Copyright for Dissertations, Theses & Publication: What Every Grad Student Needs to Know

Lecturer: Dr. K. Matthew Dames, Copyright & Information Policy Adviser, Syracuse University
Date: Friday, February 10, 2012
Time: 12:00 PM to 1:30 PM
Location: Hall of Languages 107
Sponsors: Graduate School, Syracuse University Library

Intended Audience: Post-doctoral scholars, doctoral candidates, doctoral students, master’s students, doctoral candidate advisers, master’s candidate advisers.

Description: Copyright is the most prevalent form of intellectual property that graduate students encounter during their respective programs. This 90 minute session will identify and explain to graduate students the main copyright issues that affects their dissertations and theses, from composition to degree certification. The session also will review the University’s new guidelines for dissertation and thesis submission, which the Graduate School instituted in Spring 2011. Lunch will be served.

Lecturer Biography: K. Matthew Dames, Ph.D., J.D., M.S. is Syracuse University’s first Copyright & Information Policy Adviser. Dr. Dames educates the University community about copyright, licensing and policy issues that affect teaching, scholarship, and research.

In addition to his duties at Syracuse, Dr. Dames is a research fellow at Michigan State University’s Quello Center for Telecommunication Management and Law, a columnist for Information Today, and the executive editor of Copycense. His scholarly research focuses on copyright law, information policy and legislation, political language and framing, and the history of U.S. media industries.

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Agenda

- Copyright Basics
- Uses
- Uses in Context
- Contacts
Copyright Basics
Copyright Basics

• Exclusive Rights
  • Reproduction
  • Derivative Work (Adaptation)
  • Distribution
  • Public Performance
  • Public Display
  • Public Performance (Digital Audio)
  • Attribution
  • Integrity
Copyright Basics

• Exclusive Rights
  • Reproduction
  • Derivative Work (Adaptation)
  • Distribution
  • Public Performance
  • Public Display
  • Public Performance (Digital Audio)
  • Attribution
  • Integrity

• Limitations
  • Computer Programs
  • Compulsory License
  • Reproduction for Disabled
  • Fair Use
Copyright Basics Summary
- Assume copyright protection exists
- Rights apply to specific works
- Limitations apply to specific rights
- Balance: Owner rights vs. Limitations for public

Uses
- Unlimited uses
- Prohibited uses
- Allowable uses
Uses

✦ Unlimited uses
  • Own the copyright rights
  • Public domain
  • Not eligible for copyright
    — Datasets (?)

✦ Prohibited uses
  • Copyright infringement
  • License or permissions violation
  • Plagiarism
    — Plagiarism worse than copyright infringement

Uses

✦ Allowable Uses
  • Licenses
    — Journal articles
    — Music
  • Limitations
    — Fair Use
Uses

Allowable Uses: Fair Use

- Privilege, not a right
- Case-by-case (contextual, fact-based)
- 4-factor test
  - Purpose and character of use
  - Nature of copyrighted work
  - Amount and substantiality of portion used
  - Effect of use upon work’s potential market
  - Scholarly use not automatically fair use
- Law vs. norms
  - Scholarship & research vs. publication

Uses Summary

- Types: Unlimited, prohibited, allowable
- Prohibited uses violate law & University policy
- Scholarly use not automatically fair use
Uses in Context

- Research

- Writing, composition & defense

- Degree certification

- Print: books, monographs, reports, journal articles
- Media: audio, video, 3D
- Graphics: charts, tables, forms
- Visual art: photographs, paintings, architecture
- Datasets
- Survey instruments
Uses in Context

Writing, composition & defense

- Print: books, monographs, reports, journal articles
  - Reproduction (quotation), Permission/License
- Media: audio, video, 3D
  - Reproduction, Adaptation, Performance, Permission/License
- Graphics: charts, tables, forms
  - Reproduction, Adaptation
- Visual art: photographs, paintings, architecture
  - Attribution, Integrity, Reproduction, Adaptation, Permission/License

Uses in Context

Writing, composition & defense, cont.

- Datasets
  - Permission/License
- Survey instruments
  - Reproduction, Adaptation, Distribution, Permission/License
- Collaborators & prior publication
  - Dividing authorship
  - Joint authorship
  - Publisher “Work Made for Hire” clauses
Uses in Context

+ **Degree certification**
  - Periods: May, August, December
    - Permissions & certifications are prerequisite
  - ProQuest & Graduate School
    - Embargo period
      - Publication
      - Patent
    - Copyright registration
    - Open access
    - SURFACE

Contact

+ **Web**
  - SU Copyright Portal http://copyright.syr.edu
    - Inquiry form
    - Blog

+ **Graduate School**
  - Gabrielle Chapman, Associate Dean

+ **Twitter**
  - @SUCopyright
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Dr. K. Matthew Dames