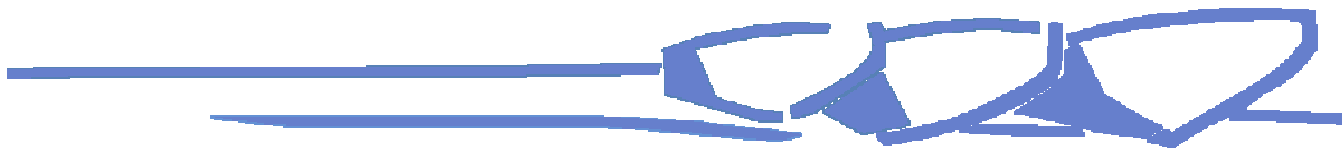


Staff Development Day 2009

Copyright and Plagiarism



Bernie Lally, GMIT Library

26th Feb 2009

What are we doing?

- What is copyright?
- What can I copy and how much?
- Is it a serious issue?
- What is plagiarism?
- What is wrong with 'cut and paste'?
- Difference between copyright and plagiarism

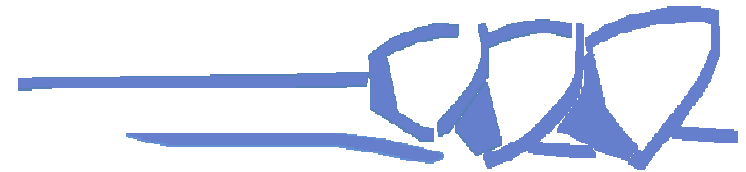
Copyright

- Disclaimer!

- No law expert



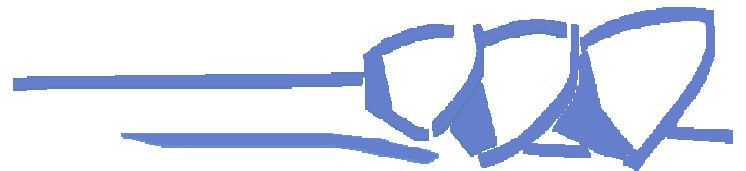
- Copyright only as it relates to library environment



What is copyright?

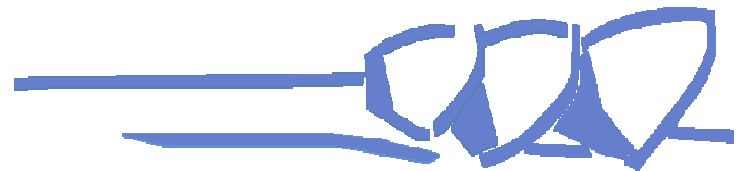
The exclusive right, given to the originator or his or her assignee, for a fixed number of years, to reproduce or perform a literary, musical, cinematic, etc, work and to authorize others to do the same.

Shorter Oxford English Dictionary



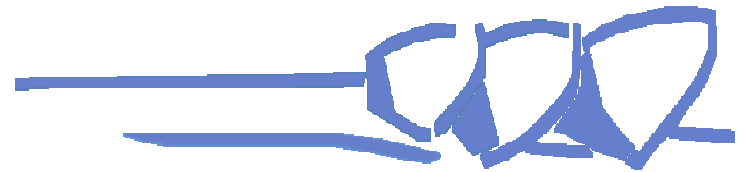
© What does that mean? ©

- Author, composer etc has exclusive right on his/her work and I cannot copy it or claim it as my work.
- However, there is a legal framework which allows certain amounts to be copied under certain conditions.



Legislation

- Copyright and Related Rights Act, 2000
- Copyright and Related Rights (Amendment) Act, 2004
- Penalties for the person and institution for breaches



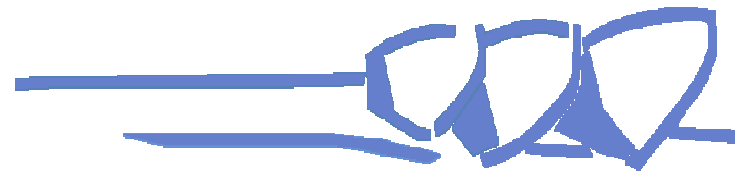
Duration of Copyright

- Life of the author + 70 years for literary, dramatic, artistic or musical works
- Film- longest life of the principal director, author of the screenplay, dialogue or composer of the music + 70 years
- Typographical arrangement – 50 years
- Special Database Right – 15 years from completion



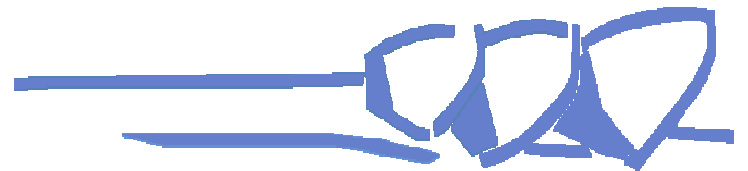
So when can I copy?

- With permission of the copyright holder
- If the work is in the public domain
- For judicial or parliamentary proceedings
- Fair dealing



Fair Dealing

- For research or private study
- For criticism or review
- For reporting current events
- You can use quotations or extracts with acknowledgement, provided it does not prejudice the interests of the copyright owner



How much can I copy?

- Journal article (in addition to table of contents)

As many articles per volume as there are issues in the volume or 10% whichever is the greater

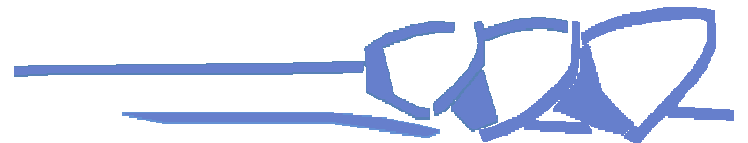
- Books

A reasonable amount



What can the Librarian copy?

- Similar limits on quantities
- Satisfied that reader requires copy for research or private study
- May not supply more than 3 people with the same article
- Satisfied that reader has not previously been supplied with the article unless lost, stolen or reasonable period has elapsed
- Copyright Declaration has been obtained, personal signature



Irish Copyright Licensing Agency

- Agency set up to protect the rights of copyright holders and to grant licenses to educational institutions to copy extracts from published works in which copyright exists.
- Mainly to cover multiple copies within the agreed limits
- 2008, € 4.50 per FTES, going up to € 6.00
- Does not include license for digital material

Copyright is a serious issue!

- District courts penalties ranged from fines of €500 to €15,000 to 3 months suspended prison sentence
- The Da Vinci Code – 2006
- Schloss v. Estate of James Joyce - 2007
- The Harry Potter Lexicon – 2008



Plagiarism

- Plagiarism : the act or fact of plagiarising a work, idea, author.
- To plagiarise: take and use as one's own the thoughts, writings, inventions etc., of another person; copy literary work, ideas etc., improperly or without acknowledgement

The New Shorter Oxford English Dictionary

Serious issue?

4. Breaches of Discipline:

(i) Academic

Plagiarism, or copying or cheating at any examination or Continuous Assessment or any other action that undermines the integrity of an examination or Continuous Assessment

GMIT Code of Student Conduct 2008-2009, p.8

Penalties

- 7.3 Disciplinary Committee Penalties

- (a) Academic

- A reprimand
 - In the case of an offence of plagiarism or of copying, cheating, or other offence in connection with an examination, to decide that no mark shall be awarded for the examination in question, and if deemed appropriate, all the examinations at that session. The Committee can decide that any repeat mark is capped at 40% and, at its discretion, that any repeat be treated as a second attempt. The Committee can also decide that the student would not be allowed to re-sit for twelve months.

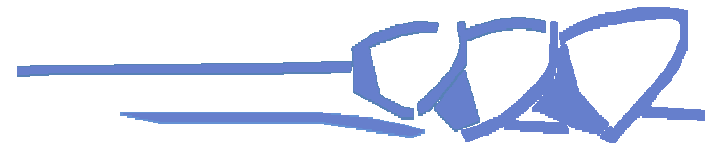
Penalties (*continued*)

- Exclusion from examinations for a specified period
- Deprivation of award of degree, diploma, certificates, scholarship, prize or other academic award in exceptional cases

GMIT Code of Student Conduct 2007-2008, p. 14

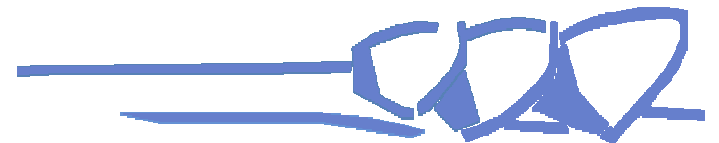
When to Give Credit

- When you are using or referring to somebody else's words or ideas from a journal, book, thesis, newspaper, song, TV programme, movie, Web page, computer program, letter, or any other medium (published or unpublished).
- When you use information gained through interviewing another person.
- When you copy the exact words or a "unique phrase" from somewhere
- When you use ideas that others have given you in conversations or over email.
- When you reprint any diagrams, illustrations, charts or pictures from another source



When No Need to Give Credit

- When you are writing your own experiences, your own observations, your own insights, your own thoughts and drawing your own conclusions about a particular subject.
- When you are writing up results from your own research or experiments.
- When you are compiling generally accepted facts on a given subject.
- When you are using “common knowledge”



Examples of Common Knowledge

One sentence is common knowledge and the other is not. Which needs to be cited?



- Bram Stoker is the author of Dracula
- Bram Stoker's death certificate suggests that he died of tertiary syphilis

.....

- Tolkien's *The Hobbit*, published in 1937, was originally written for Tolkien's own children



- J.R.R. Tolkien is the author of *The Lord of the Rings*



Copyright and Plagiarism?

Which is it?

- I photocopy a whole book to avoid having to buy it.
- I insert a paragraph from an article in an essay and don't acknowledge it.
- I download a photograph from the newspaper, credit the photographer, and insert into assignment
- I use an essay with the permission of the author but I don't give credit.

Copyright and Plagiarism?

Which is it?

- Extensive quoting without permission but with attribution would infringe copyright but is not plagiarism
- Extensive copying with permission but without attribution is plagiarism, but does not infringe copyright