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Protecting Author Rights: How Copyright Transfer Agreements Impact Faculty Scholarship

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PROTECTING AUTHOR RIGHTS: HOW COPYRIGHT TRANSFER AGREEMENTS IMPACT FACULTY SCHOLARSHIP

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A Few Things to Know About Copyright

- Once a work is placed in a fixed format, the creator has exclusive rights over that work.
- Use of a copyright notices/symbol or registration of the work is not required.
 - This is often misunderstood by both the creator and people who want to use the work.
 - There are advantages to registering your work as it is required if you want to file an infringement lawsuit and can strengthen your case in the long run.
- Copyrights are a bundle of rights. Copyright holders have the right to:
 - Reproduce the work
 - Prepare derivative works
 - Distribute copies
 - Perform the work
 - Display the work
- Copyrights can be divided and specific uses can be licensed to individual publishers. In these cases, the author still retains the copyright for the work and therefore can still control how it is reproduced and distributed, what derivative works are created, and how the work is performed or displayed.
- Copyrights can also be transferred in total to another person or organization. When this occurs, the author does not have any control over the work.

Finding Author Rights Policies and Publisher Agreement Forms

- Search for the journal or publisher:
 - Sherpa-Romeo: <http://www.sherpa.ac.uk/romeo/>
 - Ulrich's: <http://ulrichsweb.serialssolutions.com/>
 - Search Google using the journal's title surrounded by quotes
- Locate the publisher's copyright policy - this information is different for every publication and publisher, but commons areas are:
 - "Author Rights" sections
 - "About the Journal" sections
 - "Submit an Article" link

Copyright Transfer Agreement (CTA) Exercise

- Select a publisher's agreement to review.
- Answer the following questions?
 1. Does the publisher require you to grant ALL copyrights to them or just license a particular use?
 2. If the publisher requires you to transfer all copyrights, do they grant back certain uses of the work? Which ones?
 3. Can you post an electronic copy of your work on a personal web site? If so, which version?
 4. Can you post an electronic copy of your work in an institutional repository? If so, which version?
 5. Does the publisher require an embargo period before you can post copies of your work online? If so, how long?
 6. Does the publisher require a special acknowledgment of or a hyperlink to the final published version?
 7. Does the publisher support you in complying with applicable funder mandates, such as the NIH Public Access policy?
 8. Can you use your work in your classes, including online courses? If so, what version and format is allow?
 9. Does the publisher claim the right to republish your work in any format?
 10. What terms did you come across that need clarification?
- Review of key terms:
 - Pre-print - typically an author's manuscript or a draft of a paper before it has been submitted for peer-review or other publication processes.
 - Post print - the final version of an academic article or other publication, after it has been peer-reviewed and revised into its final form by the author.
 - Publisher's Proof - a final version of the article including publisher's copy-editing and typesetting.
 - Offprint - a separately printed copy of the final published article.

Additional Resources

- [Keep Your Copyrights](#)

"This site is devoted to all authors and creators of works in the United States. It aims to make clear why you might want to keep your copyrights, and to provide information both to help you hold on to your rights and to grant on reasonable terms the rights you do license."

- [Phrases to Look for in Publisher Copyright Agreement Forms](#)
- [SPARC - Resources for Authors](#)

A collection of author materials created by the Scholarly Publishing & Academic Resources Coalition.