



What are my copyright responsibilities associated with my thesis?

HDR students are responsible for managing their copyright obligations when producing their thesis and making it publically available on espace – a University requirement for graduation.

In its broadest sense, managing your copyright obligations means you must:

1. Attribute all third party content e.g. material which you did not create

Acknowledge all third party copyright material in your thesis with a full bibliographic citation. Acknowledging the source of material is standard academic practice and also a requirement under the 'moral rights' provisions of the Copyright Act.

2. Obtain written permission to reuse third party content, where necessary.

All written permissions are to be documented in an appendix to your thesis.

When is it necessary to obtain copyright permission?

This is actually three interrelated questions:

1. Is the third party content *covered by copyright*?
2. Is the intended reuse of the content permitted under a *copyright exception*?
3. Is the intended reuse of the content permitted under the terms of the *copyright licence agreement*?

Is third-party content covered by copyright?

Under Australian law material is automatically protected by copyright. Copyright generally lasts 70 years from the death of the creator, or from the date of first publication.

You don't require further permission to reuse:

- Content where copyright has expired. Once copyright has lapsed the work is considered to be in the public domain and can be used without the copyright owner's permission.

Earlier works may no longer be protected by copyright, however determining if copyright has lapsed is a complex matter. For assistance with copyright duration for works created more than 70 years ago entering the public domain, contact Library-Copyright@curtin.edu.au

Is the intended reuse permitted under a copyright exception?

The Australian Copyright Act 1968 details specific circumstances where you may reuse third party content without requiring written permission from the copyright holder. These specific circumstances known as copyright exceptions, and the most relevant to HDR students are the Fair Dealing exceptions for Criticism or Review.

The common Fair Dealing exception of "Research and Study" *only applies for the thesis version you submit for examination*, provided only a reasonable portion of copyright material is reused. The

Research & Study exception *does not apply* when seeking to reuse material in the public version of your thesis deposited to espace.

You don't require further permission to reuse:

- Brief quotations from a publication, properly acknowledged and referenced.
- Short extracts of text and occasional use of images *provided* these are the subject of critical commentary or analysis in the thesis.

Is the intended reuse permitted under the terms of the copyright licence agreement?



Copyright sits on a continuum. For example ‘© Copyright. All rights reserved.’ requires you to request permission for any reuse of the content not covered by a copyright exception.

However, not all copyright licences are as restrictive. Content can remain subject to copyright, and the copyright owner may choose to pre-emptively grant permission for reuse under specific conditions. Provided you reuse the content as permitted, no formal written permission from the copyright holder is required.

Content licenced under Creative Commons is a great example of copyright holders granting the public standardised permissions to use their creative work under copyright law. (Creative Commons licenses are commonly used when publishing academic works as Open Access.) Similarly many websites provide terms and conditions that allow re-use for specific purposes.

For any content reuse that is outside the conditions permitted, formal written permission will be required.

Given copyright over third party content can sit anywhere along the above continuum, unpacking copyright obligations can be complex.

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Written permission is generally required for the reuse of all other copyright content.

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- Complete additional permission for reuse options
- Select continue and request a licence through RightsLink
- Create an account, (if you have not already done so)
- Retain a copy of the licence permission received

- Ensure you comply with the licence terms and conditions and include a copy of the permission in an appendix to your thesis.

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Written Permission requests may be more suitable for content sourced from:

- Books e.g. text, images, photographs, artwork
- Company reports, market research or industry analysis
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- Screen captures of software applications
- Websites and social media applications/platforms
- Material not publicly available such as letters or unpublished manuscripts

The [General permission request template](#) provides guidance on the type of information to include when approaching a copyright holder directly for permission.

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- Ensure you comply with the permission terms and conditions and include a copy of the permission in an appendix to your thesis.

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- For a quick guide refer to the Publisher author rights summary table in Curtin's [Guide to espace](#).

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- Ensure you comply with the permission terms and conditions and include a copy of the permission in an appendix to your thesis.

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