



COPYRIGHT AND YOUR OWN WORK

Copyright ownership

Copyright in a work is (usually) owned by the original author/creator of that work.

In Australian law an original work is automatically protected by copyright.

Although this is not a legal necessity in Australia, you may want to mark your work with the international copyright symbol and your name and the year (© *your name* 20XX) as a reminder to others that the work is protected. In some countries this is how copyright is asserted.

Your work is also protected if you use a pen-name or pseudonym.

Copyright ownership can be sold, licenced, or otherwise transferred to other parties.

The copyright owner's rights

The copyright owner of a work has the exclusive right to: reproduce it; publish or perform it; communicate it; translate or adapt it; and to assign, transfer, or sell ownership of the work to someone else.

Regardless of ownership, copyright in a work endures for the life of the author plus 70 years.

When is copyright infringed?

Anyone wishing to copy, adapt, translate, or communicate a work must seek the owner's permission, unless they are making use of it under the 'fair dealing' exceptions, or another provision of the Copyright Act (e.g. the Statutory Licences).

Alternatives to the exclusive rights

A copyright owner/author can choose to cede some or all of their exclusive rights by applying, for instance, a **Creative Commons** licence to their work.

THE UNIVERSITY'S IP REGULATIONS

Amongst other matters, these regulations govern copyright ownership in works produced by students and staff of the University.

Moral Rights for students and staff

Moral Rights legislation ensures that you always have the right to be attributed as the author of your work and to have the integrity of that work observed – even if you are no longer the copyright holder – unless you specifically consent otherwise.

STUDENT WORKS

Students retain copyright in their own work, but are required as a condition of enrolment to give the University a non-exclusive licence to publish that work in accordance with normal academic conventions for the recognition of authorship.

Where there is joint authorship of a work, copyright will usually be co-owned by all parties.

In cases where there may be many layers of copyright, such as a film production (in which script, music, design, performances, etc. all attract copyright protection), the University will have overall copyright ownership as the producer.

Honours theses

You will own the copyright in your thesis.

However, it may well contain portions of copyright protected material belonging to other people. Under the Copyright Act, you may use this material under Fair Dealing for research and study, and make print copies of your thesis for the library, your supervisor, and yourself. But, besides this, you must not publish or disseminate your thesis in any other way – for instance on your own website – without the express permission of all the owners of copyright protected material that you may have used in the body of the thesis.

The Copyright Act allows unpublished theses to be copied by a third party for their own research and study.

Doctoral theses

You will (usually) retain copyright, and moral rights, in your thesis; however, s.51.2 of the Copyright Act allows the reproduction of all or part of your thesis by another individual for the purposes of their own study and research.

In some cases the University or a funding partner may be able to claim some ownership in your research output – see the University's IP Regulations, and check any funding agreements to clarify such matters.

For more detail on copyright issues for doctoral and other research degree candidates see the information sheet: [Copyright Information for Postgraduates](#).

STAFF WORKS

Whilst academic staff usually retain copyright ownership in their 'scholarly/research output', the University will own copyright in works produced by any staff 'in the course of their employment'.

When submitting journal articles etc. take notice of the publisher's contract – many will expect you to give them copyright ownership as a prerequisite to publishing. Try to retain as many rights as possible – especially the right to self-archive the work. You can check many publisher policies at the Sherpa/Romeo website <http://www.sherpa.ac.uk/romeo.php>.

University regulations concerning Intellectual Property can be found at:
www.murdoch.edu.au/admin/legsln/regs/intellectualprop.html

Creative Commons websites provide licences and search engines for licenced works:
www.creativecommons.org

The Australian Copyright Council can offer free legal advice and information on copyright issues:
<http://www.copyright.org.au/>

You can contact the University Copyright Coordinator
on 9360.7491 or at copyright@murdoch.edu.au