

Copyright

What is Copyright and who owns
It (University of Glasgow)?

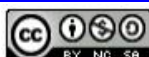


University
of Glasgow

Level: Beginner

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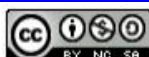
What is copyright?

Copyright is a legal protection, automatically assigned to a piece of work as soon as it is in a fixed format (e.g. written or recorded). Copyright protects the works of authors and performers for a specific period of time. The current copyright legislation in the United Kingdom is the [Copyright and Patents Act 1988](#). The act has been amended several times, so it is important you consult the most up to date version.

There are currently four areas, which must be met in order for your work to receive copyright protection, these are listed below:

1. **Original** – The work must be original, i.e. you must have created it and not copied from anyone else.
2. **Fixed** - Copyright does not protect ideas. Works have to be presented in a physical form in order to receive copyright protection.
3. **The types of works that are currently protected** - Copyright protects work that fall under one of the categories below:
 - Literary Works
 - Dramatic Works
 - Musical Works
 - Artistic Works
 - Sound Recordings
 - Films
 - Broadcasts
 - Typographic arrangements of published editions
 - Websites
4. **UK Nationality, domicile or residence or first publication in the UK** - For a work to be protected under the UK's copyright laws, the author's nationality, domicile or residence must be in the UK or else the work must have been first published in the UK (this would include where it has been simultaneously published elsewhere within 30 days).

Copyright exists automatically when qualifying work is created, but many people use the copyright symbol to make this clear, e.g. 'John Smith ©'



Who owns Copyright for a particular work?

Who owns Copyright?

In short, the person who creates the 'fixed' or physical work(s) owns the copyright.

The circumstances around the owner of copyright materials will vary depending on the work(s) that have been created. In the case of literary, musical or works of art the author could be the author, composer or illustrator/artist. In today's world, computers are used daily and now works created on them factor into copyright - in this medium the author is the person who undertakes arrangements necessary for the creation of the work, such as the programmer who created them.

Ownership can be passed on, e.g. after death. It can also be transferred when published, e.g. author signing transfer, it can also be transferred when published, e.g. author signing transfer agreement to publisher after article is published

Who owns Intellectual Property (IP) in the University of Glasgow?

The extract below is taken from a [University of Glasgow webpage](#), which contains additional information relating to IPR, links and contact details.

“Staff

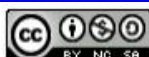
The University owns IP generated by University staff in the course of or incidental to their employment, including teaching or university materials. Ownership may, in part, be determined by the terms and conditions of any external funding.

The University waives its rights to ownership of any copyright in scholarly materials, except in relation to any work created by an employee of the University whose job description specifically includes the creation of printed or electronic materials.

Students

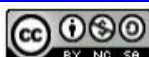
The University does not automatically own intellectual property developed by students.

Students will generally own the IP they develop during the course of their studies unless ownership is governed in some way by a third party agreement. Examples include research contracts, studentship and funding agreements.”



Flow chart

On the following page you will be able to view a flowchart which can be used as an introduction to understanding the University's policy on IPR. It should only be used in conjunction with Research and Enterprise's [Intellectual Property Management](#) webpages and the full UoG [IP and Commercialisation Policy](#). Please consult Research and Enterprise with any IPR queries. You can access a downloadable PDF version of the IPR Flowchart from the [IP webpage](#).





Flowchart: who owns IPR?

Note: This flowchart is intended as an introduction to understanding the University's policy on IPR. It should only be used in conjunction with Research and Enterprise's [Intellectual Property Management](#) webpages and the full University of Glasgow [IP and Commercialisation Policy](#). Consult Research and Enterprise with any IPR queries.

Workflow from: www.glasgow.ac.uk/datamanagement

