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Open Access Week 2021

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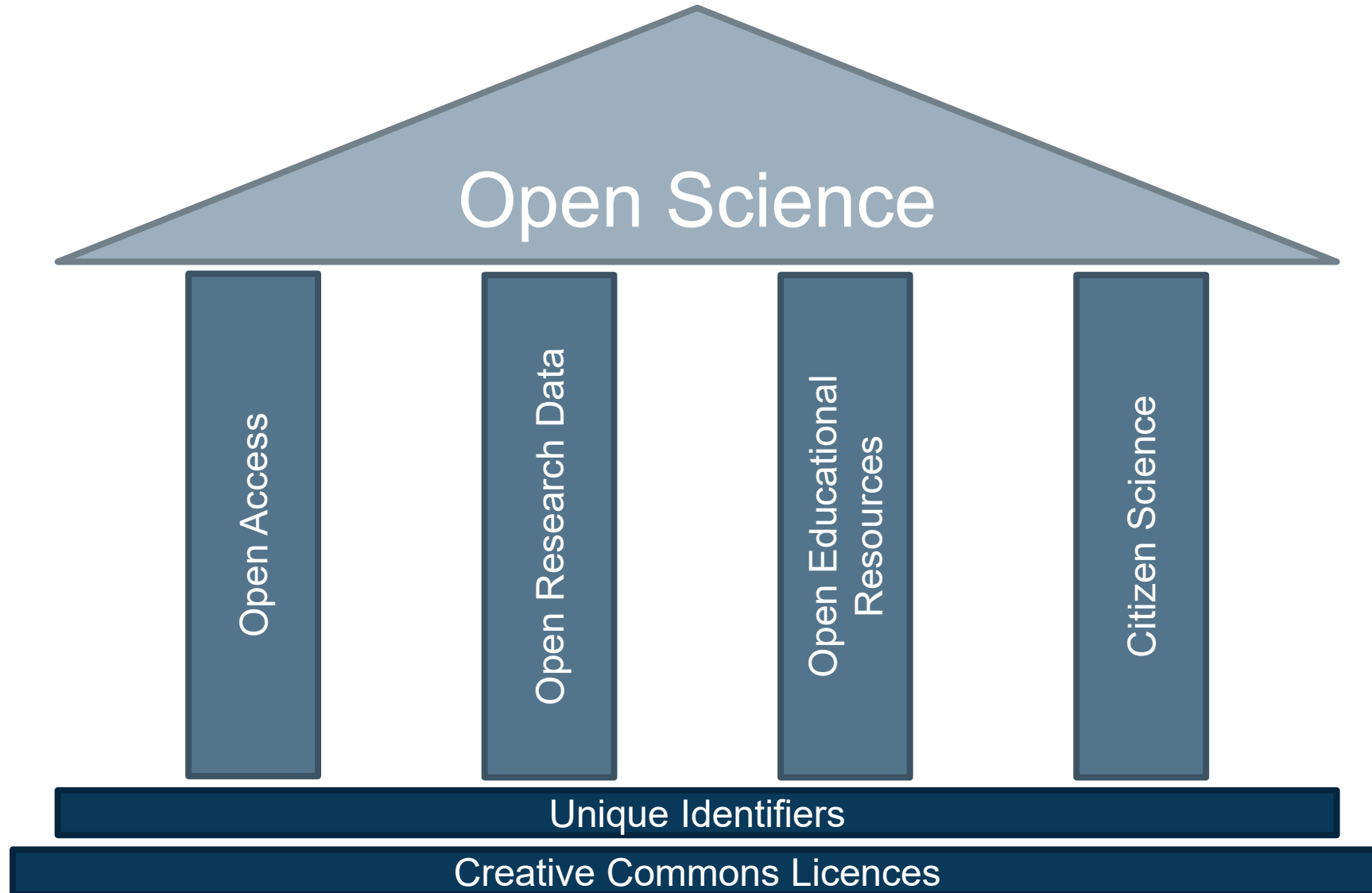
22 November 2020



COPYRIGHT IN THE CONEXT OF OPEN SCIENCE

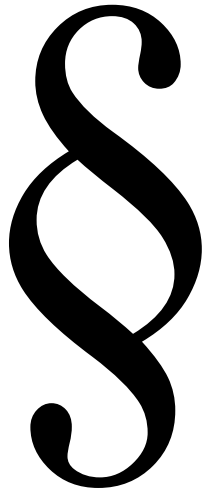
- Context: Open Science
- Swiss Copyright Law
- Copyright Compliance Bingo – Part I
- Creative Commons Licenses
- Copyright Compliance Bingo – Part II





SWISS COPYRIGHT LAW

- Protected: Literary and artistic intellectual creations with individual character (Art. 2 CopA)
- The author has the right to recognition of his authorship and decides exclusively whether, when, how and under what designation his/her work is published for the first time (Art. 9 CopA)
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 - educational purposes (Art. 19 para. 1(b) CopA)
 - professional purposes (Art. 19 para. 1(c) CopA)
- More info: <https://ccdigitallaw.ch>



Copyright protects the rights holder

Scientific Research

The author transfers the copyright to the publisher

Open Science

The author keeps the copyright and allows sharing

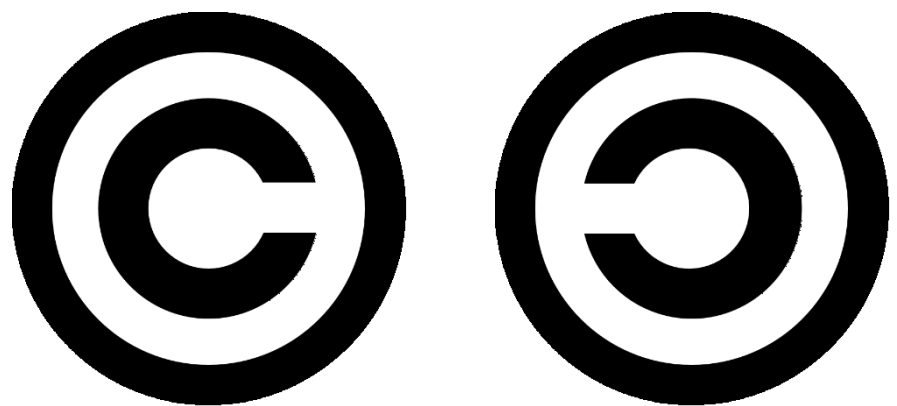


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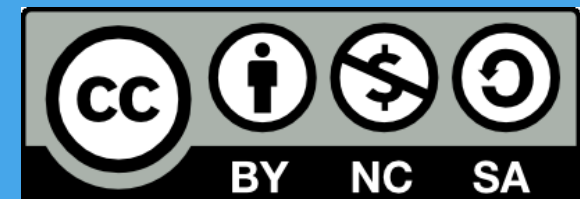
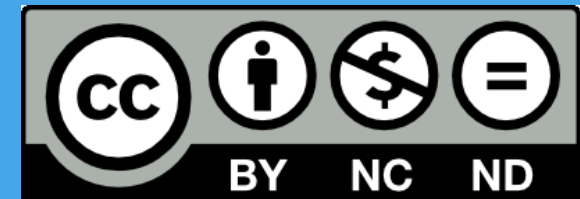
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		... in my PhD candidacy project?	... in my teaching course material?	... in my thesis?	... in my peer-reviewed article?



CREATIVE COMMONS – EASY TO RE-USE

- Toolbox for the creation of licenses that allow the sharing of works and ideas
- Easily understandable (symbols)
- Complete legal agreement
- International
- <https://creativecommons.org>
 - Share Your Work → Licence Chooser
 - Use & Remix → CC Search



CREATIVE COMMONS – PRINCIPLES

- Comprehensive assignment of rights

- 4 Elements

- Minimum



BY (Attribution)

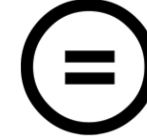
- Restrictions



SA (Share Alike)

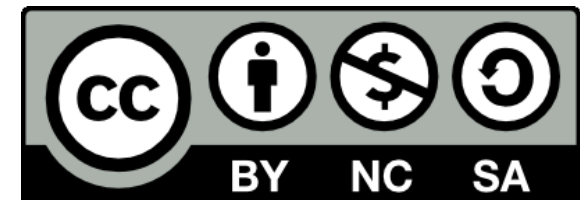
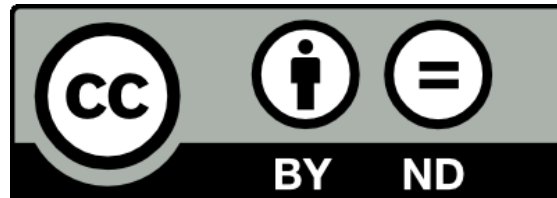
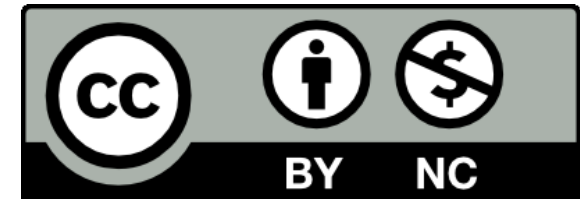
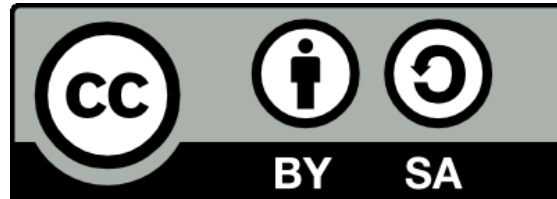


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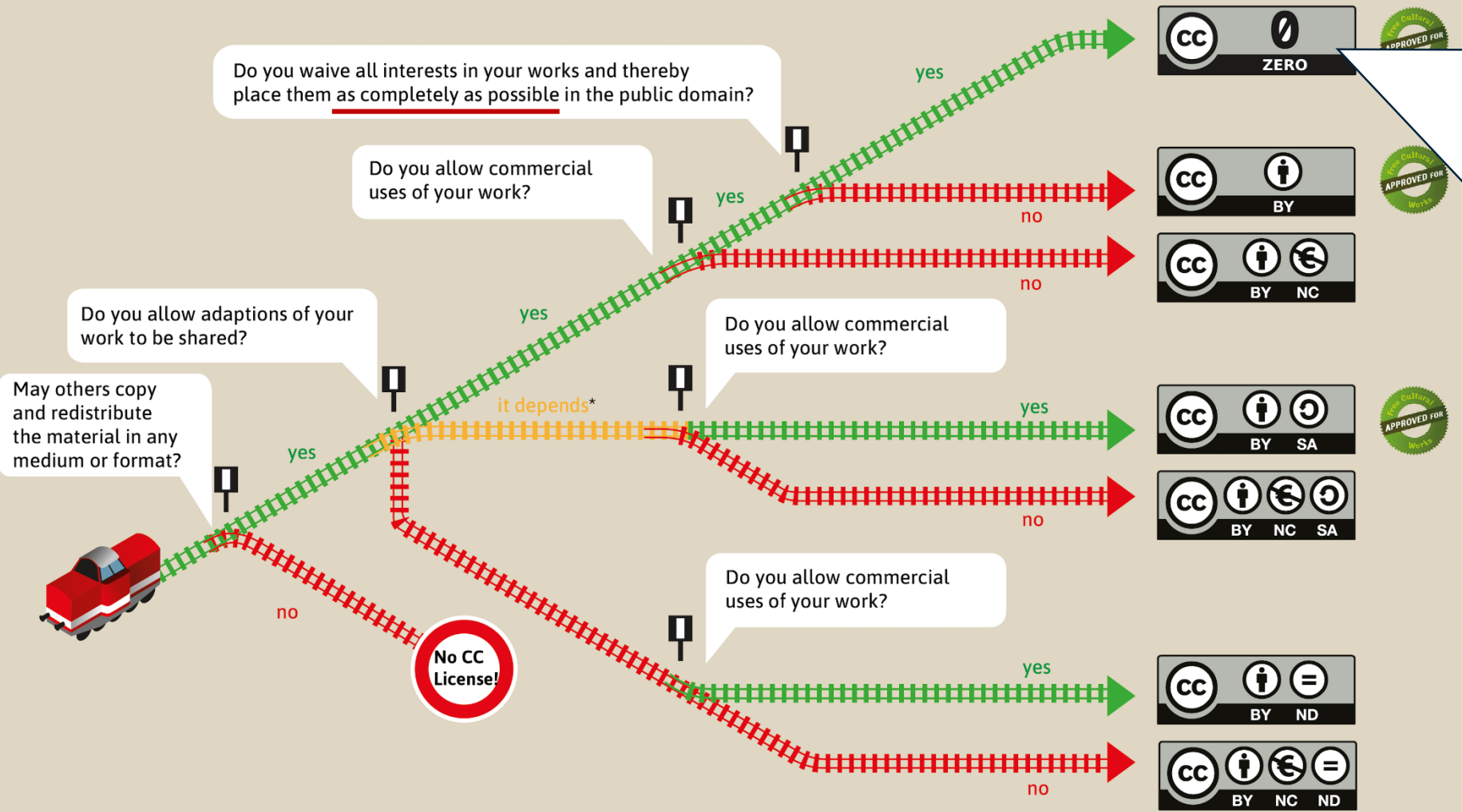
- 6 Licenses



CREATIVE COMMONS – SOME POINTS TO CONSIDER

- No contract necessary
 - No revocation
 - No additional restrictions (legal or technical)
 - Reused material must mention original license
 - Violation of CC = Violation of Copyright
 - Restrictions may hinder distribution in some contexts
- Choose a license as open as possible

"CHOO-CHOO-CHOOSE YOUR LICENSE!"



*it depends = yes, as long as others share alike (meaning: They use the same license as you.)

CC Definition:
 The person who associated a work with this deed has **dedicated** the work to the public domain by waiving all of his or her rights to the work worldwide under copyright law, including all related and neighboring rights, to the extent allowed by law.

CC0 should not be used in an academic context!



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	... in my PhD candidacy project?	... in my teaching course material?	... in my thesis?	... in my peer-reviewed article?	

THREE OTHER POINTS

- Multiple Authors
 - Hold copyright together
 - Agreement on copyright issues necessary
 - Advice: Designation of a representative (corresponding author)
- Copyright law ↔ Citation rules
 - Copyright allows citation
 - Citation rules are defined in the respective academic context
- Attention with images and illustrations
 - Clarify copyright from the beginning
 - Pay attention to restrictions of CC licensed materials
e.g. ND restriction often makes sharing in educational context impossible