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Copyright compliance at WITS

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Nompumelelo Maleo
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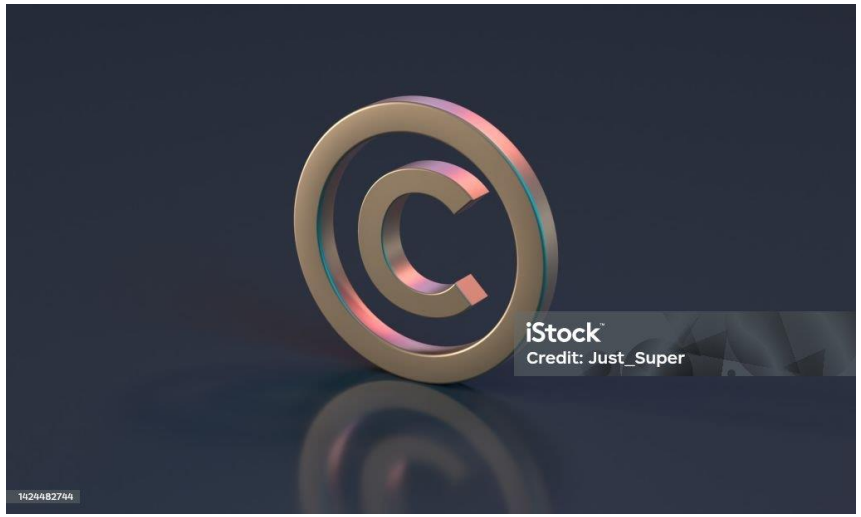
Introduction

- Copyright is important in protecting the value of an author/researchers' work from unlicensed or uncredited usage through granting a set of exclusive rights to the author.
- Moral rights & Economic rights
- Valid for a period of 50 years depending on the type of work
- Balancing the interests of both the creator and the user



Exceptions

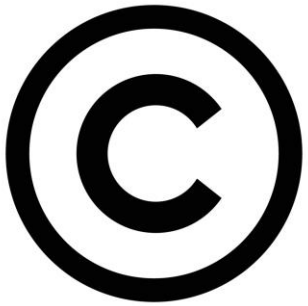
- Fair Use/fair dealing
  - purpose
  - nature of the copyrighted work
  - amount and substantiality of the portion taken
  - effect of the use upon the potential market.
- 10% or 1 chapter of a book/1 article per serial publication

How to identify protected works

- Symbol + date *50 years

- Watermarked works
- Copyright statement

- **Image sourced from a free license**



Copyright usage at WITS

- Apply fair use/fair dealing - 10% rule
- No copies to be posted on Ulwazi without written permission.
- Ask permission to take pictures of lessons slides
- Share links instead of content
- Use freely accessible images/illustrations *reference accordingly
- Purchase prescribed textbooks
- Make use of library short loans

How to access copyright content

- Determine if permission is required:
    - Public domain content i.e. 50+ works, legislative frameworks
    - Open access content
    - Creative commons license *CC BY

- Identify the copyright owner
- Contact the owner to request permission.
- Get permission in writing and use their content according to the agreement.
- Approach the library for assistance.

Implications of infringement

- Interdict: to prevent potential infringement
- Issuing of fines: A minimum 0f R3000.00 or 3 years imprisonment

  A maximum of R10000.00 or 5 years Imprisonment
- Plagiarism: disciplinary measures according to policies in place.

Plagiarism

“When somebody presents the work of others (data, words or theories) as if they were his/her own and without **proper** acknowledgement”.

- *Committee on Publication Ethics (COPE)*

Types of plagiarism

- Paraphrasing/Word switch
- Direct/Complete/Global plagiarism: Copy and Paste
- Plagiarism of authorship
- Data fragmentation
- Duplicate submission: same material, audience, field
- Self-plagiarism

NOT Plagiarism

- Dissertation or Thesis: Author recycles their own work which has not been previously published, and author retains all copyright
- Preprints: Work overlaps is a version that the author was working on at a earlier stage
- Methodology and background sections: Recycling is limited and restricted to these sections only
- Conference proceedings: Acceptability depends on the field
- Translations: sources derived from a translated source(copyright)
- Making use of public domain materials i.e. out of copyright, legal framework
- General facts i.e. mathematical formulas

Avoiding plagiarism

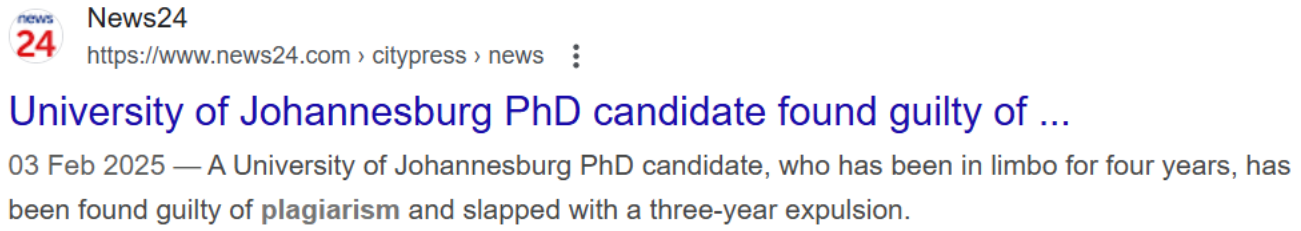
- Proofread/check your work for unintended repetition of texts using similarity index tools
- Seek support/guidance from experts at the institution.
- Obtain copyright permission
- Making use of Creative Commons licence works
- Familiarising yourself with Text Recycling guidelines
- The more transparent the better

The importance of avoiding plagiarism

- It is an academic misconduct that may have serious consequences
- Goes against principles of academic integrity as it is dishonest
- Giving credit where it is due
- Copyright infringement (intellectual property theft)
- Reputational damage (personal/institutional)
- Distorts discoverability of the original author

Consequences

- Possible expulsion
- Rejection of submission
- Loss of funding
- May face disciplinary action by funder/research institution
- Possible prohibition from publishers



Ethical use of AI tools

Copyright perspective

“Ownership of content. As between you and OpenAI, and to the extent permitted by applicable law, you (a) retain your ownership rights in Input and (b) own the Output. We hereby assign to you all our right, title, and interest, if any, in and to Output”.

Plagiarism perspective

Have I plagiarised? Yes or No?

Is it ethical?

Conclusion

- Copyright compliance protects both the user & the creator
- HEI’s have a big responsibility to comply with the current copyright law



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