviation	Meaning
	BY	Reuse allowed as long as the author or licensor gets credit (attribution)
	SA	Licensees are allowed to distribute modified work, but only under the same or 'not more restrictive' licence as the original work
	NC	Reuse is allowed, but only for non-commercial purposes
	ND	No modifications allowed



RIGHTS RETENTION STRATEGY

- Funders increasingly asking for **open access** publication
- **Plan S** stipulates 3 routes to compliance
- Green OA with **zero month embargo**
- Journal and funder mismatch
- Rights Retention Strategy



RIGHTS RETENTION STRATEGY

*“For the purpose of **Open Access**, the author has applied a **CC BY** public copyright licence to any **Author Accepted Manuscript** (AAM) version arising from this submission.”*

BOOKS

A black and white photograph of a stack of books. The top book is open, showing its pages. Below it are several closed books of varying thicknesses. The books are stacked on a dark surface, and the background is dark and out of focus. The entire image is framed by a thin red border on the left and bottom, and a thin purple border on the right and top.

The
publisher will
ask the
author to
assign
certain rights

BOOKS

The details of this agreement can differ a lot from publisher to publisher, so do read the copyright agreement before signing.

- **Assign copyright** = publisher now owns the work (but author usually gets royalties/payment)
- **Exclusive rights** = author usually keep copyright but is not allowed to publish or disseminate their work elsewhere
- **Non-exclusive rights** = dissemination is allowed, but re-publishing is usually not

OPEN ACCESS MONOGRAPHS

Same concept as Open Access journals



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TEACHING

The background of the slide is a composite image. The top half shows a perspective view of white, empty bookshelves in a library, receding into the distance. The bottom half shows a dark asphalt road with white dashed lines, also receding into the distance. The entire slide is framed by a thick red border.

Copyright affects:

- What can be used in **teaching materials**
- What can be included on **online reading lists**

TEACHING

- CLA licence for Higher Education
- Covers copying from books, journals and magazines
- Allows copying of **up to 10% or one chapter** (whichever is greater)
- Copies can be shared with **students and staff**
- We **report all materials** copied under the terms of this licence

TEACHING

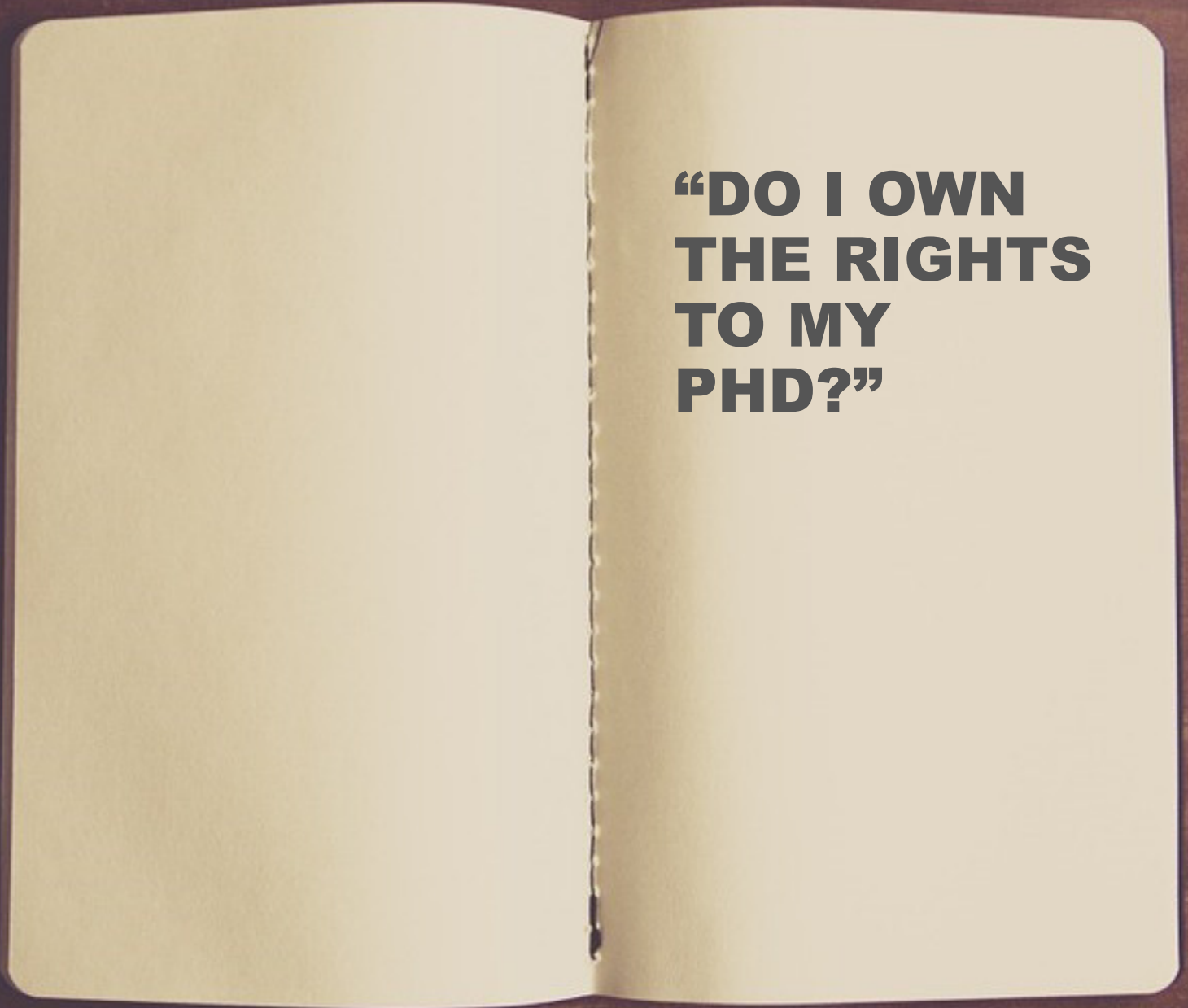
- ERA licence for Higher Education
- Staff and students can record or make copies of programmes **for educational use**
- Allows programmes or clips to be **shared** on VLEs and **embedded** in presentations
- Allows us to subscribe to BoB

TEACHING

- Copyright Exceptions - Section 32:
Illustration for instruction
- Materials can be used where the sole purpose is instruction
- Open to **interpretation**
- The usual “fair dealing” questions apply
- When in doubt, get in touch!

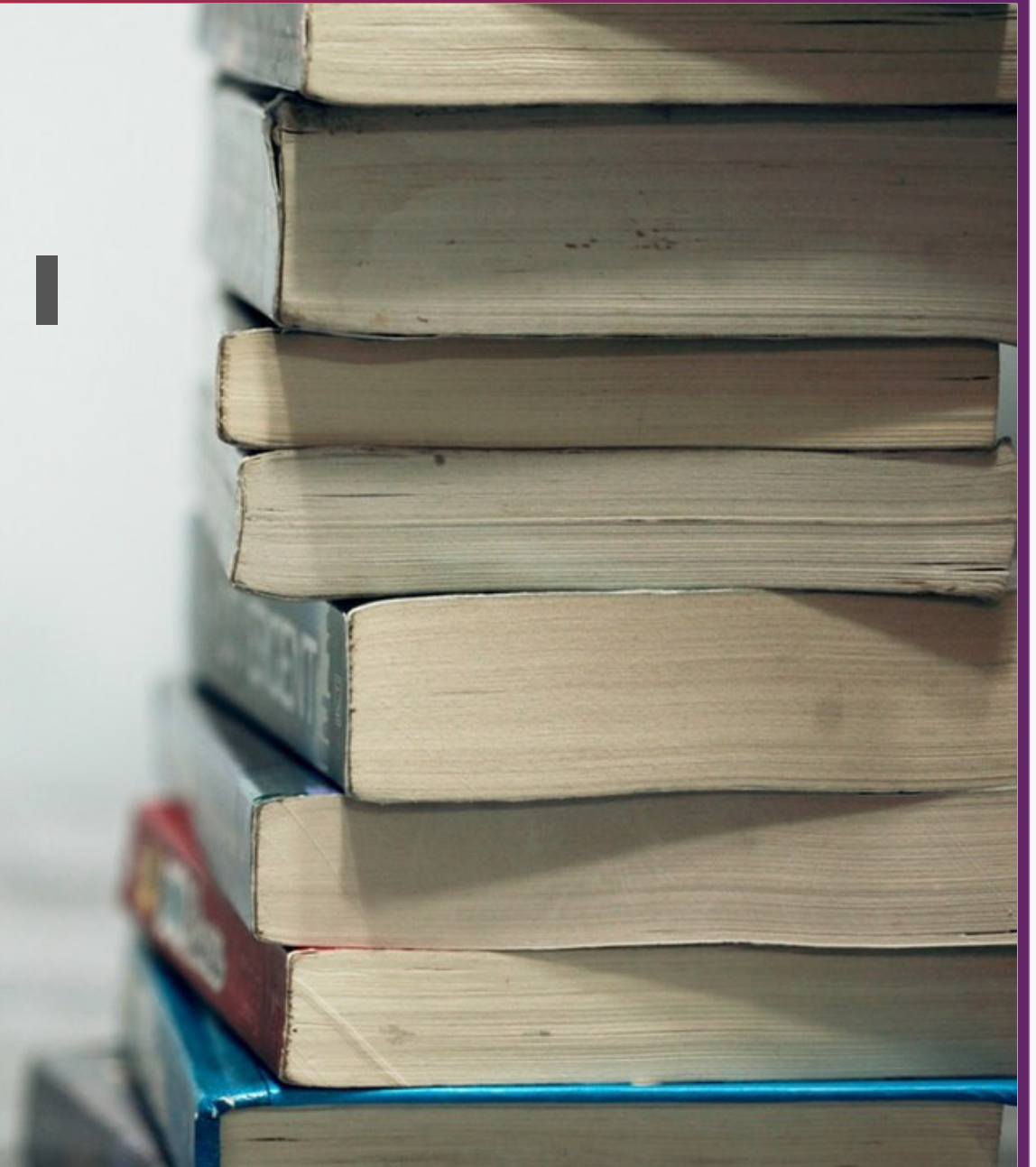
HOWEVER...

Copyright is not always straight forward

An open notebook with two cream-colored pages is shown against a dark brown, textured background. The left page is blank. The right page features a question in bold, black, sans-serif capital letters. The notebook is bound in the center, and the pages have rounded corners. A thin red border is visible on the far left, and a thin purple border is on the far right.

**“DO I OWN
THE RIGHTS
TO MY
PHD?”**

**“CAN I USE IMAGES I
DON'T OWN IN MY
PHD THESIS?”**





**“CAN I INCLUDE THE
IMAGES I USED IN
RESEARCH IN MY
PUBLICATION?”**



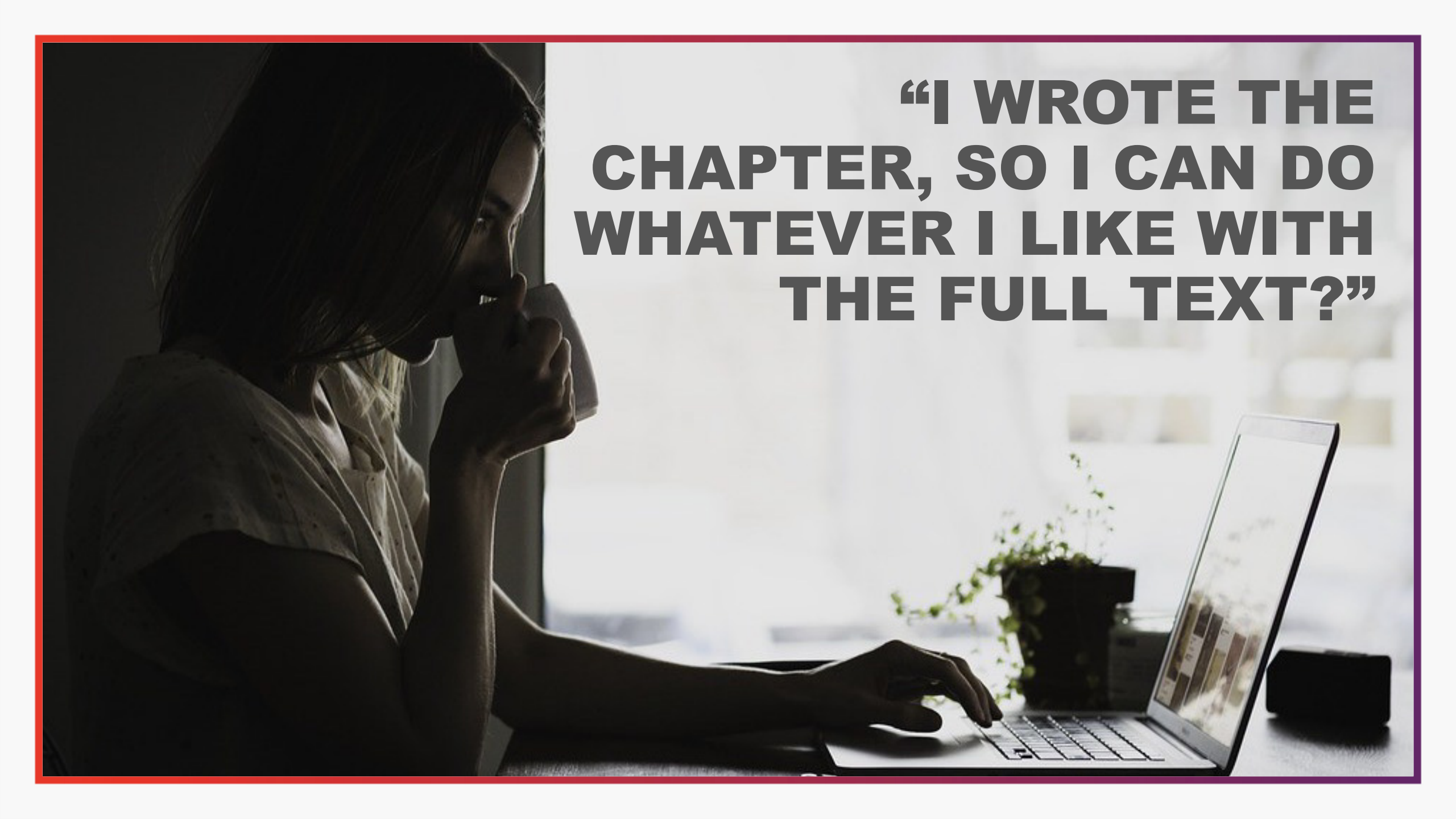
**“CAN I RE-USE CONTENT
FROM WORK I HAVE
PUBLISHED BEFORE?”**



**“CAN I REUSE FIGURES
FROM MY PUBLISHED WORK
IN FUTURE WORK?”**

**“CAN I PUT MY READING
MATERIALS ON A VLE?”**



A person with long dark hair is sitting at a desk in a dimly lit room. They are holding a white mug to their lips with their right hand and typing on a laptop with their left hand. The laptop screen displays a webpage with a grid of images. A small potted plant sits on the desk next to the laptop. The background is a bright window with some papers pinned to it. The entire image is framed by a red border on the left and bottom, and a purple border on the right and top.

**“I WROTE THE
CHAPTER, SO I CAN DO
WHATEVER I LIKE WITH
THE FULL TEXT?”**



**“IT’S FREELY AVAILABLE
ONLINE, SO I CAN
SHARE IT WITH MY
STUDENTS?”**



**“I ONLY WANT TO USE A
FEW PAGES, SO IT’S
FINE TO SCAN AND
SHARE?”**



**“IT’S VERY OLD, SO COPYRIGHT
DOESN’T APPLY?”**



**“NO ONE WILL KNOW, AND IT WILL
HELP MY STUDENTS, SO IT’S FINE TO
USE?”**

QUESTIONS?

Get in touch

Research Support Team

ressup@essex.ac.uk

