

3-27-2013

Will They Let Me Do That? A brief introduction to copyright and institutional repositories

Harrison W. Inefuku

Iowa State University, hinefuku@iastate.edu

Follow this and additional works at: http://lib.dr.iastate.edu/digirep_outreach



Part of the [Library and Information Science Commons](#)

Recommended Citation

Inefuku, Harrison W., "Will They Let Me Do That? A brief introduction to copyright and institutional repositories" (2013). *Digital Repository Outreach and Workshops*. 3.

http://lib.dr.iastate.edu/digirep_outreach/3

This Book is brought to you for free and open access by the Digital Scholarship and Initiatives at Iowa State University Digital Repository. It has been accepted for inclusion in Digital Repository Outreach and Workshops by an authorized administrator of Iowa State University Digital Repository. For more information, please contact digirep@iastate.edu.

Will They Let Me Do That?

A brief introduction to copyright and institutional repositories

DIGITAL REPOSITORY @ IOWA STATE UNIVERSITY was established to provide open access to scholarship produced by Iowa State University faculty, students and staff. Authors who wish to deposit their work in the repository need to be aware of how copyright affects their ability to distribute their work. This educational bulletin is intended to give an overview of some of the copyright issues involved with the management of a digital repository and the steps Digital Repository @ Iowa State University is taking to adhere to copyright law.¹

A (very) Brief Introduction to Copyright

According to the United States Copyright Office, copyright is “a form of protection grounded in the U.S. Constitution and granted by law for original works of authorship fixed in a tangible medium of expression.”² Copyright generally concerns the economic rights and author has in his/her work and covers the following rights:

- The right of reproduction;
- The right to prepare derivative works;
- The right of public distribution;
- The right of public performance;
- The right of public display; and
- The right of public performance through digital audio transmission.

Because the mission of an institutional repository is to disseminate scholarship as broadly as possible, a repository may engage in all the exclusive rights protected in the United States Copyright Act. It is important for repositories and repository users to take precautions to prevent copyright infringement.

Copyright Ownership and the Repository

Depositing work in Digital Repository @ Iowa State University does not affect the copyright of the work, whether it is held by the author(s) or the publisher. We will never ask authors to transfer copyright as a precondition to depositing works in the repository. Instead, we work with permissions and licenses to ensure we have the right to share an author's work.

For previously published works, if copyright ownership rests with the publisher, we assist the author in obtaining permission to deposit their work in the repository. Some publishers have established policies that allow or prohibit authors from depositing their works in digital repositories. For other publishers, we will work with the author to request necessary permissions from the publisher. We only allow deposit of previously published work in accordance with publisher policy.

For work that is originally published through Digital Repository @ Iowa State University, we ask authors to sign a non-exclusive distribution license that grants us the ability to distribute the work

through the repository and to make copies of the work for back-up and preservation.

Plagiarism and Open Access

Some authors may have concerns that in making their scholarship openly accessible over the Internet, their works are more susceptible to plagiarism. The plagiarism of open access materials may not be a significant cause for concern. As open access advocate Peter Suber put it:

OA [Open Access] deters plagiarism. [...] OA might make plagiarism easier to commit, for people trolling for text to cut and paste. But for the same reason, OA makes plagiarism more hazardous to commit. Insofar as OA makes plagiarism easier, it's only for plagiarism from OA sources. But plagiarism from OA sources is the easiest kind to detect. Not all plagiarists are smart, of course, but the smart ones are steering clear of OA sources.³

Additionally, everything deposited in Digital Repository @ Iowa State University is date-stamped. If cases of plagiarism do arise, we'll easily be able to determine when a work was made publicly available.

Instances of Copyright Infringement

Digital Repository @ Iowa State University makes a good faith attempt to ensure that all deposits to the repository are done in compliance with United States Copyright Law. We do this primarily through education, by educating authors about their rights and publishers' policies.

In any instances where a work is posted that infringes copyright, whether via plagiarism, the reuse of copyrighted material without permission, or the deposit of a previously published work against publisher policy, we will remove the work upon notification of copyright infringement.

Moral Rights

Whereas copyright protects a copyright owner's economic interests in her work, moral rights seek to protect the connection an author has with her work. Moral rights include the right of attribution and the right of integrity.

Although the scope of moral rights in United States Copyright Law is narrow and does not cover work deposited in Digital Repository @ Iowa State University, we work to uphold the moral rights of attribution and integrity. To uphold the right of attribution, we strive to enter complete and accurate descriptive information that identifies the author(s) of a work, as well as the copyright owner of the work.

We also do several things to uphold the right of integrity. We convert word processed files to PDF before deposit, to prevent manipulation of the files. If we need to convert

your files for preservation purposes, we will do our best to ensure that the content and functionality of your work is not negatively impacted. Finally, where a work in the repository has been previously published, we provide complete bibliographic information for the original publication and include a link to the publication through its DOI, if one is available, so users are always able to locate the original publication of record, if necessary.

—Harrison W. Inefuku
Digital Repository Coordinator
March 27, 2013

Notes

- ¹ The information provided in this pamphlet is for general educational purposes only and does not constitute legal advice.
- ² The full text of United States copyright law can be found at: <http://www.copyright.gov/title17/>.
- ³ Peter Suber. "Open access and quality." SPARC Open Access Newsletter 102 (October 2, 2006): <http://legacy.earlham.edu/~peters/foa/newsletter/10-02-06.htm>.

Additional Resources

ISURF/OIPTT, "Copyrights"

http://www.techtransfer.iastate.edu/for_iowa_state/educational_resources/copyrights.cfm
A guide to copyright law and Iowa State University policies.

United States Copyright Office

<http://www.copyright.gov>
Resources and information about copyright law in the United States.

SHERPA/RoMEO

<http://www.sherpa.ac.uk/romeo/>
A compilation of publisher policies on the posting of published articles on author websites and in institutional repositories.

Digital Repository @ Iowa State University is Iowa State's institutional repository, managed by the University Library with support from the Office of the Vice President for Research and Economic Development.

This educational bulletin has been produced by Digital Repository @ Iowa State University. For more information, please contact the Digital Repository Coordinator:

Harrison W. Inefuku
204 Parks Library

hinefuku@iastate.edu
515-294-3180

<http://lib.dr.iastate.edu>

This bulletin may be found online at:
http://lib.dr.iastate.edu/digirep_outreach/3/

**IOWA STATE
UNIVERSITY**