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Thesis By Publication & Hybrid Thesis

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Copyright Support Officer
15 March 2018

What you need to know ... *in 3 easy steps*

1. Determining your copyright obligations

- Curtin University

2. Meeting your copyright obligations

- When are permissions necessary?
- Permissions and publisher agreements

3. Obtaining permissions

- RightsLink
- Letter Template



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Definition of Copyright

Copyright is a form of **Intellectual Property**.

Copyright owners have exclusive **economic rights** with regard to:

- **Reproduction** - photocopying, scanning, downloading, recording
- **Communication** making it available online, sending via email
- **Publication** distributing copies for sale
- **Adapting** or **translating** the work
- **Playing** or **Performing** in public



Step 1: Curtin copyright obligations

1. Application for Candidacy
 2. Copyright and Release of Thesis for Examination
 3. Submission of Digital Thesis Form
- Thesis contains **no material infringing** the copyright of another person(s).
 - **Permission** where necessary has been obtained to **reproduce /communicate** third party material in Thesis.



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Application for Candidacy

Application for Candidacy / Conversion of Candidacy

Higher Degree by Research Students

Copyright and Ownership of Intellectual Property: Student Agreement

Part 3a: Student/Supervisor must complete this section

I (insert full name) _____ in consideration
of Curtin University (the "University") allowing me to undertake research in the
Enrolling Area of _____ hereby declare that:

- (i) I have read the Copyright Procedures of the University¹ and understand the provisions therein;
- (ii) I shall ensure that the thesis contains no material which shall infringe the copyright of any person or persons; and
- (iii) In accordance with the Copyright Procedures, I shall obtain, where necessary, permission for third-party copyright material reproduced in the thesis (e.g. questionnaires, artwork, unpublished letters) from the copyright owners.



Copyright & Release of Thesis for Examination

Copyright and Release of Thesis for Examination

Higher Degree by Research Students

Part 3: Copyright Declaration

Curtin students and staff are subject to the provisions of the Commonwealth of Australia Copyright Act 1968.

For information on copyright as it applies to Curtin HDR students refer to

http://www.copyright.curtin.edu.au/research/high_degree_theses.cfm.

6. I warrant that the thesis contains no material which infringes the copyright of any other person(s).
7. I warrant that I have obtained, where necessary, permission from the copyright owners to use any third-party copyright material reproduced in the thesis, or to use any of my own published work (e.g. journal articles) in which the copyright is held by another party (e.g. publisher, co-author).

A sample letter requesting permission to reproduce material in a thesis is available online at

http://www.copyright.curtin.edu.au/docs/hdr_students_permission_request.pdf.

☐ Permission statements are included in an appendix to the thesis; or

☐ No permission statements were required.

8. The following statement has been included at the end of the Bibliography/Reference List in the thesis;

☐

Every reasonable effort has been made to acknowledge the owners of copyright material. I would be pleased to hear from any copyright owner who has been omitted or incorrectly acknowledged.

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Submission of Digital Theses

Submission of Digital Theses

Higher Degree by Research Students

Section B: Copyright Clearance

You are required to submit the exegesis component of your thesis and any published material which is not subject to copyright restrictions and which you have the right to publish in the National Library of Australia's TROVE repository and be made available through the Curtin Library Catalogue and espace@Curtin. *(Please refer to the Guidelines for further information.)*

If your submitted thesis includes any published material, if it has been submitted as a Thesis by Publication, or if it includes a significant amount of third-party copyright material (see the Guidelines at <http://research.curtin.edu.au/forms/policies.cfm#thesisprod>), then you must request an exemption or a time embargo for that material for which you do not own the copyright or which you do not have the right to publish.

- (i) Does your thesis contain any material (other than short, duly acknowledged quotations or occasional diagrams) in which the copyright is owned by another party (e.g. journal articles, questionnaires, reports, photographs)?
 - ☐ No (*Continue to Section C*)
 - ☐ Yes

- (ii) Have you obtained all necessary permissions from the copyright owners to reproduce their material in the thesis?
 - ☐ No. Please note that you will need to identify such material at Section D and request an exemption. (*Continue to Section C*)
 - ☐ Yes, permission statements are included in an appendix to the thesis. (*Continue to Section C*)

Step 2: Meeting copyright obligations

- **When are permissions necessary?**
 - **Copying** third party material for personal research
 - **Reproducing** third party material in thesis
 - **Communicating** third party material in thesis
- **Terms of publisher agreement?**
 - What rights have you **assigned**?
 - What rights have you **retained**?



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Copying material for personal research

'Fair Dealing' exception

OK to copy a **'reasonable portion'** for the purpose of your own **research or study**; or **criticism or review**.

Copying limits:

- Books – 10% of words or one chapter.
- Journals – 1 article per issue.
- Anthology – a work up to 15 pages.
- Images – in their entirety unless commercially sold.



Reproducing & communicating copyright material

- Including copyright material in HDR thesis is **reproduction**
- Submitting your thesis into espace is **communicating** material within the public sphere
- The rights of **reproduction** and **communication** are reserved by the owner of the copyright material.
- **Bottom line** is you will **almost always require permission** from the copyright holder **UNLESS** the material falls into one of the following categories:



Step 2: When permissions **aren't** necessary ...

You **DO NOT** need additional permissions for the following:

- **Brief quotations**
- **Short extracts of text or images subject to critical commentary or analysis** - this use is permitted under the 'fair dealing' provisions for criticism or review in the Copyright Act.
- **Curtin material** - be mindful of confidential or sensitive content
- **Public domain material**
- **Open licence material** - be mindful of open licence terms
- **Permitted by website terms & conditions** – default is All Rights Reserved



Example: Open Licence Material



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GPO Box 570
Canberra ACT 2601

Telephone (02) 6244 1026

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Step 2: When permissions **are** necessary ...

You generally **REQUIRE** additional permissions for the following:

- **Substantial amounts of text or content protected by copyright**
 - Such as images, photographs, graphs, diagrams, illustrations, cartoons, tables, questionnaires, video clips, screen shots, etc.
- **Commercial products**
- **Web content**
 - Look for Copyright Information link
- **Letters & other material not made publicly available**
- **Research Data Sets**

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Step 2: Permissions & publisher agreements

- **Terms of publisher agreements**
 - What rights have you **assigned**?
 - What rights have you **retained**?
- SHERPA/RoMEO <http://sherpa.ac.uk/romeo/index.php>
- How Can I Share it? <http://www.howcanishareit.com/>



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What rights have you **retained** as an author?

- Read the **terms & conditions** of the contract or publishing agreement you signed with the publisher.
- Check what rights you **assigned** to the publisher and what rights you **retained** as the author.
- There are a **wide range of terms** in publisher agreements.
- Author may retain right to deposit a **particular version** of the article into espace.
- Publisher may impose an **embargo period** and require content to be removed and **replaced with DOI links**.



Which version can be deposited in espace?

Generally, publishers allow deposit of the author's accepted manuscript of a publication into an institutional repository.

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- To avoid the risk of self plagiarism you must acknowledge and reference the published version.
- Even if you have modified or adapted content from a prior publication, you may still need permission to reuse.



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 - This includes information on:
 - whether you can **deposit an article into a repository** (espace)
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Step 3: Seeking Copyright Permission

- **Consider** what third-party copyright material you plan to include in your thesis when you **commence** your research.
- **Allow plenty of time** to seek permission.
- **Specify** material you want to use and for what purpose.
- Be aware that a copyright owner may **charge a fee** or ask you to **sign a licence agreement**.
- Ensure **permissions are in writing** and you retain a **copy**.
- **Comply with any conditions** imposed by the copyright owner in the permission.
- Always **acknowledge sources** of any copyright material used.



Step 3: Seeking Copyright Permission

- Seek permission via:
 - **RightsLink** via published journal article
 - **Online permission form** on Publisher's website
 - **Permission letter** template



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Pediatric Blood & Cancer

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RESEARCH ARTICLE

Patient-reported neuropathic pain in adolescent and young adult cancer patients

Melissa A. Acquazzino , Eva C. Igler, Mahua Dasgupta, Pippa Simpson, Meghan B. Browning, Amanda M. Brandow

First published: 28 November 2016 [Full publication history](#)

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- 2 METHODS
- 3 RESULTS
- 4 DISCUSSION
- 5 CONCLUSION
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Title: Patient-reported neuropathic pain in adolescent and young adult cancer patients

Author: Melissa A. Acquazzino, Eva C. Igler, Mahua Dasgupta, Pippa Simpson, Meghan B. Browning, Amanda M. Brandow

Publication: Pediatric Blood & Cancer

Publisher: John Wiley and Sons

Date: Nov 28, 2016

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Title: Patient-reported neuropathic pain in adolescent and young adult cancer patients

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Publication: Pediatric Blood & Cancer

Publisher: John Wiley and Sons

Date: Nov 28, 2016

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Seeking copyright permission: Letter Template

Sample Permission Request letter:

<http://copyright.curtin.edu.au/research/higher-degree-theses/>

- Specify **subject of research** and the **details of use**.
- **Clear description** of specific material/extract to be used.
- Request written permission form **be completed & returned**.
- **Keep a copy** of the permission for your records.
- **Comply** with stipulated **conditions**.



Unable to obtain permission?

If you are **unable to obtain permission** to reproduce the material you have the following options:

- **Remove the copyright material** from the thesis and **direct readers to the publisher version** by including the Digital Object Identifier (DOI) link to the paper.
- **Request an exemption** or a **time embargo** for the portion of material you do not have permission to reproduce when depositing your thesis into espace.
- Permanent exemptions **require approval** through the Associate Deputy Vice-Chancellor, Research Training.



Lastly ... implications for future publications

- Considering publishing an article based on your thesis? Keep the following in mind:
 - Be **transparent** with publisher if content already available online through espace
 - Some journals may view inclusion of content in institutional repository as a form of “publishing”
 - **Consider requesting a time embargo** when depositing thesis to espace to avoid the possibility of redundant publication

Four points to takeaway ...

1. Plan early in your research for permissions
2. Read and keep any publishing agreements
3. Visit Copyright at Curtin website
<http://copyright.curtin.edu.au>
4. Complete the HDR Online Training Module
<http://assets.library.curtin.edu.au/copyright/hdr/>



Further information – Useful websites

- **Copyright website** <http://copyright.curtin.edu.au> and <http://copyright.curtin.edu.au/research/higher-degree-theses/>
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