

## Copyright for electronic theses



There are 2 main issues to consider with regard to copyright and electronic theses:

- Asserting your own copyright in your own work and publication
- Observing the copyright of others and taking all reasonable steps to ensure that you have dealt with 3rd party copyright in your work.

The observation of copyright law is a necessity throughout academic publication and no-one can regard themselves as exempt from complying with copyright legislation. Dealing with copyright issues as part of the process of producing the postgraduate thesis and acquiring the necessary skills to do this can be seen as a positive asset for any future academic career and is very good preparation for future academic publishing.

Preparation with regard to copyright is essential and we encourage you to seek advice at every stage of writing your thesis. You can seek advice from supervisors and experts within your schools, also from the Copyright Officer and the Library.

### Asserting your own copyright in your own work and publication

The ownership of the copyright of the thesis by the author is clearly stated in the University Regulations in the code of practice: "The copyright of a thesis normally belongs to its author"-so there is no doubt that you have the copyright to your work and you can assert that copyright. When the electronic version of your thesis is deposited into **Research@StAndrews:Full text**, the University digital repository, there are a variety of ways in which copyright ownership is asserted and declared. The repository record, which describes your work, clearly date stamps the submission and identifies the submitter, thus providing an authoritative record of the electronic publication of your original work.

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The **Research@StAndrews:Full text** pages emphasize copyright by referring to the copyright ownership of the works stored in the repository, for example "This item is protected by original copyright". A cover sheet is added to all theses and contains an additional statement about your copyright ownership and protection. We would also encourage you to state your copyright ownership in an obvious position within your work, for example, on the front or back of the title page, and you can make use of the © symbol to do this.

## **Observing the copyright of others and taking all reasonable steps to ensure that you have dealt with 3rd party copyright in your work.**

### **Background**

It is important to remember that the print copy of a thesis has historically been viewed as an examination script and it is normally accepted that 3rd party copyright material can be included in the print copy without seeking permissions. However, the electronic copy is deemed to be effectively published and therefore is not exempt in the same way. So because the electronic version will be made available online you need to be aware of your responsibilities with regard to seeking 3rd party copyright permissions. In both the thesis declaration which you sign and the deposit licence for the repository you acknowledge that you have observed 3rd party copyright. Even though the print copy is traditionally deemed exempt we would still recommend that you follow good academic practice and seek permissions. There is information below on procedures to follow if you are not successful in obtaining permission to use certain material.

### **3rd party material**

Examples of 3rd party material are: illustrations, photographs, diagrams, maps, graphs etc. Also extracts and quotations from other publications, both books and journals.

In addition you may want to include journal articles that you have already published as part of your thesis. You will usually need permission to include the publisher's version of your article because the publisher is usually the copyright holder of this version of your work.

### **How to seek permissions**

If your thesis contains any 3rd party material then you will need to take reasonable steps to contact the copyright holder to request permission to use this material. For the material you seek to use from books and journals then the most likely copyright holder is the publisher. Many publishers provide information on copyright policies on their websites. They will also usually give contact addresses and emails.

We now have a standard letter which you can use to request permissions from copyright holders to use material in your thesis. There is also a permissions letter to use when requesting permission to include journal articles already published by you.

The Educational Exceptions are relevant to print theses. You may be able to apply the concept of Fair Dealing. So, for example, a short quotation which accurately acknowledges the source and reference may be acceptable. The use of extracts for the purposes of "criticism or review" is regarded as acceptable academic practice. The University Copyright pages give further information. An area of particular concern is the reuse of images and these particular issues are described on the Images page of the University Copyright information pages.

We would advise you to review the material in your thesis as you go along and start the process to obtain permissions at the earliest stage possible.

If you are in any doubt whether you need to seek permissions then always seek advice. Please seek advice from supervisors and from experts in your schools, who will have had experience in requesting copyright permissions. You can also contact the Copyright Officer and **Research@StAndrews:Full text** staff. Other useful links are the Electronic Theses Online Service toolkit at <http://ethostoolkit.cranfield.ac.uk/> and JISC legal at [www.jisclegal.ac.uk/](http://www.jisclegal.ac.uk/)

## Once you have received permissions

You should always acknowledge and reference the material you use. This sort of captioning is important. Quote the copyright holder and then give a standard statement, for example, "Reproduced with permission of the rights holder".

It is recommended that you keep copies of letters and emails you receive from rights holders. If you do not need to clear copyright material or you get permissions for everything that you need to clear you can submit the print copy and an identical electronic version on CD.

## Procedures if you cannot get permissions

If you have setbacks in getting permissions to include material in the electronic version of your thesis, you are still entitled to use the material in your print version. So you can still make use of all the material you need to present your thesis. Setbacks could be refusals from rights holders, requests for costs which you can't meet or rights holders who do not acknowledge your requests.

***In this situation you will need to have differences in the print version and the publicly available electronic version*** and you need to plan in advance so that you can provide the relevant PDF files on CD when you are required to submit the electronic version of your thesis. For example:

- The print version will have all the illustrations, the publicly available electronic version might have to exclude some
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### ***You will need to submit:***

- Print version (the original complete version)
- Electronic version (a complete original version, identical to the print version, on CD, which we will archive into secure storage as a backup copy)
- Publicly available electronic version (an edited version with all uncleared material removed, deposited on CD and which will be loaded into **Research@StAndrews:Full text**)
- An accompanying document describing the omissions in the publicly available electronic version would be very helpful for **Research@StAndrews:Full text** staff when they process your deposit.

**If you need to create an edited electronic version of your thesis** then there are some alternative options available to you:

You might be able to use reduced quality illustrations with no copyright restrictions in your publicly available electronic version and keep the good quality illustrations for your print copy. You might want to deal with illustrations and figures by inserting them throughout your text but inserting blank pages to replace any that cannot be made publicly available. We suggest that you have some standard text to substitute for the material on such pages, for example, "This material is unavailable due to copyright restrictions".

You could give a brief description of the material if you wish, for example, "This illustration of xxxxxxxxxxxx is unavailable due to copyright restrictions". It is helpful to retain the numbering of the figure / illustration so this matches your contents listing.

Alternatively you may want to organize the uncleared material into an appendix file. This appendix will then not be made available as part of the publicly available electronic version.

Please note that this procedure is independent of the University policy on restrictions which can be applied to theses. Even if you have successfully applied for a restriction on access to the electronic version of your thesis you should still follow the above policy with regard to producing both a complete and publicly available electronic version of your thesis. The public version will still be required to be released when the thesis restriction period expires.

Please do contact us by email to **Digital-Repository@st-andrews.ac.uk** to discuss these issues and we can help you with the decisions on how to organise any uncleared material. If at some future date previously uncleared material can be cleared, then if you alert us we can make changes to the publicly available electronic version. Details of any omission in the electronic version will be described in the metadata for your thesis on **Research@StAndrews:Full text**.

In the unlikely event of a copyright holder contacting and telling us that illegal material is present then the repository has a take down policy and material can be removed immediately.

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September 2010