

Students' introduction to copyright

Overview

As a student you will be using copyright material in the course of your study and research. Copyright also applies and protects works that you create as a student, such as your essays, assignments and theses. The University requires that all students respect copyright. Students who breach copyright may be subject to disciplinary action.

Copyright dos

- Acknowledge your sources and correctly attribute them. This is good academic practice as well as acknowledges the creator's moral rights
- Observe the limitations and conditions for fair dealing
- Contact the Copyright Office if you need advice.

Copyright don'ts

- Download infringing material from the web, especially music & movies.
- Make copyright material available on the web without permission. This includes lecture slides and recordings, articles and book chapters that have been shared to you as teaching material. Fair dealing does not allow you to communicate these types of material on public websites.

Using copyright material for your study and research

Copyright applies to all material, for example, journal articles, books, films, and music. Copyright usually belongs to the person who created the work, and they have the right to control how their work is used. Just because you own a copy of a book or song does not mean that you own the copyright and can do what you like with it. Material where the copyright is owned by another person is often called third-party copyright material.

Copyright affects many of the activities that you carry out as part of your study and research. Copyright applies when you:

- Photocopy or scan journal articles, books or other material from the library collections
- Download or print information from the web
- Include substantial extracts of other people's works in your essays or assignments, e.g. an image to illustrate a point that you are making.

Generally, you can use material if:

- You created the work
- Copyright has expired
- You are using an insubstantial portion, e.g. including a quote in an essay.
- The copyright owner allows the work to be used for research and study, e.g. licensed under Creative Commons
- You are copying or scanning the work under fair dealing for research and study.
- You have the copyright owner's permission

Copyright and the Web

Copyright also applies to websites. Just because you can freely access material on the web does not mean that you are free to use it for any purpose. Some websites choose to make their material freely available with very few copyright restrictions. Check the terms and conditions of the website to see what is allowed and what copyright restrictions apply. You must abide by any terms & conditions that appear on the website. If no terms or conditions are specified then you may only use the website as would be permitted under provisions in the Copyright Act, such as fair dealing.

Be aware that some material available from websites may be infringing copies, i.e. it may be on the website without the copyright owner's permission. Do not use infringing material, otherwise you yourself will be infringing copyright and may be liable.

Where possible, link to or bookmark websites as these activities do not infringe copyright. Do not link to infringing sites, or direct others to infringing sites, as this would be a breach of copyright.

Remember to always acknowledge your online sources and properly reference it as you would for print material.

For more information, see websites.

Music, movies and software

Many websites have music, movies & software that can be downloaded for free. Most of these websites use peer-2-peer (P@P) software to make the downloads quick and easy. Unfortunately, many of these movies, music & software are illegal copies. By downloading illegal material, you are breaching copyright and could be liable to disciplinary action from the University (if you use University equipment or networks) as well as legal action from the copyright owner.

Therefore, you should be careful if you are downloading music, movies or software, particularly free material.

- Check the website carefully to make sure that it is a legitimate website. Read the Terms & Conditions - legitimate sites will have them - these should clearly state that the website is either the copyright owner or has permission to make the material available. They will explain what you may or may not do with material on the website.
- Use a reputable website such as iTunes, and abide by any contractual conditions of the website. For example, you can download a copy of the iTunes software for your own personal use but you are not permitted to lend or sell the software to other people. In addition, music that you download from iTunes is only for your personal use.

There are a number of ways to access these materials for research and study purposes without infringing copyright.

- Under certain circumstances, you may be able to copy music, movies & software under fair dealing for research and study.
- Software - The University may have a licence for a particular piece of software, e.g. EndNote that can be downloaded by students for free. Alternatively, copies of the software may be available for use in libraries or IT Labs. More information.
- Movies and TV programs - The University has a licence that allows University staff to record TV broadcasts for educational purposes. Your lecturer may have a copy that they can make available for you. Alternatively, copies of these broadcasts are available from the Giblin Eunson Library and streamed via the off air recording service. The Giblin Eunson Library also has an extensive collection of movies & TV programs available on DVD.
- Music - The University has a licence that allows University staff to record radio broadcasts for educational purposes. Your lecturer may have a copy that they can make available for you. The Southbank Library has an extensive collection of music for students' research & study. The University also has a music licence that allows students to record and perform music as part of their course of study.

Personal use

The Copyright Act allows you to make copies of material that you own for your own personal use, for example copying a CD that you own to your own iPod. Not all types of material that you own

can be reproduced and conditions do apply.

You are also permitted to record TV and radio broadcasts for viewing or listening to at a more convenient time.

For more information, see [personal use](#).

Copyright and your work

Any original material that you create as a student as part of your study and research, e.g. essays, assignments or your thesis is protected by copyright and you will most likely be the copyright owner. This applies not just to any written work that you might create but photographs that you take, music that you compose, software that you design, films that you make etc.

Copyright applies automatically to anything fixed in a material form, it does not apply to ideas. In Australia, you do not have to register your work to obtain copyright protection, however, it is good practice to include a copyright statement with your work such as (c) Fred Smith 2007 as this clearly identifies you as the copyright owner. Most of the work that you create for your studies will be [unpublished work](#) and treated as such.

As a copyright owner, you will be able to exercise [exclusive rights](#) relating to the use of your work including, for example, the right to publish or make your work publicly available. If you create works with other individuals, each of the contributors may be able to claim joint authorship in the work. Copyright ownership may also be affected by funding or publishing agreements. For example, if your research is funded by a grant - a condition of the grant may be that copyright is owned by or shared with the funding body, in which case you might need their agreement before you publish or communicate the work. You may also choose to publish your research in a journal, and as a condition of publishing, you may be asked to transfer copyright in the work to them.

If you choose to publish or distribute your work then you will need to get [permission](#) for any third-party copyright material that you have included in your work, as fair dealing will not apply once the work has been published. Be aware that making a work available on a website is considered publishing so you will need to either have permission for any third-party copyright material in the work or publish the work without the third-party copyright material.

For more information, see [Melbourne Research Office's IP webpage](#).

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