



# 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.

Copyright is instant and automatic and provides copyright owners with the exclusive rights to copy, adapt, distribute, perform or display their work. Many of the materials you find online, while publicly available, remain protected by copyright. If you are using copyrighted content in your thesis or dissertation, you will need to determine if your use of the work is permissible under the law. If the work you wish to use is not already covered by an existing open license (e.g., licensed under a Creative Commons license), you must get permission from the copyright owner to use the content or look to fair use.

**Getting permission:** Seeking permission to use a work from the copyright owner can take time. Do not wait until the last minute! For more information on the permission process and sample permission request letters, visit [go.osu.edu/permission](https://go.osu.edu/permission)

**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. [go.osu.edu/fairuse](https://go.osu.edu/fairuse)

## 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:

The Ohio State University Graduation Services: [Grad-SchoolGraduationServices@osu.edu](mailto:Grad-SchoolGraduationServices@osu.edu)

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

# Publishing

Master's theses, dissertations, and DMA documents must be electronically submitted to OhioLINK for storage and online access. In addition, PhD and DMA documents are archived through ProQuest/UMI. The full text of your thesis or dissertation will be openly available to the public.

Publishers may consider your electronic submission to be a prior publication; disclose and discuss this with your publisher. You may also contact the Graduate School for more information on requesting an embargo or delay on the electronic dissemination of your work.

Before signing a publishing agreement, pay attention to what the agreement provides. Some publishing agreements may require you to relinquish some or all of your copyright ownership in your thesis or dissertation.

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

**ASK** what rights do you need and what rights do you want?

**UNDERSTAND** how your works may be used by yourself and others. If the publishing agreement does not allow you to retain the rights you need or want for future purposes, speak with your publisher. An author's addendum may be used to secure these rights.

# Manage your copyright

As a student at The Ohio State University, you own the copyright in your thesis or dissertation, meaning you may decide how your work may be copied, adapted, distributed, performed, or displayed. You may elect to retain all of these rights (all rights reserved) or transfer some or all of your rights to another.

How would you like others to be able to use your work? If you would like to retain all rights, consider including a copyright notice to indicate your copyright ownership. If you would like others to be able to freely use your thesis or dissertation without having to directly ask your permission, clearly and publicly communicate the terms under which your work may be used. Consider applying a Creative Commons license to your work.

Electronic submission of your thesis or dissertation into the OhioLINK ETD Center is a graduation requirement. The full text of your thesis or dissertation will be publicly available. Are you including content that you would not want to be made publicly available now or in the future?

Monitor and enforce your rights. If your work has been used without permission (no statutory exception applies and you have not granted a license) you may ask the alleged infringer to cease using your work or provide information on the terms for continued use.

## Cite your sources

Provide attribution to the known copyright owner(s) of each work you are using. These citations demonstrate responsible use and are a scholarly tradition; however, you cannot avoid copyright infringement simply by crediting the source.

- At minimum, provide the author's name, title of the work (if available), and source of the work.
- Include any additional information required by terms of use or license.\*

Insert your citation in a reasonable location, to allow readers to easily identify the copyright owner. This may be next to the work in small font, as a footnote, or as an endnote. **Follow any formatting guidelines and requirements issued by your College.**

\*For instructions on citing Creative Commons licensed works, visit: [go.osu.edu/cite-images](http://go.osu.edu/cite-images).

## Copyright Services

University Libraries

(614) 688-5849

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

