



# UNIVERSITY OF ALBERTA COPYRIGHT OFFICE

## Copyright Issues: Preparing Your Graduate Thesis

This guide helps you avoid potential copyright infringement scenarios. As part of completing your thesis, you will be asked to authorize Library and Archives Canada and the University of Alberta Libraries to provide open, online access to your thesis for non-commercial uses.

### Step 1

Determine who holds the copyright to the content in your thesis.

- Content is all mine! No worries.

### Step 2

Identify acceptable uses for the content in which you do not hold copyright.

- My thesis includes a substantial part of an article or chapter I published and I have confirmed that I have the right to include it as stated in my publisher agreement, the publisher's re-use policy, or by obtaining the publisher's permission.
- My thesis includes a substantial amount of someone else's work and I have completed a fair dealing assessment, confirmed the supporting publisher's policy, or obtained permission from the rightsholder to use the work.

### Step 3

If needed, seek permission to use others' work in your thesis.

- I have copies of all permissions, re-use policy information, and correspondence.



The mission of the **University of Alberta Copyright Office** is to educate and support students, faculty, and staff on copyright issues as they relate to teaching and learning, research, and scholarly communications.

## Step 1 Determine who holds the copyright to the content in your thesis.



Is any of the content reproduced from your own previous or forthcoming publications (e.g., journal articles, book chapters, etc.) OR reproduced from works created or owned by other people or organizations (e.g., images, tables, graphs, text beyond a short quote, etc.)?

**If there is copyright-protected material in your thesis, proceed to Step 2.**

Otherwise, it is unlikely that you will need this guide.

## Step 2 Identify acceptable uses for the content in which you do not hold copyright.

Determine whether the content you want to use is exempt from copyright protection.

**Permission is not required to re-use content when it is:**

- an insubstantial part of the overall work (e.g., a short quote),
- LINKED to from your thesis but not REPRODUCED within your thesis (e.g., you include a stable URL to the content, not the actual content), or
- in the public domain, i.e., no longer protected by copyright (this is not the same as publicly accessible; for more information visit [copyright.ualberta.ca](http://copyright.ualberta.ca)).



**If your thesis includes a substantial amount of a work that is not in the public domain and you do not hold the right to use that work, you will need to determine acceptable uses for the content.**

Since you will be making someone else's content available on an unrestricted website, the **terms of use** must state that this type of distribution is acceptable or you must be prepared to **defend your use as fair** when/if questioned by the rightsholder.

## Terms of Use

Learn about the content provider's re-use expectations:

Did you access the content via a licensed resource (e.g., library databases like ArtStor, Academic Search Complete, etc.) or the open Internet? Just because you have access to the content doesn't mean you have the right to reproduce it. **CHECK THE TERMS OF USE CAREFULLY.** These are usually found via the website where you accessed the work.

Does the content have a Creative Commons (CC) or other type of open licence that allows for re-use in theses?

## Fair Dealing

The *Copyright Act* includes a fair dealing exception. Your fair dealing argument (i.e., rationale for distributing others' work on the open Internet) must show that:

- the purpose of the use was for research, education, private study, parody, satire, criticism, review, or news reporting, and
- that the use is "fair" based on criteria developed by the Supreme Court of Canada.

Need more information about fair dealing? While the Copyright Office cannot provide legal advice, we can help guide you through a fair dealing assessment. Send an email to [copyright@ualberta.ca](mailto:copyright@ualberta.ca)

Terms of use too restrictive? Fair dealing not an option? Go to **Step 3.**



### Step 3 If needed, seek permission to use others' work in your thesis.



Use the template *Sample Thesis Permission Email* to communicate with the rightsholder. Be sure to include all potential uses in your request. For example, do you want to use the content in a conference presentation or a published article (in addition to using it in your thesis)?

**Tip:** Many publishers provide their re-use policies on their websites. Some also provide an automated licence tool that grants you permission to use these works. **READ THESE LICENCES CAREFULLY** as they can include onerous conditions. Consider using the *Sample Thesis Permission Email* instead.

# Sample Thesis Permission Email

I am a graduate student at the University of Alberta (Edmonton, Canada) and am preparing my final thesis. I am requesting permission to include excerpt(s) from your publication(s) described below. The source(s) of the included material will be fully identified in my thesis. The thesis will be openly available online through the University of Alberta Libraries and Library and Archives Canada. The non-exclusive, non-commercial licence I am granting to the University of Alberta and (via a sub-licence) Library and Archives Canada allows these institutions to archive, preserve, produce, reproduce, publish, communicate, convert into any format, and to make available my thesis in print or online by telecommunication to the public for educational, research, and non-commercial purposes.

Title of Thesis: [exact thesis title]

Degree Program: [title of degree]

By responding in the affirmative to this email, permission is hereby granted to (author of the thesis) and the University of Alberta and Libraries and Archives Canada to reproduce the following in the thesis:

[insert full citation and description of the original work]

The excerpt(s) to be reproduced are: [insert detailed explanation or attach copy]

As copyright holder or representative of the copyright holder(s), I am aware that the author of the thesis will be granting non-exclusive, non-commercial licences to the University of Alberta and Libraries and Archives Canada, and agree to the terms of these licences.

Name:

Date: (yyyy/mm/dd)

Address / Postal Code:

## Have more questions?

See the “For Graduate Students” section of our website at

[copyright.ualberta.ca](http://copyright.ualberta.ca)

[copyright@ualberta.ca](mailto:copyright@ualberta.ca)

