



OER Collective Academic Authors Community of Practice Meeting No. 3

Copyright & Creative Commons

11 July 2023
11:00 am – 12:00 pm (AEST)

With Katya Henry, Director Strategy & Analytics, CAUL &
Richard White, Manager, Copyright & Open Access,
University of Otago

Acknowledgement of Country

Before we get started

- We will be recording this session and making it available after the event along with a summary of what we discussed and links to the documents mentioned.
- There will be time for questions at the end, however you are welcome to add questions to Slido throughout.
- We'll be using Slido throughout the presentation today to give you the opportunity to share thoughts, tips and resources.
 - Please use the Q&A function to pose questions in slido. Go to [slido.com](https://www.slido.com) and type in the code **#8191762**
- If you are tweeting, please use the hashtag #OERCollective

Opening karakia

Whakataka te hau ki te uru, whakataka te hau ki te tonga

The West wind has shifted and the south wind has dropped.

Kia mākinakina ki uta, Kia mātaratara ki tai

The land bristles, and the sea has goosebumps

E hī ake ana te atākura he tio,

The first rays of a red dawn pierce the night

He huka, he hau hū

Revealing snow, ice and frost from the mountains to the sea.

Haumi e! Hui e! Tāiki e!

I bind myself to this

Some debate about the meaning and origin of this karakia. Read more: [Karakia or cultural appropriation - Dr Karaitiana Taiuru PhD, JP \(CC BY SA 3.0 New Zealand\)](#); English translation and interpretation from "[The Honourable Justice Joseph Williams explaining the Karakia "Whakataka te Hau," Seeds](#) by Steven Moe.

Overview

- Overview of copyright and licensing
- Practical demonstration of using Pressbooks copyright elements
- Q & A

What is copyright?

Copyright is the *automatic* legal protection given to all *original* work which we create in a *material* form.

Copyright applies to:



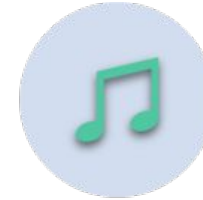
ARTISTIC WORKS,
SUCH AS PAINTINGS
OR PHOTOGRAPHS



LITERARY WORKS,
INCLUDING ARTICLES,
NOVELS, EVEN
EMAILS



DRAMATIC WORKS,
SUCH AS
CHOREOGRAPHY OR
A SCREENPLAY



MUSICAL WORKS



SOUND RECORDINGS



FILMS



TELEVISION AND
RADIO BROADCASTS



PUBLISHED EDITIONS
OF BOOKS

Economic and Moral rights

The copyright owner has the exclusive right to:

- Publish the work
- Communicate the work to the public
- Copy the work (reproduce the work in a material form)
- Perform the work in public
- Make an adaptation of the work.

Who owns the © in what you create?

2. General principle

- a. Except as otherwise specified in this Policy or agreed in writing:

3.1.4 Ownership of intellectual property generated by staff

In accordance with general law principles, QUT as an employer owns all intellectual property created by senior or professional staff members in the course of their employment. Intellectual property created in pursuance of or in fulfilment of a staff member's QUT employment contract is considered to have been created in the course of employment where the member's express duties include a duty to develop intellectual property.

This ownership exists as a matter of law and does not require any further documentation from staff members. However, staff are encouraged to formally sign documents to more fully record QUT's ownership of QUT intellectual property, for example, to ensure clarity.

All research data must be managed in accordance with relevant policies, including Management of research data and research data management (D/2.8).

Ownership of intellectual property generated by staff during private work outside of their role at the University will not generally be owned by QUT. This is subject to contractual arrangements and use of University resources. Activities of this nature must be considered and approved under the policy on outside work, private consultancies and directorships (B/7.9).

Top

3.1.5 Copyright in scholarly works

Provided that QUT does not have contractual obligations to a third party which would prevent QUT affecting such a transfer of rights, the University:

- a. assigns the right to publish scholarly works to the creator(s) of that work. This assignment is subject to a perpetual, irrevocable, world-wide, non-exclusive licence (including a right to sublicense) in favour of QUT to allow QUT to use that work for educational purposes.

3.1.6 Intellectual property in QUT education resources

In line with section D/3.1.4 above, QUT owns the intellectual property in QUT education resources (including online education resources).

This ensures the University has the unrestricted ability to use QUT education resources for its teaching, research and training responsibilities.

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QUT consents to the use of QUT education resources by staff to fulfil their teaching, research and training responsibilities at QUT. This use is subject to the following conditions:



3. Copyright

- a. The University does not claim copyright in work or material produced by University staff in furtherance of their general employment obligations to teach and to undertake scholarly research, and agrees that copyright in such work or material is owned by the University staff members who produce it.

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- a. The University does not claim copyright in work or material produced by University staff in furtherance of their general employment obligations to teach and to undertake scholarly research, and agrees that copyright in such work or material is owned by the University staff members who produce it. For the avoidance of doubt, clause 2(a)ii still applies where such work or material incorporates or discloses any inventions or research results in which the University owns any Intellectual Property.

4. Copyright licence and restriction on use of copyright materials

- a. Where University staff, in the course of their employment, produce teaching materials or resources for distribution or display to students, or for use in University research:

... while employed by the University, assign or license the copyright in such work or material to the University, or to any other person or research services without the consent of the University, and the University grants a non-exclusive, non-assignable, royalty-free, irrevocable and perpetual licence from the copyright owner to copy, reproduce and distribute the materials or resources for use within the University for teaching and research purposes, and

What are Creative Commons licences?

A Creative Commons licence allows the copyright holder to retain copyright, while enabling others to copy, distribute and make certain specified uses of the work without having to seek permission.

CREATIVE COMMONS LICENSES

- COPY & PUBLISH
- ATTRIBUTION REQUIRED
- COMMERCIAL USE
- MODIFY & ADAPT
- CHANGE LICENSE

	PUBLIC DOMAIN
	CC BY
	CC BY-SA
	CC BY-ND
	CC BY-NC
	CC BY-NC-SA
	CC BY-NC-ND

COPY & PUBLISH	ATTRIBUTION REQUIRED	COMMERCIAL USE	MODIFY & ADAPT	CHANGE LICENSE
✓	✗	✓	✓	✓
✓	✓	✓	✓	✓
✓	✓	✓	✓	✗
✓	✓	✓	✗	✓
✓	✓	✗	✓	✓
✓	✓	✗	✓	✗
✓	✓	✗	✗	✓



You can redistribute (copy, publish, display, communicate, etc.)



You have to attribute the original work



You can use the work commercially



You can modify and adapt the original work



You can choose license type for your adaptations of the work.



What about content I didn't create or is not open?

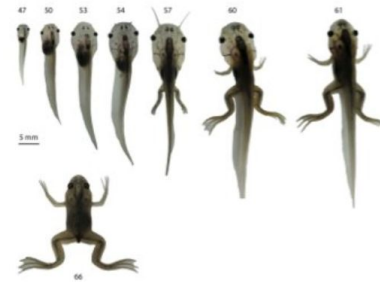
- Terms of use
- Fair Dealing for Criticism or Review?
- Permission!

A book is (probably) a bundle of rights



Consider publishing your images and figures under a Creative Commons licence *prior* to submitting your article for publication.

This will allow you to re-use these works in future publications.



(Hanzi, S. (2016). [How to legally re-use your own figures](#))

This image of the stages of a tadpole comes from Sara Hanzi and Hans Straka. Sara and Hans published their image on Figshare under a Creative Commons Attribution Licence. Most importantly, they published the image before they submitted their article for publication in a journal. They simply cited themselves in the paper.



Practical examples

- Using Pressbooks
- Overall licence versus in-place licences
- Fair dealing
- Practical tools: finding reusable media, reverse searching
- AI?

Q & A

- Please feel free to unmute and ask a question, or go to [slido.com](https://www.slido.com) and type in the code #8191762

A summary of everything discussed including Q & A will be sent along with the recording.

Closing karakia

Unuhia, unuhia

Te pou, te pou

Kia wātea, kia wātea

Āe, kua wātea

Remove, uplift the posts in order to be free. Yes, it has been cleared.

Contacts

Communities of Practice

Academic Authors: oeauthors@lists.caul.edu.au

Library Staff: oerlibrary@lists.caul.edu.au

Slack Channels: Collective Library Staff Community of Practice
 Collective Academic Authors Community of Practice

Contacts at your institution

Key Institutional Contact: <https://caul.libguides.com/oer-collective-administration/contacts>

CAUL

Direct emails to Rani and Katya:

Rani McLennan, OER Collective Project Officer (Monday & Thursday)

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