

## COPYRIGHTS, COPYRIGHT REGISTRATION AND PERMISSION LETTERS

### General Considerations

The process of writing and publishing your dissertation, treatise, thesis or report inevitably involves questions of copyright. If you incorporate into your document copyrighted material beyond the "fair use" provision of the copyright law, you must receive written permission from the copyright holder. In addition, you will want to make certain that your document is protected by copyright.

The University of Texas at Austin requires that any extensive use of copyrighted material in a dissertation, treatise, thesis or report must be with the written permission of the copyright owner. Quotation of a few lines with proper attribution usually constitutes "fair use" and does not require written permission. On the other hand, if you incorporate into your document extensive sections of text (more than a few items or paragraphs), photos, drawings, graphs or tables which are copyrighted, you probably need to obtain written permission from the copyright holder. That could be the author, although it is more likely to be the publisher of the volume in which the material was originally printed. If a graph, for instance, is reproduced in one book or journal with the permission of the original copyright holder, you must secure permission from the original copyright holder.

Reasonably detailed discussions of the copyright law, which are readily available in the library, should be consulted if you plan to incorporate copyrighted material into your dissertation, treatise, thesis or report. The following resources are recommended.

**The Copyright Law and the Doctoral Dissertation** written by Kenneth D. Crews and published by University Microfilms, Inc. is on reserve in all of the branch libraries. Ask for it by call number UNCAT BOOK CREWS. In addition, copies of that guide are available from UMI at minimal cost. You can call them toll free at 1-800-521-0600, extension 3871.

**The Chicago Manual of Style**, 14th Edition, Chapter 4, The University of Chicago Press, Chicago, 1993.

Additional information regarding copyright law is available on the internet. The University of Texas System Administration Office of General Counsel maintains a homepage, "**Copyright Management Center.**" The address is <http://www.utsystem.edu/OGC/IntellectualProperty/cprtindx.htm>. Topics included are ownership and registration of copyrights; software creation, use, copying and licensing; users' rights; electronic creation, distribution and use; scholarly publication; frequently asked questions; and links to other resources. **Inquires and specific questions may be sent to gharper@utsystem.edu.**

**COPYRIGHTS, COPYRIGHT REGISTRATION, AND  
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SIDE TWO**

**Use of Published Papers That You Have Written**

Special problems arise when the student has published one or more papers based on research results that are to be incorporated into the dissertation. Apparently a few universities allow students to bind reprints of their papers into their dissertations, but that has never been the policy at The University of Texas at Austin. We insist that dissertations be coherent and consistent in appearance throughout, which means that previously published material must be printed using the same font and format as the rest of the dissertation. When a student has the manuscript for an article on diskette, which is generally the case, it should not be too difficult to add or rewrite sections to include details that are generally included in a dissertation, but not in a journal article. In addition, editing may be required to avoid redundancy when material from several papers is used in the dissertation.

A more difficult issue concerns copyright protection. Students and professors may be inclined to take the position, "Since I wrote the paper, I can use it any way I want to." However, that may not be an ethically or legally defensible position. Inclusion of extensive sections of text, figures and graphs from copyrighted publications without permission of the copyright holder, who is generally the publisher and not the author, can lead to difficulties. Short sections of text that have been previously published can be treated as properly referenced quotations. If the paper is published with co-authors, all of them must be shown as authors of the quoted section. In other words, the student cannot represent himself or herself as sole author of the work after it has been published with co-authors. In addition, if the student is not the copyright owner, permission must be obtained from the publisher to include in the dissertation material that lies outside of the fair use provision of the copyright law. Even if text is not quoted verbatim, any illustration or figure that appears in a copyrighted publication can only be included in the dissertation with the permission of the copyright owner. Finally, since that permission cannot be transferred implicitly to someone else, **the permission letters must state explicitly that University Microfilms, Incorporated may supply single copies on demand when the dissertation is to be published by UMI.**

The policy of publishers on this issue is variable. A small sample of that opinion was obtained from the American Society for Microbiology Publications Department and from Academic Press, Inc., which publishes Virology. Both publishers recommend that permission be obtained from the publisher to incorporate copyrighted material beyond the fair use provision into a dissertation, even when the student is an author of the paper. If you are uncertain about the policy of your publisher, it would probably be a good idea to obtain a written statement.