

Beginner's Guide to IPR

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Introductions

- Who am I?
- What do I do?
- What are we going to do?

IPR and other rights

- What are Intellectual Property Rights?
- What rights are included within IPR?
- What happens if you infringe IPR?

Setting the scene

- Copyright part of IPR
- Copyright is central to transactions
- Copyright is often an afterthought
- Copyright not the only rights issue!
- Digital copyright just easier to infringe!

Why is digital so easy to infringe?

- Low cost copying
- Ease of replication
- Ease of transmission and multiple use
- Plasticity of digital media
- Convergence of digital forms
- Convergence of media
- Compactness of works in digital form
- New search and link capabilities
- Sometimes no human author

Copyright in more detail

COPY – RIGHT

Exclusive right offered to creator of:

- Original works (that are not copies)
- Works showing some kind of skill/effort
- Created by a qualifying person
- Qualifying country
- Given automatically – no credit needed

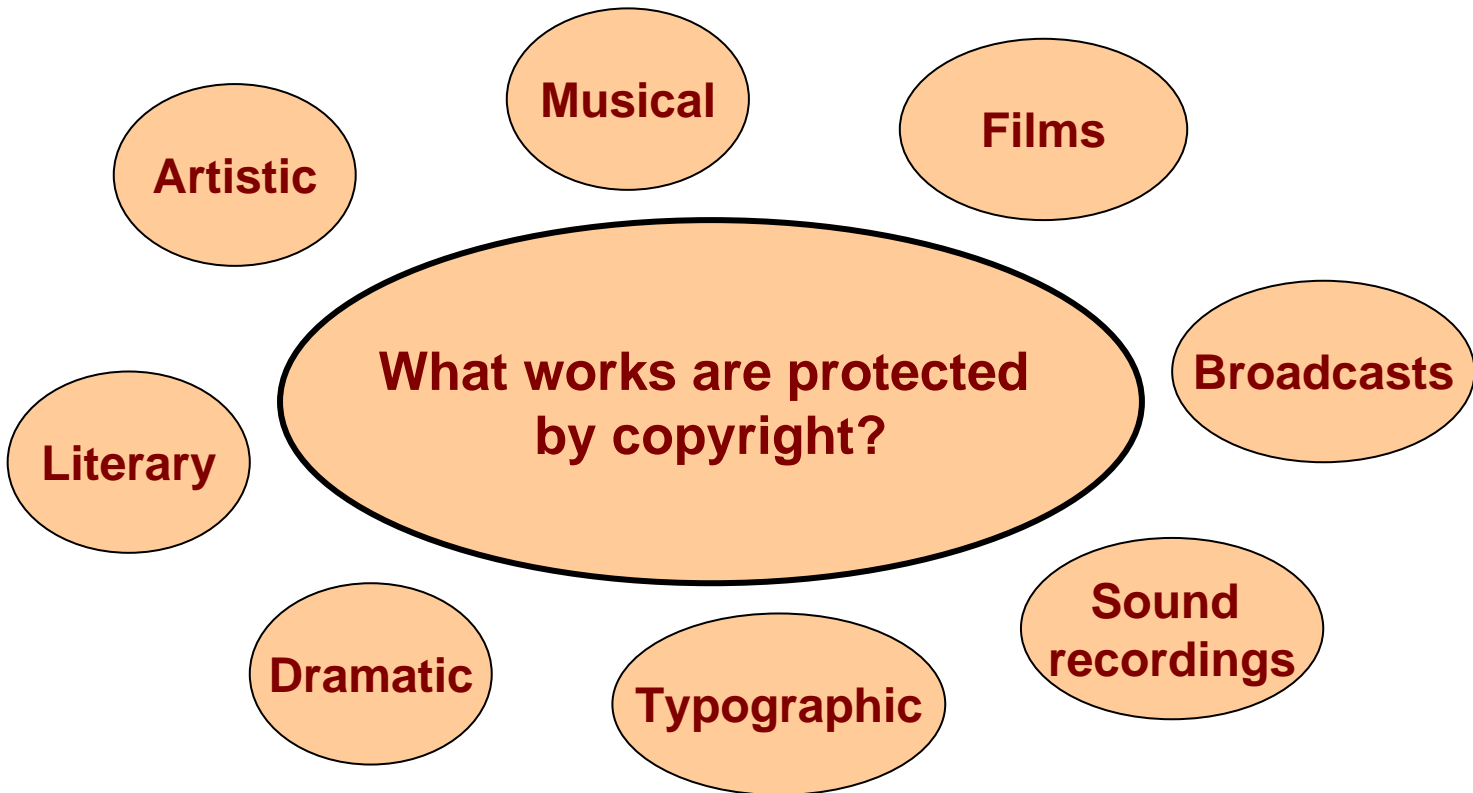
Criteria for copyright protection

Copyright does not exist in ideas



Copyright only protects the material expression of an idea!

Extent of copyright protection



Nature of copyright

Right to permit (or not) others from:

- Copying
- Broadcasting
- Disseminating
- Renting
- Making available to the public
- Reproducing the work in any way

+ not forgetting Moral rights

Ownership #1

I write my cousin a letter. My cousin gives my letter to a university.

Who is the copyright holder?

Me?

My cousin?

The university?

We all share it?

Ownership #2

I create a teaching tool during the course of my employment.

Who owns the rights?

Me?

My employer?

We share it?

Ownership #3

I write an article based upon my research work at my college.

Who owns the rights?

Me?

My employer?

We share it?

Ownership deconstructed

- Think GEMINI!
- Diff. rights retained by diff. people
- Copyright is a property right
- Layers of rights and multiple rights holders
- Just because you own a work....

JISC and IPR

- Conditions of funding
- IPR assigned to HEFCE on behalf of JISC*
- Indemnifications and risks
- Free and open access for HE/FE community
- Employment of CC and open source

First steps

- Understand what your contracts mean
- Understand what JISC wants
- Plan IPR issues carefully & include them in risks
- Understand what you have & who owns what rights
- Be clear about what you can do with it
- Clarify responsibilities
- Tie up any outstanding rights with contracts
- Consider how you will manage your rights
- Understand the nature of rights that you create
- Be prepared to think practically
- Educate your staff, students and users etc
- Don't panic!

Useful resources

- JISC Legal: www.jisclegal.ac.uk
- TASI: www.tasi.ac.uk
- Patent Office: www.patent.gov.uk

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