

Advice about Signing Agreements With Publishers

Before signing a copyright statement when your research is accepted for publication:

- Read the agreement carefully.
- Make sure you understand AND AGREE with the terms and conditions.
- Make changes as needed, possibly with advice of legal or other counsel.
- Make sure the agreement is explicit about what future rights of use you retain.

To include the materials in your dissertation or to reuse the materials for teaching or another publication, write this into the copyright agreement.

As the author you own the copyright, and you can negotiate whether to relinquish some or all of these rights to the publisher.

Fair Use

You may use someone else's copyrighted work in your ETD if:

- The work is in the public domain.
- After weighing all 4 factors (purpose, nature, amount, effect) it's considered fair use.
- You received permission from the owner.

Online Resources About Copyright

The Law

<http://www.law.cornell.edu/uscode/17/>

<http://fairuse.stanford.edu/>

Legislation

<http://www.loc.gov/copyright/legislation/>

Copyright Management Center

http://www.copyright.iupui.edu/dist_learning.htm

Fair Use Checklist

<http://www.copyright.iupui.edu/checklist.htm>

Fair Use Quiz

<http://www.utsystem.edu/OGC/IntellectualProperty/copypol2.htm#test>

Request Permission

<http://scholar.lib.vt.edu/theses/copyright/permission.html>

Myths about Copyright

<http://www.templetons.com/brad/copymyths.html>

TEACH Act

<http://www.lib.ncsu.edu/scc/legislative/teachkit/>

United States Copyright Office

<http://www.copyright.gov>

CSU Copyright Information

<http://www.acns.colostate.edu/?page=copyright>

COLORADO STATE
UNIVERSITY

Know your Copyrights ETDs & Copyright Issues

Digital Repositories Services

University Libraries

Colorado State University

<http://digitool.library.colostate.edu>



Why a Publisher Wants Exclusive Copyrights

Journal publishers go to great expense to publish articles that, for the most part, are not going to bring royalties to the author. This is the primary reason most publishers require transfer of all copyrights.

- “The publisher must have the opportunity to publish or license the publication of the work in other forms to recoup or justify the expense of the publication and distribution of the original work.
- The publisher is capable of taking advantage of new technologies and media.
- The publisher helps serve the author’s interest in self-promotion and professional advancement”

(American Medical Association Manual of Style 9th ed., p. 121)

Copyright for Instruction

TEACH Act (Nov 2002)

Technology Education And Copyright Harmonization

This act addresses fair use standards in instruction for digital education.

Why an Author Should Retain Copyrights

- “Authors should retain ownership of their works and distribute their words themselves or through institutional libraries (perhaps electronically via the Internet) to avoid the spiraling subscription costs to scientific journals. (American Medical Association Manual of Style 9th ed., p. 121)
- To include in course materials
- To link to online resume

Authors may consider retaining partial copyrights (e.g., a particular table, figure, drawing, or photograph), especially if the item is a particularly creative way of expressing an idea or concept. (Chicago Manual of Style, p. 137)

Consider adding statements that grant permission or restrict use, such as:

“Permission is given to copy this work provided credit is given and copies are not intended for sale.”

“Use or inclusion of any portion of this document in another work intended for commercial use will require permission from the copyright owner.”

Including a Published Article in Your Thesis

If you gave away your copyright when you had an article published prior to submitting your ETD, you have a number of options. Discuss these with your committee and possibly with your publisher.

1. Cite that publication in your references.
2. If the publisher has the article online, link or point to it (though the publisher may have protected for paying subscribers who are the only ones allowed access).
3. If the publisher gives a signed release, include the publication in your ETD as allowed in that release. Include the letter giving permission in your ETD.

© Myth: It Doesn't say It's Copyrighted!

As of March 1, 1989, the copyright warning does not have to appear for a work to be legally copyrighted. However, it is a good idea to remind people of your copyrights by including:

© 2008 by [your name]

Or

Copyright by [your name]

And

ALL RIGHTS RESERVED