INTRODUCTION TO COPYRIGHT

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OVERVIEW

- Copyright in publishing
- Copyright in teaching
- Common copyright questions
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.
How is research published?

- Subscription based journals
- Open Access journals
- Hybrid journals
- Books
- Open Access monographs
SUBSCRIPTION BASED JOURNALS

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

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<thead>
<tr>
<th>Icon</th>
<th>Abbreviation</th>
<th>Meaning</th>
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<tr>
<td><img src="image" alt="CC BY icon" /></td>
<td>BY</td>
<td>Reuse allowed as long as the author or licensor gets credit (attribution)</td>
</tr>
<tr>
<td><img src="image" alt="CC SA icon" /></td>
<td>SA</td>
<td>Licensees are allowed to distribute modified work, but only under the same or ‘not more restrictive’ licence as the original work</td>
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<tr>
<td><img src="image" alt="CC NC icon" /></td>
<td>NC</td>
<td>Reuse is allowed, but only for non-commercial purposes</td>
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<tr>
<td><img src="image" alt="CC ND icon" /></td>
<td>ND</td>
<td>No modifications allowed</td>
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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
“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.”
The publisher will ask the author to assign certain rights.
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

Published under CC licence
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 straightforward.
“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?”
“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
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