

# Copyright in Your Thesis or Dissertation



## Using copyrighted content

Copyright protects many different types of creative works, including text and images, so long as the work is original and fixed in a tangible medium of expression.

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**Relying on fair use:** Fair use is a defense that permits certain uses of copyrighted works without the permission of the copyright owner. A fair use of a work is not considered an infringement.

## What is fair use?

Fair use is determined based on a balancing of four factors:

1. the **purpose** and character of the use, including whether the use is of a commercial nature or is for nonprofit educational purposes;
2. the **nature** of the copyrighted work;
3. the **amount** and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the **effect** of the use upon the potential market for or value of the copyrighted work.

You must conduct a fair use analysis for each individual use of copyrighted content. Some criteria that may weaken an argument for fair use include:

- Using material for purely decorative or entertainment purposes. Ensure that you are using the material to support the scholarship in your manuscript.
- Using more material than you would actually need to accomplish your purpose.
- Creating a substitute for the original work. Your manuscript will be openly available online. Will this harm the market for the original work?

### RESOURCES:

OSU Graduate School: [www.gradsch.osu.edu](http://www.gradsch.osu.edu)

Kenneth D. Crews, "Copyright and Your Dissertation or Thesis: Ownership, Fair Use, and Your Rights and Responsibilities"

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- **READ** the agreement. Have you transferred all of your rights? Does the publisher grant back any of those rights?
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## Copyright questions?

### The Copyright Resources Center

221 Thompson Library  
1858 Neil Ave.

Columbus, OH 43210

[libcopyright@osu.edu](mailto:libcopyright@osu.edu)

614-688-5849

[go.osu.edu/copyright](http://go.osu.edu/copyright)

