



Introduction to copyright - quick guide

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Introduction

This guide is a short introduction to the basics of copyright. Copyright law can get very complex, so check out the Library's [copyright webpages](#) for more detailed advice or contact us with your query: copyright@abdn.ac.uk.

What is copyright?

Copyright is a type of 'intellectual property right' that is automatically given whenever someone creates an original creative work. It gives the creator the right to decide when and how their work is copied and shared with others. These rights can be sold or transferred to others.

In the UK, copyright law is set out in the amended [Copyright, Designs and Patents Act, 1988](#).

If you want to copy material that is protected by copyright, you can only do this legally if:

- Your use falls under an **exception** in copyright law
- You have a **licence** or permission from the copyright holder.

Illegal copying of material is known as **copyright infringement** and can result in legal action, financial penalties, and reputational damage.

What is covered by copyright?

Copyright applies to original creative works as soon as they are recorded in a fixed form. You don't need to register your work: copyright is assigned automatically.

The kinds of works covered include:

- Original literary, musical, or dramatic works, including dance or mime
- Artistic works, including paintings, drawings, photographs, sculptures, maps, charts and plans, architectural and other technical drawings, and works of artistic craftsmanship
- Films, sound recordings, television and radio broadcasts or cable programmes

- Electronic works, including computer software, and the structure and design of databases.

Copyright can apply to different aspects of a work. For example, in a film the script, cinematography and music will all be protected.

The typographical arrangement of works like books and music scores has copyright protection too.

How long does copyright last?

Copyright is time limited. In general:

- Literary, dramatic, and musical works, and films are protected until 70 years after the death of the creator.
- The typographical arrangement of works is protected for 25 years from publication.
- Recordings, programmes, and broadcasts are protected for 50 years.
- Databases are protected for a period of 15 years following the most recent major revision.

If a work has more than one creator, the length of copyright is calculated from the death of the last surviving creator.

If a work is unpublished and the author died before 1969, the work remains in copyright until 2039.

Once copyright has expired, the work enters the public domain and can be freely copied and reused.

Exceptions

Exceptions are provisions in copyright law which allow you to reuse copyright material in certain circumstances without needing permission. These include:

Research or private study

Allows you to make a copy for your own personal use for non-commercial research. The use must be 'fair dealing'.

Text and data analysis

Allows copying of material for text and data mining (TDM) for non-commercial research so long as you have lawful access to the original work.

Quotation

Allows you to quote from a work, provided your use is 'fair dealing'.

Accessibility

Allows the creation of an accessible copy for someone with a disability.

Illustration for instruction

Allows educators and students to use copyright material for non-commercial teaching or examinations providing the use is 'fair dealing'.

Educational performance

Allows copyright works to be performed, played, or shown to an audience consisting solely of students and staff of an educational establishment such as a school or university.

Fair dealing

Many of the exceptions are subject to a 'fair dealing' requirement. There is no exact legal definition of fair dealing. What is 'fair' will depend on context and will vary from case to case.

You can consider the following questions to decide whether your use is fair to the copyright holder.

1. Will your actions negatively affect the original rightsholder's ability to sell or use their work in the way they want to? Does your copying create a substitute which undermines sales of the original work? If so, your use is unlikely to be considered fair.
2. Is your use necessary and proportionate for your purpose? You should copy no more than the minimum necessary. Copying entire works is generally not seen as fair unless you have a good reason why the whole work must be used.
3. Have you provided an acknowledgement to the original author? You should always include an acknowledgement unless this isn't possible for practical reasons.

Deciding whether your use is fair is a matter of informed judgement. Your copyright decisions may often involve a **risk management** approach.

Licences

If your use of a copyright work isn't covered by an exception, you will need to copy under a **licence** or **request permission** from the copyright owner.

Licences for online library resources

The Library pays licence fees to publishers for online resources such as ebooks and journals. These allow University students and staff to access the material and copy limited amounts for their own personal use. Respect any download limits set by the publisher and don't try to bypass these. Make sure you don't share these resources with people outside the University.

Licensing schemes

The University takes part in licensing schemes which allow staff to make copies of copyright material available for their students. These include:

- **CLA Licence** – Enables staff to request scans of book chapters and articles via the online [reading list system](#).
- **ERA Licence** – Enables recordings from TV, radio, and films, which can be accessed via the [Box of Broadcasts \(BoB\)](#) platform.
- **NLA Licence** – Enables copying from newspapers.

Open licences

Open licences enable copyright owners to make their work openly available for sharing and creative reuse. The most common are [Creative Commons](#) licences, which give differing levels of permission.

You can freely reuse material with an open licence provided you follow the licence conditions.

Copyright in your own work

Your own original creative works are protected by copyright. If you produce the work for an employer, they will usually own the copyright.

See the University's [Intellectual Property policies](#) for students and staff for more information about copyright in work you produce as part of your studies or employment with the University.

If you produce research outputs such as journal articles or theses, you will need to consider how you will licence them. Some funders require that the research they support is published under an open licence. See our [Open Access pages](#) for further advice.

Further information

For further information or advice, see our [Copyright pages](#) or contact the Library's Copyright Team: copyright@abdn.ac.uk.