

# Foundations of Copyright for Researchers

iSkills session  
4 March 2025

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# Learning Outcomes

By attending this session you will have the opportunity to:

- Identify the different types of copyright work used and produced as part of the research process
- Explore your rights and responsibilities in the context of open scholarship
- Critically examine the implications of copyright on the publication and data sharing process.
- Apply a risk aware approach to the use of third-party copyright material in your research

# Copyright guidance

- <https://www.bodleian.ox.ac.uk/ask/copyright>
- <https://www.bodleian.ox.ac.uk/ask/copyright/researchers>

[Ask a librarian](#)[Getting started guides](#) ▶[Workshops](#) ▶[Guide to copyright](#) ▼[Copyright for students](#)[Copyright for lecturers](#)[Copyright for researchers](#)[Finding and sharing content online](#)[Copyright infringement](#)[Copyright licences](#)[Copyright and licensing for e-journals](#)[How to guides](#) ▶[Subject librarians](#)

## Copyright: what you need to know

Copyright is relevant whenever you are copying or sharing creative work. This guide helps you to understand copyright and its relevance to your work and study at the University of Oxford.

Although this guide is primarily written for staff and students at the University of Oxford, other researchers using the Bodleian Libraries may also find it useful.

In this section you'll find further information for [students](#), [lecturers](#), [researchers](#), [sharing content online](#) and [copyright infringement](#).

### On this page

- [What does copyright protect?](#)
- [Who owns copyright?](#)
- [How long does copyright last?](#)
- [Activities covered by copyright](#)
- [Copyright licences](#)
- [Copyright exceptions](#)
- [Fair dealing](#)
- [Copyright risk](#)
- [Copyright training](#)

### What does copyright protect?

Copyright is a type of 'intellectual property right' that gives the authors of original, creative works the right to decide who is allowed to copy and share their work and how.

There are many types of work which qualify for copyright protection in the UK, for example books, journals, personal correspondence, software, music, art works, diagrams, databases audio recordings, films and broadcasts.

## Guide to copyright ▲

[Copyright for students](#)[Copyright for lecturers](#)

## Copyright for researchers

[Finding and sharing content online](#)[Copyright infringement](#)[Copyright licences](#)[Copyright and licensing for e-journals](#)

## Copyright for researchers

Doing research means creating new knowledge that builds on existing knowledge. This page helps you understand how to navigate copyright and related rights when undertaking your research.

### On this page

- [Copyright in research outputs](#)
- [Open access publishing](#)
- [Quotation](#)
- [Copyright and your thesis](#)
- [Using pre-existing content or data in your research](#)
- [Clearing copyright for academic publications](#)
- [Working with archival and orphan works](#)
- [Text and data mining](#)
- [Using software in research](#)

### Copyright in research outputs

Your research outputs, such as papers, datasets, diagrams or even practice-based research are likely to be protected automatically by copyright. Depending on the nature of your research they may also be protected by other types of intellectual property, such as database rights, patents or design rights.

The detail of who owns the legal rights associated with work created at Oxford is in the [University Statute XVI: Property, Contracts, and Trusts](#). If you write a traditional 'scholarly work' (such as a journal article or an academic monograph), you will own the copyright in that work, or will share the copyright with other co-authors or their employers.

In some cases the University will own the copyright in the outputs of your research, for example if you create software. In other cases, funders, such as commercial organisations, may own the intellectual property arising from your research as stated in your funding agreement.



# What is copyright?



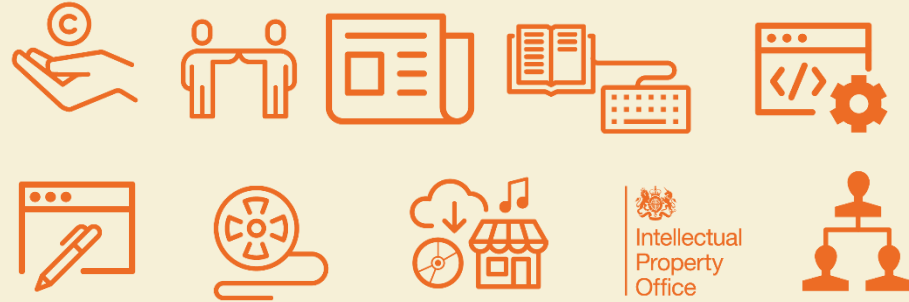
## Works

(The things it protects)



## Usages

(The activities it regulates)



## Licences

(Legal use with permission)



## Exceptions

(Legal use without permission)

# Copyright Works



Literary



Artistic



Musical



Dramatic



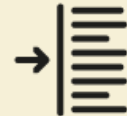
Broadcast



Sound Recording



Film



Typography



Public Domain



Crown Copyright



Database



Moral Rights



Performance



Non Qualifying

# Copyright and the Research Process

## Rights In

- Scholarly literature (books & journals)
- Datasets
- Interviews
- Images
- Software

## Rights Out

- Journals and books created by researcher/project
- Project Website
- Shareable Datasets
- Software
- Clinical outcome measures and other tools



# Copyright Ownership @ Oxford (part 1)

Statute XVI: Property, Contracts and trust

Part B: Intellectual Property

- 5. (1) The University claims ownership of all intellectual property specified in section 6 of this statute which is devised, made, or created:
- by persons employed by the University in the course of their employment;
- by student members only in the circumstances specified in sub-section (3) below;

# Copyright Ownership @ Oxford (part 2)

6. The intellectual property of which ownership is claimed under section 5 (1) of this statute comprises:

- (1) works generated by computer hardware or software owned or operated by the University;
- (2) works created with the aid of university facilities including (by way of example only) films, videos, photographs, multimedia works, typographic arrangements, and field and laboratory notebooks;
- (3) patentable and non-patentable inventions;
- (4) registered and unregistered designs, plant varieties, and topographies;
- (5) university-commissioned works not within (1), (2), (3), or (4);
- (6) databases, computer software, firmware, courseware, and related material not within (1), (2), (3), (4), or (5), but only if they may reasonably be considered to possess commercial potential; and
- (7) know-how and information associated with the above.

# Copyright Ownership @ Oxford (part 3)

7. The University will not assert any claim to the ownership of copyright in:

(1) artistic works not listed in sub-section (2) of section 6 of this statute, books, articles, plays, lyrics, scores, or lectures, apart from those specifically commissioned by the University;

(3) student theses, exercises and answers to tests and examinations save to the extent that they contain intellectual property claimed by the University under subsection (6) of section 6 of this statute;

# Usages



Copying



Issuing copies to the public



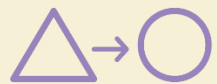
Rental or Lending



Public Performance



Communication to the public



Adaptation

# Licences

- Licences provide permission to use copyright material
- Typically set out in the form of a legal contract (although licences can be verbal or implied)
- Use may be limited to specific people (e.g. university staff/students) or purposes (e.g. non-commercial use)
- Duration (term) of the licence may be time limited or perpetual
- Can be limited by territory (i.e. country) of activity

# Licences vs Assignments

## Licence

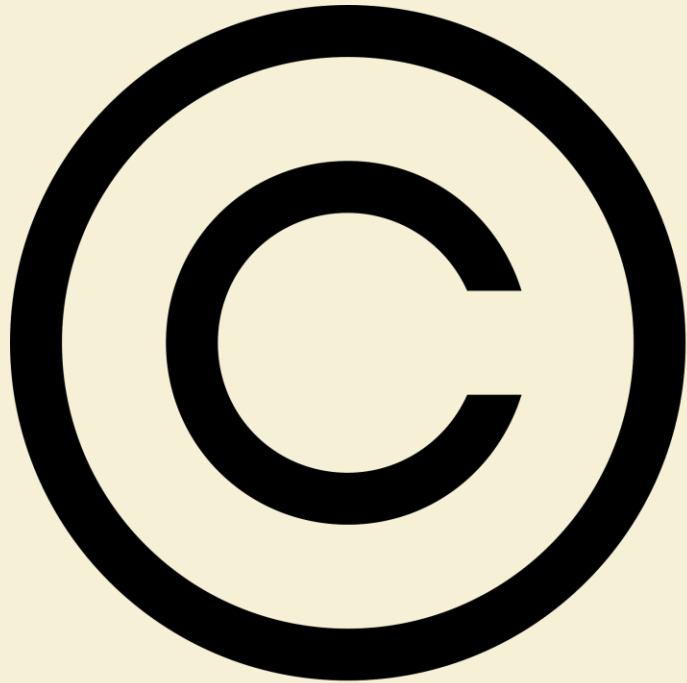
- First copyright owner retains rights
- Provides others with rights to use works in specific ways

## Assignment

- First copyright owner transfers rights to another
- Can only use their work with permission of new owner



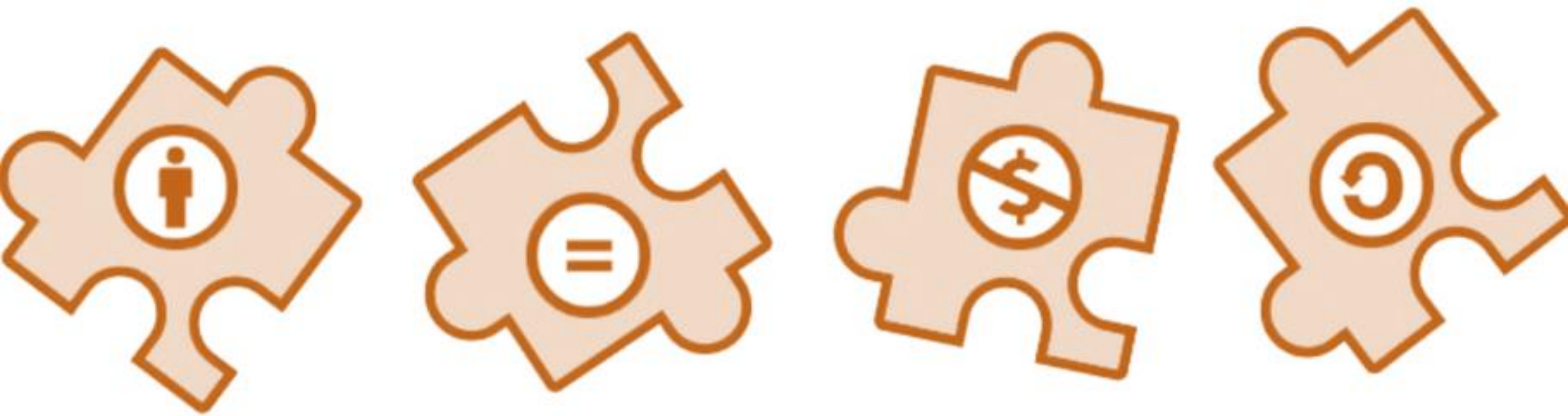
# Open Licences and Creative Commons



All Rights Reserved



Some Rights Reserved



### **Attribution (BY)**

- Use of the work is only allowed when the author is credited and any changes are indicated

### **Share Alike (SA)**

- Modified work has to be shared under an identical license

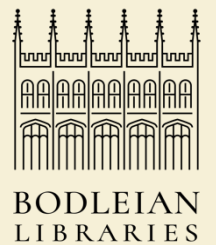
### **Non-Commercial (NC)**

- Use of work is only allowed for non-commercial purposes

### **No Derivatives (ND)**

- Only verbatim sharing (no derivative work or remixes)

# Quiz Time



# Answer the following

1. The University of Oxford owns the copyright to all the articles I write. **TRUE** or **FALSE**?
2. If you transfer copyright to some other body you as the author can still use your own work however you wish? **TRUE** or **FALSE**?
3. What do these symbols mean?



# Open Access



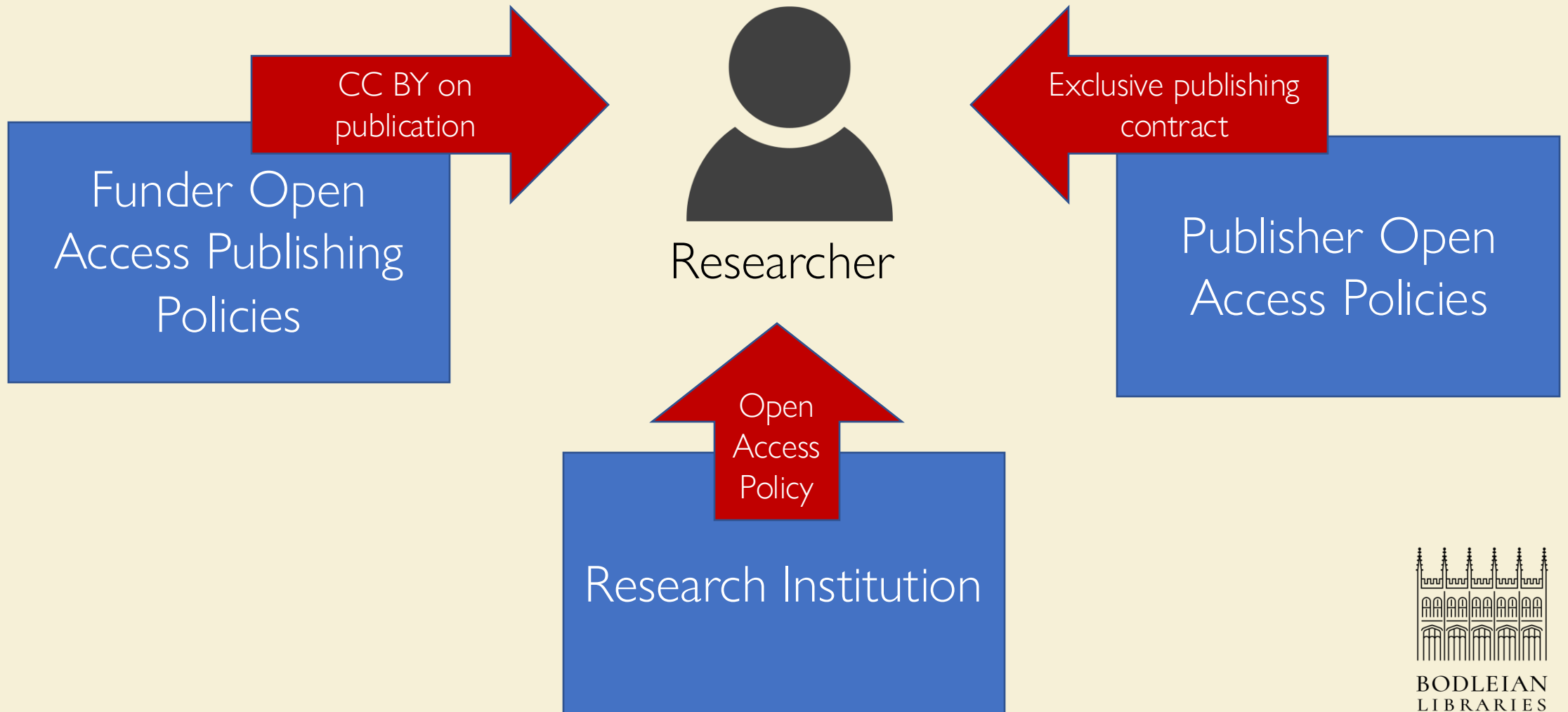
# Open Access

By "open access" to this literature, we mean its **free availability** on the public internet, permitting any users to read, download, copy, distribute, print, search, or link to the full texts of these articles, crawl them for indexing, pass them as data to software, or use them for any other lawful purpose, **without financial, legal, or technical barriers** other than those inseparable from gaining access to the internet itself. The only constraint on reproduction and distribution, and **the only role for copyright in this domain, should be to give authors control over the integrity of their work and the right to be properly acknowledged and cited.**

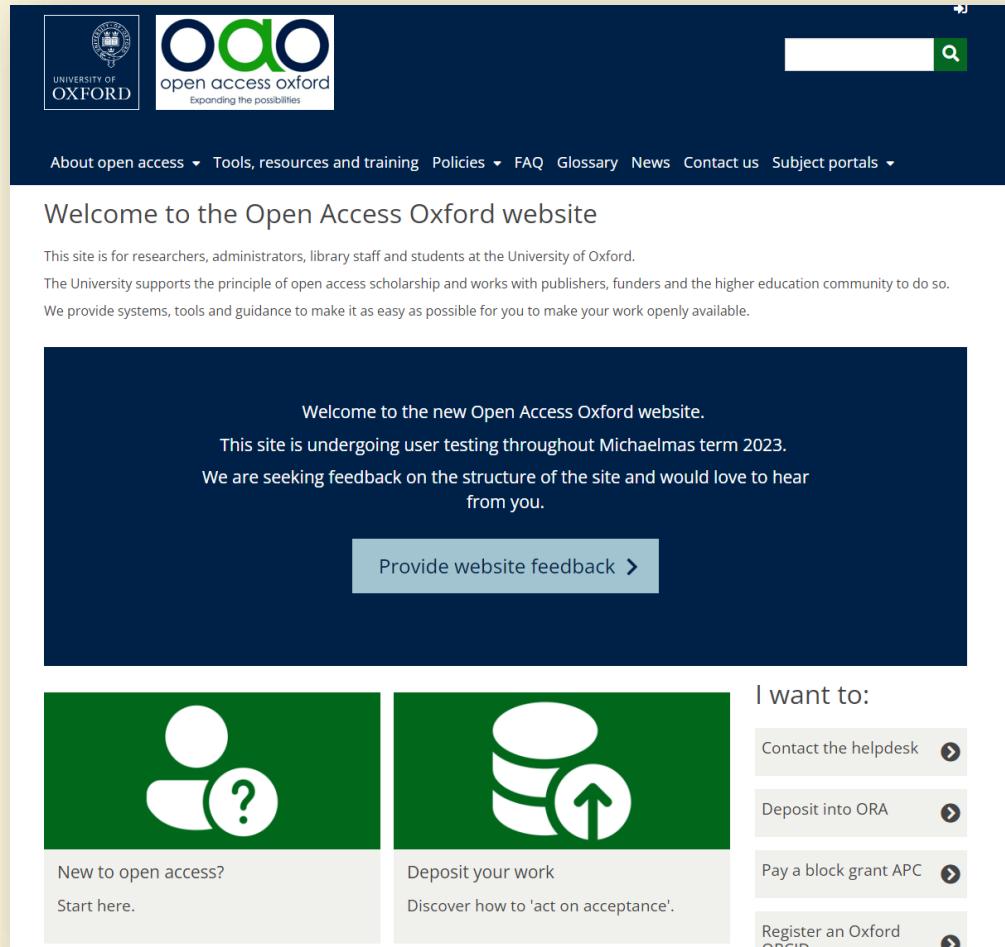
(Budapest Open Access Initiative, 2002)



# The Open Access “Policy Stack”



# Open Access Support




<https://openaccess.ox.ac.uk/>

- Visit Open Access Oxford website for [funder requirements](#)
- [iSkills courses](#):
  - Fundamentals of Open Access
  - Logistics of Open Scholarship
  - Forum of Open Scholarship
- Get help from [openaccess@bodleian.ox.ac.uk](mailto:openaccess@bodleian.ox.ac.uk)

# Publishing Contracts

- Does it contain a licence or an assignment of your copyright?
- If it contains a licence, is this an exclusive licence?
- Does the contract restrict you from making use of your own work?  
E.g. in your own teaching
- Does the contract allow you to meet your funder's open access requirements? E.g. CC BY licence

# Jisc Open Policy Finder

 Open policy finder  
Formerly Sherpa services

Select your institution ▼

Menu ☰

🔔 We've just launched our new supporter scheme. [Find out more here](#)

## Welcome to open policy finder

Helping authors and institutions to make informed and confident decisions in open access publication and compliance.  
Formerly Sherpa services.

### Search across open policy finder

Search for a journal, publisher or funder. For open access book policies, search for a publisher below.


Search all ▼

Type the name or title of a journal, publisher or funder...

🔍


Search

### Open access compliance and transitional agreements

 United Kingdom Only

#### Open access compliance

Get clear guidance on whether a journal complies with a funder's open access policies.

 United Kingdom Only

#### Transitional agreement look up

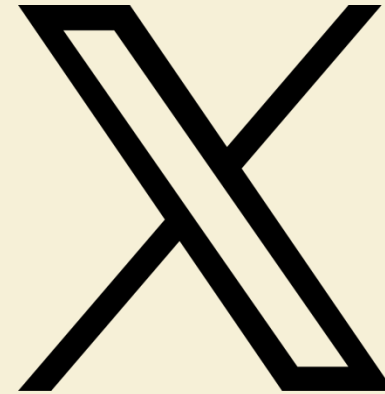
Find information on transitional agreements (TAs) held by institutions and the journals listed within TAs.

<https://openpolicyfinder.jisc.ac.uk/>

# Social Media and Scholarly Outputs



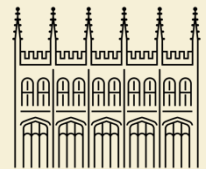
<https://www.researchgate.net/ip-policy>



<https://help.twitter.com/en/rules-and-policies/copyright-policy>

**ACADEMIA**

<https://www.academia.edu/copyright>



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# ORA – Oxford University Research Archive

The screenshot shows the homepage of the Oxford University Research Archive (ORA). The header is dark blue with the ORA logo, the University of Oxford crest, and navigation links for ABOUT, DEPOSIT, and HELP. A search bar is prominently displayed with the text "EXPLORE THE UNIVERSITY OF OXFORD'S WORLD-CLASS RESEARCH" above it. Below the search bar are buttons for the COVID-19 Portal and Climate Portal. The background of the header features a map of Oxford with labels for various landmarks like Bodleian (New Library), Broad Street, Old Clarendon Buildings, Sheldonian Theatre, The Schools & Bodleian Library, Chapel, and Hertford College. A vertical "CONTACT" button is on the right side of the header.

**EXPLORE THE UNIVERSITY OF OXFORD'S WORLD-CLASS RESEARCH**

Enter your search here / All Fields

COVID-19 Portal Climate Portal

**Deposit**

Members of the University of Oxford can deposit a wide range of research to ORA including articles, conference papers, theses and data.

[DEPOSIT](#)

**In focus**

**Tweets from @OAOxford**

OpenAccessOxford @OAOxford · Jun 9

Many medical research funders require a deposit into Europe PubMed Central (EPMC).

Quite often the joirnal will do this for you

**In numbers**

78.5%

Journal article  
Confere...  
Thesis  
Book section  
Workin...  
Other

[More stats...](#)

<https://ora.ox.ac.uk/>





# Open Access Rights Retention at Oxford

- Provides a legal route to 'green' self-archiving of journal articles in ORA or other repositories under a CC BY licence where 'gold' or 'read and publish' options are not available.
- Pre-existing grant of rights prior to signing publishing contract
- Requirement to notify publishers in advance
- More information at [Oxford Rights Retention page](#).

# Consider the following scenario



A researcher signs an exclusive licensing agreement to publish a journal article. The version of record is published on a subscription only basis (i.e. not open access)

She included a rights retention statement in the submitted manuscript which the publisher has removed from the final version of record

Is she legally entitled to:

- Make the full text of the authors accepted manuscript available in ORA under a CC BY licence?
- Upload the version of record to Research Gate?

# Research Data



## Research Data Oxford

*Make your data count*

Welcome ▾ Tools, services, and training FAQs Quick links Glossary Contact us

About data management

Data management plans

Ethical and legal issues

Data handling and acquisition

Keeping working data safe


Post-project data preservation

Sharing data


University of Oxford research data policy

Funder requirements


### Welcome to the Research Data Oxford website




New to all this?  
Start here



University of  
Oxford policy



Deposit your data



Contact us

Welcome to the new Research Data Oxford website. We plan to continue developing this site over the next few months, so if there are additional topics you would like to see covered, or if you have any other feedback, please [get in touch](#).

Research Data Oxford is a cross-departmental group providing support for all aspects of research data management, and developing and delivering RDM infrastructure and services.

Research Data Oxford governance

Copyright  
Picture credits  
Accessibility statement  
Privacy statement

# Research Data

Protected by copyright  
and/or database rights

May contain valuable  
intellectual property

Most likely that the data  
belong to the University

Sharing of data is  
encouraged unless  
there is potential for  
commercial exploitation

# Sharing Data

## Sharing data

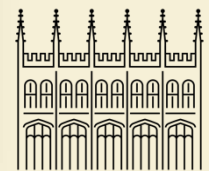
Sharing data at the end of a project makes it available for reuse by others. This is increasingly being encouraged by both funders and the research community more generally: it is very rare for the full potential of a research data set to be fully mined in one project, and sharing helps maximise the value of the data.

While not all data is suitable for sharing, the general trend is towards openness as the default, with restrictions only as necessitated by specific legal, ethical, or commercial considerations.

+ Expand All

The benefits of sharing data	▼
Open data and open scholarship	▼
Selecting and preparing data for sharing	▼
Making data FAIR	▼
How to share data	▼
Restricting access to data	▼
Data licensing	▼
ORCIDs	▼

<https://researchdata.ox.ac.uk/sharing-data>



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# Open Data and FAIR Data Principles

- Check funder requirements on open data
- Consider the FAIR Data Principles
  - **F**indability
  - **A**ccessibility
  - **I**nteroperability
  - **R**eusability
- Data may be licensed under (among others):
  - [Creative Commons](#),
  - [Open Data Commons](#) or
  - [CC Zero](#) public domain dedication.



# Using the Copyright Works of others



## Licences

(Legal use with permission)



## Exceptions

(Legal use without permission)

# Licences



Library electronic resource licences



Website terms of use



Software licences



Bespoke permission



IPO Orphan Works



Creative Commons



Open Government Licence  
(Crown copyright)



Your employer owns the copyright



You own the copyright



# Clearing rights from others



Home > RightsLink for Scientific Communications

Software

## RightsLink for Scientific Communications

Advanced scholarly communications workflow for the Open Access community

<https://www.copyright.com/solutions-rightslink-scientific-communications/>

Get permission to reuse content from books, journals and magazines.

### How it works:

- 1 Search for the title you want to reuse by title, ISBN, ISSN, or URL
- 2 Fill in the Request Wizard form
- 3 Your request is automatically sent to the correct publisher rights holder
- 4 Track progress in your Request Manager inbox
- 5 If your request is successful, download your licence and pay any fees due

<https://www.plsclear.com/pages/ClearWizard.aspx>

# Fair Dealing Copyright Exceptions



Research and Private Study ([S29 CDPA](#))



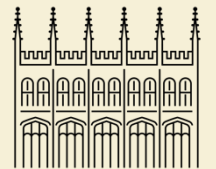
Criticism, Review, Quotation & News Reporting ([S30 CDPA](#))



Caricature, parody or pastiche ([S30A CDPA](#))



Illustration for Instruction ([S32 CDPA](#))



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# Quotation norms



Extracts from works

Entire copyright works

‘Low value’ works

‘High value’ works

Integral to the scholarship

Limited context

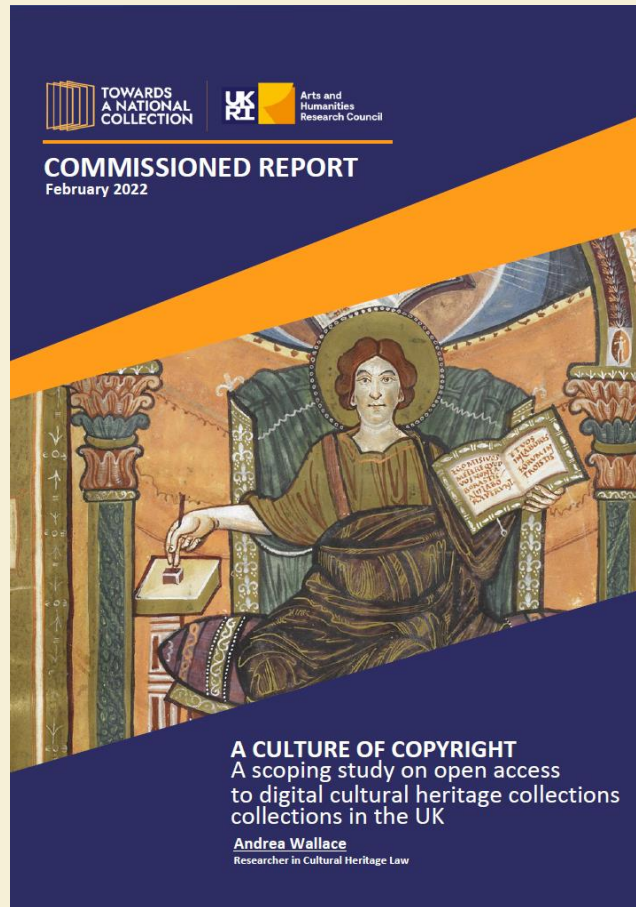
# Risk Management

What's the likelihood that  
your activity infringes  
copyright?

What is the likelihood that  
the copyright owner will  
discover and object to  
your activity?

what is the impact (both  
financial and reputational)  
if the copyright holder was  
to take action against you  
or the University?

# Practices in Cultural Heritage Institutions



- Tension between open scholarship strategies and revenue generation
- Claiming copyright in public domain material
- Confusion about copyright within GLAM institutions and the communities they serve
- [THJ v Sheridan](#) case November 2023

Wallace (2022), A Culture of Copyright  
<https://doi.org/10.5281/zenodo.6242610>

# Orphan Works



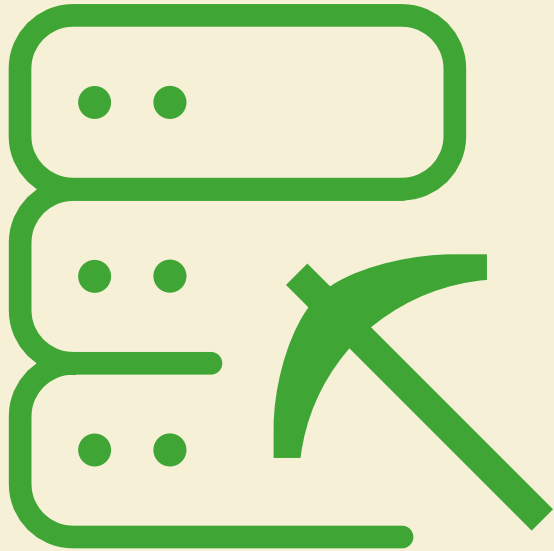
“Orphan works are creative works or performances...for which one or more of the right holders is either unknown or cannot be found.”

(Intellectual Property Office, 2022)

- Orphan Works Licensing Scheme  
UK use only and 7 year limit
- EU Orphan Work exception no longer available post-Brexit
- Reliance on risk-management




# Text and Data Mining



Copies for text and data analysis for non-commercial research ([S29A CDPA](#))


- TDM requires copying and normalisation of datasets
- Licences to use required data may not be available
- Copyright exception introduced in 2014:
  - Non-commercial research only
  - Dataset cannot be shared with others
- Code of practice in development


# Copyright and AI




Menu

[Home](#) > [Business and industry](#) > [Business regulation](#) > [Intellectual property](#) > [Copyright](#) > [Copyright and Artificial Intelligence](#)

  
Intellectual  
Property  
Office

  
Department for  
Science, Innovation  
& Technology

  
Department  
for Culture,  
Media & Sport

Open consultation

**Copyright and Artificial Intelligence**

Published 17 December 2024

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**Copyright and AI: Consultation**

Presented to Parliament by the Secretary of State for Science, Innovation and Technology by Command of His Majesty

December 2024



CP 1205

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ISBN: 978-1-5286-5330-5

E0325946112/24

**The University of Oxford  
response to the UK government  
consultation on copyright and AI**



25 February 2025

**Executive Summary**

AI is transforming research, industry, and society. The UK has a chance to be at the forefront of AI development - but only if it creates a copyright framework that supports innovation while ensuring fair recognition for creators. The University of Oxford, a global leader in AI, intellectual property, and digital research, urges the government to rethink its proposed approach.

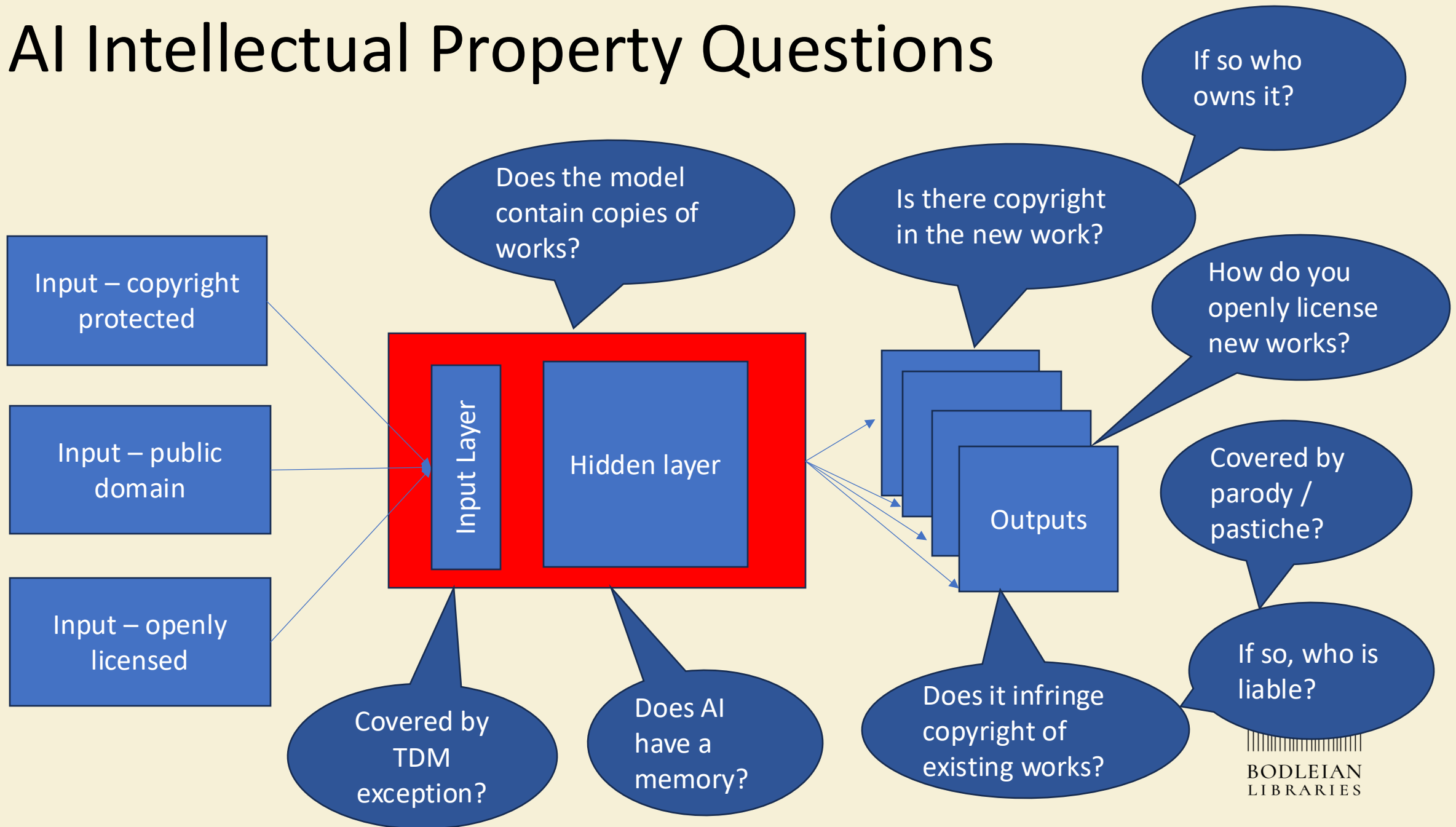
The current legal uncertainty is stifling AI-driven research; however, the government's proposed opt-out model for text and data mining (TDM) is unworkable - it creates barriers, bureaucracy, and legal risk, driving AI research and investment out of the UK. If the UK wants to lead in AI, it must ensure AI developers, researchers, and rights holders can work within a system that is clear, fair, and globally competitive.

**Key Recommendations**

- Expand AI research rights - Enable universities, startups, and researchers to train AI models without legal ambiguity. Research should not be held hostage by confusing, outdated copyright laws.
- Adopt a fair remuneration model - Rather than restricting AI training, introduce a structured licensing or levy system, ensuring creators are compensated when AI-generated products enter the market, not before research can even begin.
- Ensure AI transparency - Develop clear, practical standards for transparency in AI training, ensuring public trust while avoiding excessive red tape.
- End legal grey zones on copyright - The UK's stance on AI generated works must be clear: copyright should protect human creativity, not machine-generated outputs. The current legal protection for AI generated works should be removed.
- Create a regulatory environment that attracts AI firms - The UK should be a hub for AI research and development, not a place where legal risk and licensing confusion push talent and investment abroad.

<https://www.gov.uk/government/consultations/copyright-and-artificial-intelligence/copyright-and-artificial-intelligence>

# AI Intellectual Property Questions



# Other iSkills courses on copyright

## Online

- [Foundations of Copyright for Teaching](#) (next session 8 May)
- [Your thesis, copyright & ORA](#) (next session 3 June)

## In-person

- [Copyright the Card Game](#) (next session 25 June)
- [Playing in the open: Getting familiar with Creative Commons licences](#) (next session 29 May)

**IT Learning Centre** For everyone in the University

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🏠 &gt; Courses &gt; Digital Skills Courses and Resources

## Open Licensing: software, data and ML Models

### Description

Last updated: 2024/01/04 14:43

In this talk we discuss what kinds of intellectual property rights one might encounter in typical digital research outputs such as software, datasets and machine learning models. We discuss ownership of these rights in the University context, and how one might license them under common open licensing schemes such as Free and Open Source Software licensing or Creative Commons.

### Intended Audience

All researchers

### Level

Beginner

### Digital Capabilities

Information, data and media literacies

### Format

Teacher-led online

<https://skills.it.ox.ac.uk/whats-on#/course/OXFORDXU4U/TE027W>

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# GLAM Copyright Community of Practice

## Copyright Community of Practice

**20<sup>th</sup> March 10:30am – 12noon, HLT, Ashmolean**

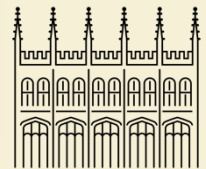
Do you encounter copyright issues when working with collections in libraries, archives and cultural heritage institutions? Do you worry that you don't know enough, or that you are making tricky decisions without being able to tap into the huge hive mind at Oxford? Or do you just love geeking out about all things copyright and GLAM (galleries, libraries, archives and museums) related? If so, then the brand-new Oxford GLAM Copyright Community of Practice is for you! Come and help build a supportive and transformational community that will harness the power of collective, shared knowledge. Because being responsible for working through tricky copyright issues isn't just a job, it's also an opportunity to make friends and influence people.

The Oxford GLAM Copyright Community of Practice focuses on copyright and related rights in galleries, libraries, archives and museum collections. It is an opportunity for practitioners and scholars who are responsible for developing, managing and providing access to collections to discuss copyright and other intellectual property rights (IPR). All Oxford staff and students from across the collegiate University are welcome to join the CoP. It will be particularly relevant to the following people:

- Librarians, collection managers and curators involved in digitisation and providing access to collections
- People with a responsibility for intellectual property rights (IPR) clearance and IPR risk management
- Researchers and research facilitators who are working extensively with GLAM collections (including collections outside of the University of Oxford)
- Lecturers and teaching support staff who are working with copyright material and have questions or experiences they would like to share
- Legal scholars and students with an interest in copyright and other types of IPR in GLAM collections

The first Oxford GLAM Copyright Community of Practice meeting will take place at the Headley Lecture Theatre, Ashmolean Museum at 10am on Thursday 30<sup>th</sup> March. At this first meeting co-chairs Chris Morrison (Head of Copyright & Licensing, Bodleian Libraries) and Daria Wallace (Image Officer, Ashmolean Museum) will welcome the group, discuss its purpose and capture ideas for future discussion topics and ways of building our collective learning. Refreshments will be provided.

To book a place at the kick-off event, email: [learningdev@glam.ox.ac.uk](mailto:learningdev@glam.ox.ac.uk)



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# Copyright Guidance

[www.bodleian.ox.ac.uk/copyright](http://www.bodleian.ox.ac.uk/copyright)

<https://www.gov.uk/topic/intellectual-property/copyright>

[www.copyrightuser.org/](http://www.copyrightuser.org/)

## **Contacts:**

Bodleian Copyright Advice service: [copyright@bodleian.ox.ac.uk](mailto:copyright@bodleian.ox.ac.uk)

Open Access team: [openaccess@bodleian.ox.ac.uk](mailto:openaccess@bodleian.ox.ac.uk)

ORA Team: [ora@bodleian.ox.ac.uk](mailto:ora@bodleian.ox.ac.uk)

IT digital licensing specialist: [rowan.wilson@it.ox.ac.uk](mailto:rowan.wilson@it.ox.ac.uk)

Patent and other IP advice: [enquiries@innovation.ox.ac.uk](mailto:enquiries@innovation.ox.ac.uk)

# Credits

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