

© moments in the life of an author

scholarly publications and relevant legal actions

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structure of my talk

- basics of copyright and the good things about it;
- distinctive moments scholarly publication and the relevant legal acts;
- © toolkit;
- conclusions.

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- difference common law & civil law;
 - exclusive right;
 - economic rights;
 - moral rights;
 - originality needed for © protection;
 - no registration needed;
 - term of ©.

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good things about ©

- changing all the time;
- complex issue;
- package of balances;
- bundle of rights;
 - allocation of rights for optimal accessibility.

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distinctive moments

- determination of © ownership;
- collecting, selecting information;
- publishing;
- making available otherwise;
- preservation.

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determining ownership

- author is first owner;
- work made for hire/made in the course of employment/werkgeversauteursrecht;
- copyright policy.

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collecting information

- sources most of time © protected;
- licence to use sources;
- possible exceptions.

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publishing process

- agreements underlie process;
- agreements important for balance and responsibilities stakeholders involved in scholarly publications.

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making available

- repository, education & future reuse;
- permission rightsholder needed for making available;
- magic year of 1997;
- several licences in circulation.

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preservation

- copyright legislation not always sufficient;
- permission needed from rightsholder.

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© toolkit

- checklist key needs author & publisher;

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key needs author

- publication/dissemination/accessibility;
- educational/instructional use;
- research uses;
- personal use;
- future reuse;
- preservation;
- protection of IPR and moral rights.

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- checklist key needs author & publisher;
 - provisions for agreements;
 - tailor made agreement;
 - model agreement.

- licence;
- definitions differ slightly from definitions now used in publishing agreements;
- author retains right to put published article on an institutional repository;
- possible embargo with maximum of 6 months.

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