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COPYRIGHT BASICS FOR DISSERTATIONS AND THESES




Intellectual Property

- Copyright
 - Patents
 - Trademarks
 - Trade Secrets
- 




Copyright

- The Congress shall have Power...To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries.
 - US Constitution, Article 1, Section 8
- 



What does copyright protect?

- Original works of authorship
- Fixed in a tangible medium
- Can be perceived, reproduced, or communicated with or without a machine




- US Code, Title 17, Section 102



What doesn't copyright protect?


- Ideas
- Procedures or processes
- Systems or methods of operation
- Concepts or principles




- US Code, Title 17, Section
102




Rights

- Reproduce
 - Prepare derivative works
 - Distribute
 - Public performance
 - Public display
- 



How long does copyright protection last?

- As of 1978, the duration is the life of the author + 70 years
 - In cases of work for hire, either 95 years from first publication or 120 years from creation, whichever is shorter
 - Works published before 1978 have different copyright protection lengths (it can get complicated)
- 




Question

- Have you created a copyrighted work?
- 




How do I copyright something?

- You don't have to do anything special, just set your work in a tangible medium
 - You don't have to publish, include the copyright symbol, or register with the US Copyright Office
 - ProQuest and other systems may ask you if you want to register and charge you a fee, but you don't need to register to copyright the work
- 



Who holds copyright?

- Joint authors share copyright
 - Copyright can be transferred
 - Work for hire
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TAMU System Policy

- "...the system does not claim copyright to pedagogical, scholarly or artistic works, regardless of their form of expression, unless required by a funding or research contract. Such works include, but are not limited to, ... copyrightable works of students in the course of their education, such as dissertations, papers and journal articles."
- --Texas A&M University System Policy 17.01



Fair Use


- Limitation on the rights of copyright holders
- “...for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research...

- US Code Title 17, Section 107






Determining Fair Use

- Purpose and character
 - Nature
 - Amount and substantiality
 - Effect upon potential market
- 




Plagiarism

- Copyright infringement and plagiarism are not the same thing
 - Mere citation does not ensure compliance with copyright
 - Avoiding plagiarism is a part of ethical authorship
- 




Publishing and Copyright

- You may be asked to transfer your copyright for publication
 - You can negotiate or transfer limited rights
 - Read your contract!
- 



Open Dissemination

- Creative Commons Licenses
 - Open Access
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- For more information or to schedule a consultation: kanders@library.tamu.edu or copyright@library.tamu.edu
 - Please go register your attendance at <http://tinyurl.com/librarygrad>
 - GRAD Aggies password: 305306