Copyright, Plagiarism & Academic Integrity

Sian Dewar
Copyright Support Officer
16 May 2018
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Summary of Content

1. What is copyright?
2. What are your copyright obligations
3. How to meet your copyright obligations
4. Seeking copyright permission
5. Special considerations for Thesis by Publication & Hybrid Thesis
1. Definition of Copyright

Copyright is a form of **Intellectual Property.**

Copyright owners have exclusive **economic rights** with regard to:

- **Reproduction** - photocopying, scanning, downloading, recording
- **Communication** making it available online, sending via email
- **Publication** distributing copies for sale
- **Adapting or translating** the work
- **Playing or Performing** in public
Copyright protection: economic rights

Copyright protects a range of material:

- **Academic & literary texts** - books, journals, newspapers, plays, poems, etc.
- **Computer programs**
- **Audio-visual works** - sound recordings, film, radio & TV broadcasts.
- **Artistic works** - paintings, photographs, engravings, drawings, cartoons, sculptures, murals.
- **Sheet music**
- **Graphic works** - diagrams, illustrations, graphs, maps, tables.

Copyright applies to the ‘**material form**’ in which ideas are expressed, not ideas, facts, methods or techniques.

A single work may have several layers of copyright.
Aside from the economic rights, creators have **moral rights**: 

- **The right of attribution**
  - To be attributed as creator of the work;
  - Not to have their work falsely attributed to someone else.

- **The right of integrity**
  - To have the integrity of the work respected,
  - Not to be subject to derogatory treatment in a way prejudicial to their reputation.
Student copyright

- HDR Students both use third party copyright material and create new copyright material.
- Curtin’s IP Policy stipulates that students own copyright in their work.
  - Possible exception - research projects with external funding or commercial agreement may request transfer of IP ownership.
- Students may assign or license copyright.
- Curtin’s IP policy and procedures located at: http://policies.curtin.edu.au/findapolicy/index.cfm#i
Infringing Copyright

- Using a ‘substantial part of the work’ without permission.
- Substantial is not defined in the Act but is a quantitative and qualitative assessment.
- An infringement of moral rights is copyright infringement.
- Individuals and organisations can also be found to ‘authorise’ or ‘facilitate’ a copyright infringement – linking to an unauthorised copy.
Copyright versus Plagiarism

- **Plagiarism** is to present somebody else’s work as one’s own without appropriate acknowledgement.

- You can be guilty of plagiarism without infringing copyright.
  - Reproduce a small amount of third party content without sufficient attribution.
  - Issue of Academic Integrity

- You can infringe copyright without being guilty of plagiarism.
  - Reproduce a substantial amount of third party content with sufficient attribution, but without written permission.
  - Issue of Copyright Infringement
2. What are your copyright obligations?

- Application for Candidacy
- Copyright and Release of Thesis for Examination
- Submission of Digital Thesis Form

- Thesis contains **no material infringing** the copyright of another person(s).
- **Permission** where necessary has been obtained to **reproduce /communicate** third party material in Thesis.
Application for Candidacy / Conversion of Candidacy
Higher Degree by Research Students

Copyright and Ownership of Intellectual Property: Student Agreement

Part 3a: Student/Supervisor must complete this section

I (insert full name) ____________________________ in consideration

of Curtin University (the "University") allowing me to undertake research in the

Enrolling Area of ____________________________ hereby declare that:

(i) I have read the Copyright Procedures of the University¹ and understand the provisions therein;

(ii) I shall ensure that the thesis contains no material which shall infringe the copyright of any person or persons; and

(iii) In accordance with the Copyright Procedures, I shall obtain, where necessary, permission for third-party copyright material reproduced in the thesis (e.g. questionnaires, artwork, unpublished letters) from the copyright owners.
Copyright and Release of Thesis for Examination

Higher Degree by Research Students

Part 3: Copyright Declaration

Curtin students and staff are subject to the provisions of the Commonwealth of Australia Copyright Act 1968. For information on copyright as it applies to Curtin HDR students refer to http://www.copyright.curtin.edu.au/research/high_degree_theses.cfm.

6. I warrant that the thesis contains no material which infringes the copyright of any other person(s).

7. I warrant that I have obtained, where necessary, permission from the copyright owners to use any third-party copyright material reproduced in the thesis, or to use any of my own published work (e.g. journal articles) in which the copyright is held by another party (e.g. publisher, co-author).

A sample letter requesting permission to reproduce material in a thesis is available online at http://www.copyright.curtin.edu.au/docs/hdr_students_permission_request.pdf.

- Permission statements are included in an appendix to the thesis; or
- No permission statements were required.

8. The following statement has been included at the end of the Bibliography/Reference List in the thesis;

Every reasonable effort has been made to acknowledge the owners of copyright material. I would be pleased to hear from any copyright owner who has been omitted or incorrectly acknowledged.

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Submission of Digital Theses

Section B: Copyright Clearance

You are required to submit the exegesis component of your thesis and any published material which is not subject to copyright restrictions and which you have the right to publish in the National Library of Australia’s TROVE repository and be made available through the Curtin Library Catalogue and espace@Curtin. (Please refer to the Guidelines for further information.)

If your submitted thesis includes any published material, if it has been submitted as a Thesis by Publication, or if it includes a significant amount of third-party copyright material (see the Guidelines at http://research.curtin.edu.au/forms/policies.cfm#thesisprod), then you must request an exemption or a time embargo for that material for which you do not own the copyright or which you do not have the right to publish.

(i) Does your thesis contain any material (other than short, duly acknowledged quotations or occasional diagrams) in which the copyright is owned by another party (e.g. journal articles, questionnaires, reports, photographs)?

☐ No (Continue to Section C)
☐ Yes

(ii) Have you obtained all necessary permissions from the copyright owners to reproduce their material in the thesis?

☐ No. Please note that you will need to identify such material at Section D and request an exemption. (Continue to Section C)
☐ Yes, permission statements are included in an appendix to the thesis. (Continue to Section C)
3. How to meet your copyright obligations?

- **Copying** third party material for personal research
- **Adapting** or **reproducing** third party material in thesis
- **Communicating** third party material in thesis
- Seeking **permissions** where necessary
Copying material for personal research

‘Fair Dealing’ exception

OK to copy a ‘reasonable portion’ for the purpose of your own research or study; or criticism or review.

Copying limits:

- Books – 10% of words or one chapter.
- Journals – 1 article per issue.
- Anthology – a work up to 15 pages.
- Images – in their entirety unless commercially sold.
- Limit unclear for audiovisual material – seek advice if copying more than a small amount.

CRICOS Provider code 00301J
Reproducing & communicating third party copyright material in thesis

- Including copyright material in HDR thesis is reproduction.
- Submitting your thesis into espace is communicating material within the public sphere.
- The rights of reproduction and communication are reserved by the owner of the copyright material.
- **Bottom line** is you will **almost always require permission** from the copyright holder **UNLESS** the material falls into one of the following categories:
When permissions aren’t necessary ...

You DO NOT need additional permissions for the following:

- Brief quotations
- Short extracts of text or images subject to critical commentary or analysis - this use is permitted under the ‘fair dealing’ provisions for criticism or review in the Copyright Act.
- Curtin material - be mindful of confidential or sensitive content
- Public domain material
- Open licence material - be mindful of open licence terms
- Permitted by website terms & conditions – default is All Rights Reserved
Standard CC Licences

**Attribution (BY)**
You must credit the creator, the title and the licence the work is under. For more information on how to attribute a work, see the “How to Attribute Creative Commons Material” guide. http://creativecommons.org.au/materials/attribution.pdf.

**Noncommercial (NC)**
Any use of the work must be for noncommercial purposes only. That means file sharing, educational use and film festivals are all ok, but advertising and for-profit uses are not.

**No Derivative Works (ND)**
Only verbatim copies of the work may be used. In other words, you can’t change the work in any way. You need to get extra permission if you want to crop a photo, edit down text or use a song in a film. Basically, any remixing is out.

**Share Alike (SA)**
Any new work produced using this material must be made available under the same terms. So if you do remix a work you have to release your new work under the same licence. Eg. Attribution-Share Alike has to stay Attribution-Share Alike.

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  - Look for Copyright Information link
- **Letters & other material not made publicly available**
- **Research Data Sets**

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- **Consider** what third-party copyright material you plan to include in your thesis when you **commence** your research.
- **Allow plenty of time** to seek permission.
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- Be aware that a copyright owner may **charge a fee** or ask you to sign a **licence agreement**.
- Ensure **permissions are in writing** and you retain a **copy**.
- **Comply with any conditions** imposed by the copyright owner in the permission.
- Always **acknowledge sources** of any copyright material used.
Seeking copyright permission

- Seek permission via:
  - **RightsLink** via published journal article
  - **Online permission form** on Publisher’s website
  - **Permission letter** template
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What price will science pay for austerity?

Ichiko Fuyuno

Nature 543, S10–S15 (23 March 2017) | doi:10.1038/543S10a
Published online 22 March 2017

Japan's stagnated research output corresponds with a deteriorating situation for young researchers

Subject terms: Scientific community and society - Databases - Publishing

Pediatric Blood & Cancer

Fentanyl-reported neuropathic pain in adolescent and adult cancer patients

Acquazzino M, Eva C. Igler, Mahua Dasgupta, Pippa Simpson, Meghen B. Browning, Amanda M. Brandow
First published: 28 November 2016
DOI: 10.1002/pbc.26364

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Title: Patient-reported neuropathic pain in adolescent and young adult cancer patients
Author: Melissa A. Acquazzino, Eva C. Igler, Mahua Dasgupta, Pippa Simpson, Meghen B. Browning, Amanda M. Brandow
Publication: Pediatric Blood & Cancer
Publisher: John Wiley and Sons
Date: Nov 28, 2016
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- **Clear description** of specific material/extract to be used.
- Request written permission form **be completed & returned.**
- **Keep a copy** of the permission for your records.
- **Comply** with stipulated **conditions.**
5. Thesis by Publication or Hybrid Thesis

You’re entitled to re-use any published material that you’ve written because it belongs to you.

TRUE/FALSE?
Publisher agreements and copyright

- Does your thesis include content from a journal article or conference paper written in the course of your research?
- Have you retained copyright over the content?
- Publishers often request you assign or transfer copyright as a condition of acceptance.
  - If so, you will need permission from the publisher or conference organiser to re-use your own material in your thesis and place into espace.
- Do you share co-authorship or joint copyright for content you want to include in your thesis?
  - If so, you may also need co-author approval to reproduce all or part of the material.
What rights have you retained as an author?

- There are a wide range of terms in publisher agreements.

  Read the terms and conditions of publishing agreements and understand the implications for depositing a copy into an institutional repository and the re-use of content in a new work.

- Check what rights you assigned to the publisher and what rights you retained as the author.
  
  - Author may retain right to deposit a particular version of the article into espace.
  
  - Publisher may impose an embargo period or require content to be removed and replace with DOI links.
Generally, publishers allow deposit of the author’s accepted manuscript of a publication into an institutional repository.

Drafting

Submitted to publisher

Submitted version
Also referred to as:
Pre-print
Author’s first draft
Submitted manuscript

Peer Review

Revise

Accepted for publication

Accepted version
(required for espace)
Also referred to as:
Post-print
Author’s final draft
Accepted manuscript

Copyediting, typesetting

Published version
(with publisher branding and formatting)
Also referred to as:
Version of record

Source: http://library.curtin.edu.au/help/faq/espace/
retrieved 30/03/2017
Comply with attribution requirements

- The publisher agreement may have particular attribution requirements.
- To avoid the risk of self plagiarism you must acknowledge and reference the published version.
- Even if you have modified or adapted content from a prior publication, you may still need permission to reuse.
Misplaced publishing agreement?

   - This includes information on:
     - whether you can deposit an article into a repository (espace)
     - which version of the article may be deposited
     - embargo periods

2. View the journal’s online permission information or contact Publisher directly.
Search - Publisher copyright policies & self-archiving

One journal found when searched for:

| Journal: Developmental Review (ISSN: 0273-2297) |
| RoMEO: This is a RoMEO green journal |
| Paid OA: A paid open access option is available for this journal |

**Author's Pre-print:** ✓ author can archive pre-print (i.e. pre-refereeing)

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- Author's post-print may be used to update arXiv and RePEC
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- Author's post-print must be released with a Creative Commons Attribution Non-Commercial No Derivatives License

**Mandated OA:** Compliance data is available for 57 funders

**Paid Open Access:** Open Access

**Copyright:** Unleashing the power of academic sharing - Sharing Policy - Sharing and Hosting Policy FAQ - Green open access - Journal Embargo Period List (pdf) - Journal Embargo List for UK Authors - Attaching a User Licence (pdf) - Funding Body Agreements

**Updated:** 09-Jan-2017 - [Suggest an update for this record]

**Link to this page:** [http://sherpa.ac.uk/romeo/issn/0273-2297](http://sherpa.ac.uk/romeo/issn/0273-2297)

**Published by:** Elsevier: 24 months - Green Policies in RoMEO

This summary is for the journal's default policies, and changes or exceptions can often be negotiated by authors.

All information is correct to the best of our knowledge but should not be relied upon for legal advice.

Demonstrating copyright permissions

Include in an appendix:

- A reproduction of the publisher’s or journal’s webpage giving global permission and outlining requirements for reuse (which you must follow).

- A formal request to the journal or publisher with a written affirmative response indicating their agreement for you to reuse the material for which they hold the copyright.
Unable to obtain permission?

If you are **unable to obtain permission** to reproduce the material you have the following options:

- **Remove the copyright material** from the thesis and **direct readers to the publisher version** by including the Digital Object Identifier (DOI) link to the paper.
- **Request an exemption** or a **time embargo** for the portion of material you do not have permission to reproduce when depositing your thesis into espace.
- Permanent exemptions **require approval** through the Associate Deputy Vice-Chancellor, Research Training.
Lastly ... implications for future publications

- Considering publishing an article based on your thesis? Keep the following in mind:
  - Be transparent with publisher if content already available online through espace
  - Some journals may view inclusion of content in institutional repository as a form of “publishing”
  - Consider requesting a time embargo when depositing thesis to espace to avoid the possibility of redundant publications.
Four points to takeaway ...

1. Plan early in your research for permissions

2. Read and keep any publishing agreements

3. Visit Copyright at Curtin website
   http://copyright.curtin.edu.au

4. Complete the HDR Online Training Module
   http://assets.library.curtin.edu.au/copyright/hdr/
Further information – Useful websites

- Copyright for HDR Students Online Training Module [http://assets.library.curtin.edu.au/copyright/hdr/](http://assets.library.curtin.edu.au/copyright/hdr/)
- Open Access and espace [http://libguides.library.curtin.edu.au/open-access](http://libguides.library.curtin.edu.au/open-access)
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