Copyright and Higher Degree Students

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Overview

1. Brief Copyright background
2. Permissions
3. Thesis by Publication/Hybrid Theses special concerns
4. Copyright related forms for students
You can always contact the Library Copyright Team

Host of information at the Copyright at Curtin Website
http://copyright.curtin.edu.au

We offer a query service to Curtin staff and students on use of copyright material for teaching, learning and research.

Happy to answer queries from HDR students, as their copyright issues can be quite complex.

Email: Library-Copyright@curtin.edu.au
What is Copyright?

Copyright is a bundle of rights and is automatically generated for a creator upon creation and protects the **expression or manifestation of ideas**, not the idea itself, of a **creative work**.

Creative works include
- literary works like books and journals;
- audio-visual works,
- graphic works and
- artistic works.

Copyright holders have an **exclusive bundle of rights**
- reproduce,
- communicate,
- publish,
- adapt or translate,
- play or perform a work in public.

**To exercise any of these rights** you will need
- **permission** of the copyright holder; or
- ensure reuse is **covered by an exception** in the Copyright Act.
Students will almost always require permission

Australian Copyright Act does have an exception to permit students to make copies of material for the purposes of research and study. This is called Fair Dealing. Generally limited to making a single copy, and a reasonable portion (10% of the words/1 chapter per book limit).

When students deposit their thesis into espace, their purpose changes to communication / dissemination, so they must seek permission of copyright holders to include third-party content.

This includes figures or images from scholarly articles, as well as substantial copies of text.
Understand when students do not require permission

There are a handful of circumstances when students may reuse copyright content in their thesis without requesting permission.

- Quotes and short excerpts
- ‘Fair dealing’ for the purpose of criticism and review
- Openly licensed content
- Public Domain content
Seeking Permission

- Landing page of commercially published journals
  Copyright Clearing House RightsLinks Service

- Permission template letter at
  https://copyright.curtin.edu.au/research/higher-degree-by-research-hdr-thesis-students/

- Start permissions early

- Retain copies of permissions
For Thesis by Publication, advise students to read, understand and retain their publisher agreements.

Theses by Publication and Hybrid Theses are complicated by publisher agreements.

Where chapters in the thesis were also published as scholarly articles, students need to check their publisher agreement to confirm they have permission to re-use their own content. In many cases, authors are transferring their copyright ownership to the publisher.

The best advice to students is that they read before signing and keep a copy to refer to later.
There are two forms students must sign relating to copyright.

Copyright and Release of Thesis for Examination:

- The thesis doesn’t contain material that infringes third party copyright;
- Where necessary, the student has obtained permission from the copyright owners to use any third party copyright material; including any of their own published work in which the copyright is held by another party
- Requirement to place a copy of all permission statements in appendix.

Submission of Digital Thesis

- Submission of student’s thesis into publically accessible repository.
- Removal of selected material due to copyright obligations may be appropriate.
In summary

1. If in doubt, contact the Library Copyright team (Library-Copyright@curtin.edu.au).
2. Students will almost always require permission to use third party content.
3. There are limited circumstances where permission may not be required.
4. For Thesis by Publication & Hybrid Theses, take special note of publisher agreements.
5. Students have certain copyright ‘sign-offs’ in University forms.
• **Copyright for HDR Students**: assisting both HDR Students and Supervisors successfully navigate copyright obligations associated with Higher Degrees by Research.

• The 15 minute online training module can be accessed via Copyright at Curtin website [http://assets.library.curtin.edu.au/copyright/hdr/](http://assets.library.curtin.edu.au/copyright/hdr/)