Thesis By Publication & Hybrid Thesis

Sian Dewar
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
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.
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where necessary, permission for third-party copyright material reproduced in the thesis (e.g. questionnaires, artwork, unpublished letters) from the copyright owners.

CRICOS Provider code 00301J

Source: http://research.curtin.edu.au/postgraduate/current-students/forms/ retrieved 14/09/16
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.

Source: http://research.curtin.edu.au/postgraduate/current-students/forms/ retrieved 14/09/16
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)

Source: http://research.curtin.edu.au/postgraduate/current-students/forms/ retrieved 14/09/16
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?
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
Copyright © Australian Institute of Health and Welfare

This product, excluding the AIHW logo, Commonwealth Coat of Arms and any material owned by a third party or protected by a trademark, has been released under a Creative Commons BY 3.0 (CC-BY 3.0) licence. Excluded material owned by third parties may include, for example, design and layout, images that we have obtained under licence from third parties and signatures. We have made all reasonable efforts to identify and label material owned by third parties. You may distribute, remix and build upon this work. However, you must attribute the AIHW as the copyright holder of the work in compliance with our attribution policy. The full terms and conditions of this licence are available at http://creativecommons.org/licenses/by/3.0/au/

Some products may be released under more restrictive terms. Generally, these products will be documents that pre-date the implementation of Creative Commons licensing. Where a product contains a copyright notice or licensing terms that are not CC-BY 3.0 compliant, that notice or those terms take precedence over this licence.

Enquiries relating to copyright should be addressed to the Digital and Media Communications Unit, Australian Institute of Health and Welfare, GPO Box 570, Canberra ACT 2601.

Source: http://www.aihw.gov.au/copyright/ retrieved 30/03/2017
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**

  If you are unsure whether you are allowed to reproduce material, it is safer to seek permission!
Copyright

This website is © Commonwealth Scientific and Industrial Research Organisation, 2015-2017.

Use of material other than media releases

Copyright in the material available at this site is owned by the Commonwealth Scientific and Industrial Research Organisation (CSIRO) and third parties. It may only be used in the ways described in this Copyright Notice:

- You may take temporary copies necessary to browse this site on screen.
- Unless otherwise stated, you may download or print a single copy of CSIRO copyright material for your own information, research or study, but only if you:
  - Do not change the material; and
  - Do not remove any part of any copyright or other notice.

Except as permitted by statute, any other use of copyright material on this website is subject to first receiving consent.

Requests for further use should be directed to:

Source: https://www.csiro.au/en/About/Footer/Copyright retrieved 30/03/2017

CRICOS Provider code 00301J
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](http://sherpa.ac.uk/romeo/index.php)
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.

Drafting

Submitted to publisher

Submitted version
Also referred to as:
- Pre-print
- Author’s first draft
- Submitted manuscript

Peer Review

Revise

Accepted for publication

Accepted version
(required for espace)
Also referred to as:
- Post-print
- Author’s final draft
- Accepted manuscript

Copyediting, typesetting

Published version
(with publisher branding and formatting)
Also referred to as:
- Version of record

Comply with attribution requirements

- The publisher agreement may have **particular** attribution requirements.
- 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.
Misplaced publishing agreement?

1. **Sherpa-Romeo** [http://www.sherpa.ac.uk/romeo/index.php](http://www.sherpa.ac.uk/romeo/index.php) provides information on publisher’s standard copyright policies.
   - This includes information on:
     - whether you can **deposit an article into a repository** (espace)
     - which **version of the article** may be deposited
     - **embargo periods**

2. View the journal’s online permission information or contact **Publisher** directly.
Journal: Biomedical and Environmental Sciences (ISSN: 0895-3988)
RoMEO: This is a RoMEO green journal
Paid OA: A paid open access option is available for this journal.

Author's Pre-print: author can archive pre-print (ie pre-refereeing)
Author's Post-print: author can archive post-print (ie final draft post-refereeing)
Publisher's Version/PDF: author cannot archive publisher's version/PDF

General Conditions:
- Authors pre-print on any website, including arXiv and RePEc
- Author's post-print on author's personal website immediately
- Author's post-print on open access repository after an embargo period of between 12 months and 48 months
- Permitted deposit due to Funding Body, institutional and Government policy or mandate, may be required to comply with embargo periods of 12 months to 48 months
- Author's post-print may be used to update arXiv and RePEc
- Publisher's version/PDF cannot be used
- Must link to publisher version with DOI
- Author's post-print must be released with a Creative Commons Attribution Non-Commercial No Derivatives License

Mandated OA: Compliance data is available for 57 funders
Paid Open Access: Open Access
Notes: Publisher last reviewed on 03/05/2015
Copyright: Unleashing the power of academic sharing - Sharing Policy - Sharing and Hosting Policy FAQ - Green open access - Journal Embargo Period List (pdf) - Journal Embargo List for UK Authors - Attaching a User License (pdf) - Funding Body Agreements
Updated: 01-May-2015 - Suggest an update for this record
Link to this page: http://sherpa.ac.uk/romeo/issn/0895-3988/

Published by: Elsevier - Green Policies in RoMEO

This summary is for the journal's default policies, and changes or exceptions can often be negotiated by authors. All information is correct to the best of our knowledge but should not be relied upon for legal advice.

Source: http://sherpa.ac.uk/romeo/search.php?source=journal&sourceid=12527&la=en&flDnum=1&mode=simple retrieved 30/03/2017
Published Journal Article

Policies for sharing published journal articles differ for subscription and gold open access articles:

**Subscription articles**

- If you are an author, please share a link to your article rather than the full-text. Millions of researchers have access to the formal publications on ScienceDirect, and so links will help your users to find, access, cite, and use the best available version.
- If you are an author, you may also share your Published Journal Article privately with known students or colleagues for their personal use.
- Theses and dissertations which contain embedded PJAs as part of the formal submission can be posted publicly by the awarding institution with DOI links back to the formal publications on ScienceDirect.
- If you are affiliated with a library that subscribes to ScienceDirect you have additional private sharing rights for others’ research accessed under that agreement. This includes use for classroom teaching and internal training at the institution (including use in course packs and courseware programs), and inclusion of the article for grant funding purposes.
- Otherwise sharing is by agreement only.

**Gold open access articles**

- May be shared according to the author-selected end-user license and should contain a CrossMark logo, the end user license, and a DOI link to the formal publication on ScienceDirect.

Source: https://www.elsevier.com/about/our-business/policies/sharing retrieved 13/03/2018
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
Patient-reported neuropathic pain in adolescent and young adult cancer patients

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

First published: 28 November 2016
DOI: 10.1002/pbc.26364

Welcome to RightsLink

John Wiley and Sons has partnered with Copyright Clearance Center’s RightsLink service to offer a variety of options for reusing John Wiley and Sons content. Select the "I would like to..." drop-down menu to view the many reuse options available to you.

I would like to... make a selection

Seeking copyright permission: RightsLink

Seeking copyright permission: RightsLink
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/
• Copyright for HDR Students Online Training Module http://assets.library.curtin.edu.au/copyright/hdr/
• Copyright Guide for Higher Degree Theses http://copyright.curtin.edu.au/resources/
• Open Access and espace http://libguides.library.curtin.edu.au/open-access
• espace http://library.curtin.edu.au/help/faq/espace/
• New to Research http://libguides.library.curtin.edu.au/new-to-research
• Thesis Examination and Submission Checklist http://library.curtin.edu.au/about/thesis-checklist
Further information – Useful contacts

- Library Copyright Team Library-Copyright@curtin.edu.au
- Library espace Team espace@curtin.edu.au
- Faculty Librarians http://library.curtin.edu.au/about/organisational-structure/staff/faculty-librarians.cfm