Copyright: using copyright material

What is Copyright?

Copyright gives legal protection to original works, including:

- literary, dramatic, musical and artistic works
- sound recordings
- films (and videos)
- broadcasts (including cable and satellite programmes)
- typographical arrangements of published works

Copyright arises automatically once the work is recorded in writing or some other form; there is no requirement to register copyright or mark a work as copyright protected.

Copyright gives the copyright holder exclusive right to:

- copy the work
- issue copies of the work to the public
- perform, show or play the work in public
- to communicate the work to the public (by broadcast, or by electronic transmission)
- make an adaptation of the work

It is an infringement to do any of the above without the permission of the copyright holder. However, copyright law includes several exceptions to these exclusive rights.

What is allowed?

Copying or re-using a work without permission is allowed for the following:

- Non-commercial research and private study
  You may copy from any type of copyright work for this purpose provided that the amount used is fair and reasonable. If copying for research, the source of the work should be acknowledged where practical.

Interlibrary Loan copies
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• **Text and data analysis for non-commercial research**
  If you have the right to access a copyright work, such as through a Library subscription, you are allowed to make a copy of the work for text and data mining purposes as part of your research without asking for additional permission.

• **Criticism, review, quotation and news reporting**
  You do not need to seek the permission of the copyright owner to use a quotation as long as the original work has been made available to the public, the copy is accompanied by a sufficient acknowledgment of the source, and the use is considered fair and reasonable. However, photographs cannot be copied in order to report current events.

• **Illustration for instruction, including examinations**
  Illustrative uses of copyright works are permitted for the purpose of teaching, or examination including marked assignments, theses and dissertations, provided that your use is minimal and fair, and the source of the work is acknowledged where practical. Any type of work can be copied to illustrate a teaching point.

• **Caricature, parody or pastiche**
  You can copy a moderate amount of somebody else’s work for this purpose without seeking permission, for example, copying extracts from films to create a parody video.

The amount of material which can be copied must be fair to the copyright holder. In legal terms, this is called “fair dealing”.

Factors which are relevant in determining whether a particular use is “fair dealing” include:

- Does the use of the work substitute for buying a copy of the original?
- Is the amount of the work taken necessary, reasonable and appropriate?

Any use that is not “fair dealing” will require permission or a licence.

**Which licences has Leeds Beckett University entered into?**

Licences are contracts that allow greater freedom in the copying of protected material. The University has agreed to many licences to enable students and staff to access services, software and databases, including eBooks and ejournals.

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**Does copyright exist in a digital environment?**

Yes, information recorded in an electronic or digital format, including CD-ROMs, online databases, computer programs, web pages etc. is protected by copyright.

Downloading, printing, scanning and storing material may infringe the copyright of the rights holders. More specifically:

- any copying and re-use of electronic material beyond fair dealing can only be carried out under the terms of a licence or contract with the rights owner
- an individual can copy part of an electronic publication on to a USB (accessible by a single user, not networked) or print one copy on to paper, for example for non-commercial research or private study
- multiple copies for teaching or posting part or all of an electronic publication on to a network or web site or Virtual Learning Environment (VLE) such as MyBeckett may infringe copyright unless covered by a licence
- the CLA Licence permits the scanning of print books and journals owned by the University, for online module teaching. All requests for digital copies should be directed to the LLI Digitisation Service by your module tutor.
- although information from the internet may be free to access, it does not mean that the material is copyright free. Unless the website contains a specific copyright waiver covering your intended usage, the webmaster or equivalent should be contacted for copyright clearance beyond a single, fair dealing copy
- a blanket licence for copying from a digital environment is not available; in general individual subscriptions and licensing apply. The Copyright Clearance Service can advise.

**Further sources of help**

- Check the posters displayed beside all printers /photocopying machines
- Leeds Beckett University staff and students can contact the Copyright Clearance Service on 0113 812 7472 or r.thornton@leedsbeckett.ac.uk
- Copyright Guidelines are available through the Library website. Guides are available on a variety of topics such as using audio visual materials, artistic works and photographs, and social media.
- Ask your Academic Librarian for advice