

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 hand holding a red pen, poised to write on an open book. The person is wearing a grey and white striped sweater. The background is softly blurred, showing what appears to be a desk or study area with a lamp.

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



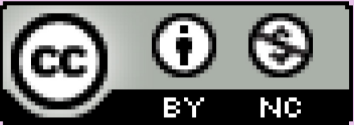

HYBRID JOURNALS

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

- Funders increasingly asking for **open access** publication
- Green OA with **zero-month embargo** is one way to comply
- Journal and funder mismatch
- Rights retention

RIGHTS RETENTION

*“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

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



Published under CC licence



TEACHING



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**
- **Reporting** is required for **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!

A photograph of a monkey sitting in a forest, looking upwards with its hand to its chin in a thoughtful pose. The background is a lush green forest with sunlight filtering through the trees, creating a bokeh effect. The image is framed by a red border.

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?”**

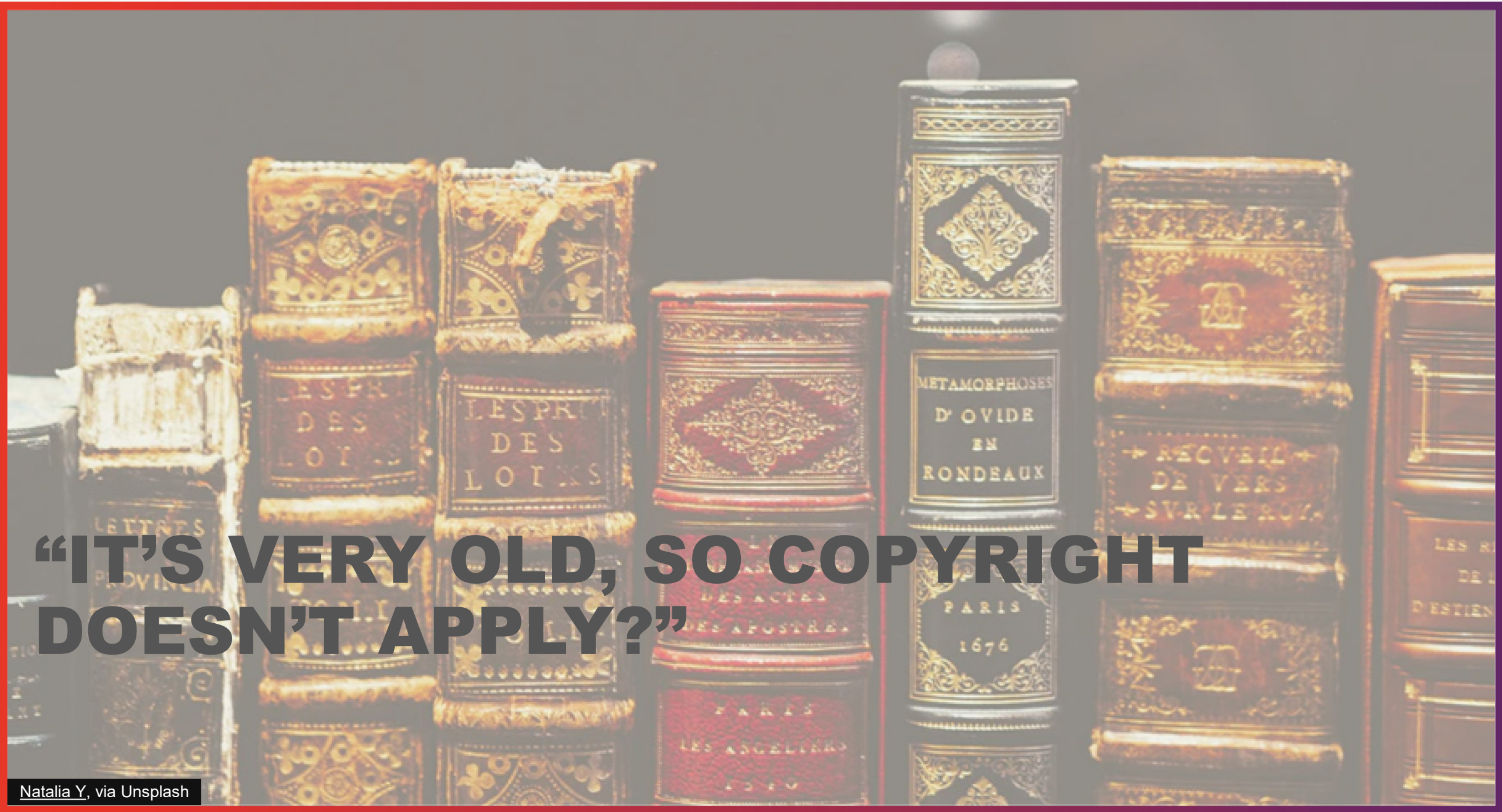


A black and white photograph of a forest reflected in a lake under a cloudy sky. The trees are silhouetted against the sky, and their reflection is visible in the water. The sky is filled with soft, wispy clouds. The overall mood is serene and quiet.

**“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?”**

[Kristina Flour](#), via Unsplash

QUESTIONS, THOUGHTS AND IDEAS



Riccardo Annandale, via Unsplash