



CABI QUICK GUIDE TO

Copyright



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CABI owns all Intellectual Property (IP) generated by its own activities and externally-funded activities, except where CABI has agreed otherwise, which means that almost all IP created by CABI employees in the course of their employment will automatically be owned by CABI. A key component of this IP is copyright.

What is copyright?

- it's the tangible and original expression of an idea and must exhibit some degree of labour, skill or judgement in its creation
- automatically exists in law from the point of creation
- provides legal protection for original work, eg writing and literary works, computer software, art, photography, films, TV, music, web content, sound recordings
- should be valued and protected, it's an asset for both individuals and organisations
- gives the copyright owner control over how their work is used
- provides protection for a particular period, eg in the UK, the protection for literary works is lifetime plus 70 years

Copyright gives people/organisations control over how their work is used, eg:

- copying the work
- distributing copies of it, whether free of charge or for sale
- renting or lending copies of the work
- performing, showing or playing the work in public
- making an adaptation of the work
- putting it on the internet

While each country has its own national copyright legislation, there are international agreements such as the Berne Convention which provide protection.

Copyright exceptions

At times, people may wish to make use of someone else's copyright protected works for specific purposes such as education and research and there are permitted exceptions to allow such uses (Fair Dealing and Fair Use) where you do not have to seek the permission of the copyright owner, eg:

- you may copy limited extracts of works for non-commercial research or private study but only if you're genuinely studying, eg at university
- for the purposes of criticism, review or quotation

- for use in reporting current events (but this doesn't apply to photographs)
- to create a parody or a pastiche
- to enable researchers to make copies of copyright material for the purpose of 'computational analysis' (text and data mining), if they already have lawful access to the work

You have to consider a number of factors when deciding whether a particular use of a work is fair and these factors will vary from country to country.

Why is copyright important for CABI?

- intellectual property is at the heart of CABI's work: copyright protects that IP and allows CABI to exploit it
- enables CABI to generate revenue from its IP
- enables CABI to create new products and services, using both our own IP and properly licensed third-party material
- we need to know the copyright of material we use in order to process permissions requests
- CABI's reputation could be severely damaged by staff misuse of third-party copyrighted material, and infringement can attract heavy financial penalties

Why is it important for CABI staff?

CABI owns all Intellectual Property (IP) generated by its own activities and externally-funded activities, except where CABI has agreed otherwise, which means that **almost all IP created by CABI staff in the course of their employment will be automatically be owned by CABI**. It:

- provides recognition and protection for work
- compliance with copyright laws and regulations is good for your and our reputation
- gives you some control over re-use of work
- helps with discoverability, by using legitimate channels for work
- helps avoid accusations of plagiarism and self-plagiarism
- is important to clear permissions for third party material properly so that you can use it legitimately in your work
- ensures work can be re-used by CABI – check licence terms
- protects the work of others, where CABI uses non-original material

Creative Commons

Creative Commons (CC) is a non-profit organisation which is seeking to build a globally accessible public commons (resource) of knowledge and culture. CC aims to make it easier for people to share their academic and creative work as well as to access and build upon the work of others.

Creative Commons licences enable copyright owners to share their knowledge and creativity to make it more accessible to others while also controlling re-use of material. The licences promote attribution for the originator. There are various licences **and they must be attached to any onward use of content**. CABI publishes a range of resources and products under Creative Commons licences.



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The main licences are:

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CC BY	Attribution – This license lets others distribute, remix, tweak, and build upon your work, even commercially, as long as they credit you for the original creation
CC BY-SA	Attribution-ShareAlike – the same reuse as CC BY but any new creations must be licensed under identical terms
CC BY-ND	Attribution-NoDerivs – lets others reuse the work for any purpose, including commercially; however, it cannot be shared with others in adapted form, and credit must be provided to you
CC BY-NC	Attribution-NonCommercial – lets others remix, tweak, and build upon your work non-commercially, and although their new works must also acknowledge you and be non-commercial, they don't have to license their derivative works on the same terms

CC BY-NC-SA	Attribution-NonCommercial-ShareAlike – lets others remix, tweak, and build upon your work non-commercially, as long as they credit you and license their new creations under the identical terms
CC BY-NC-ND	Attribution-NonCommercial-NoDerivs – only allows others to download your works and share them with others as long as they credit you, but they can't change them in any way or use them commercially

Definitions from <https://creativecommons.org/licenses/>.

When publishing material using CC licences, think about what restrictions, if any, you want to put on its reuse.

- Do you want to allow commercial reuse? A number of our open access books are published under CC BY-NC licences which allows full reuse for non-commercial purposes
- Are you happy for the material to be built upon and for the creation of derivative products? Publishing under a CC BY-NC-ND licence prevents similar products being produced both commercially and non-commercially

Use of third party material

You need to be aware of a number of things when using third party material in the course of your work:

- check the usage rights, is CABI allowed to use the material in its products and services, are there any limitations?
- check websites for the Terms and Conditions – these are often found at the foot of a website homepage

The screenshot shows the footer of the CABI website. At the top left is the CABI logo. To its right are navigation links: About CABI, News and blogs, Careers, Contact us, Members, and CABI centres. On the far right is a button labeled 'Sign up for updates'. Below this is a horizontal menu with 'What we do' and 'Products and services' on the left, and a search icon and 'Search' on the right. The main content area lists 'CABI Centres' with a vertical list of countries: Brazil, China, Ghana, India, Kenya, Malaysia, Pakistan, Switzerland, Trinidad and Tobago, United Kingdom, United States of America, Wallingford, and Zambia. At the bottom, there is a row of links: Accessibility, Privacy Policy, Terms & Conditions (circled in pink), Cookies, and Contact us. The footer text at the very bottom reads '© Copyright 2019 CABI is a registered EU trademark'.

- are there Creative Commons licences governing reuse and do you know what they mean?
- are there any other licences governing reuse?
- ensure that you do due diligence and keep a clear audit trail when seeking to use third-party material so that any member of staff or external auditor can see that you've followed the correct procedures

Public Domain

This term refers to creative materials that are not protected by intellectual property laws such as copyright, trademarks and patents. Such works are not owned by any particular person or organisation. Anyone can use works in the public domain without having to seek permission. In the US, work produced by government departments and agencies, eg USDA, NASA, is automatically placed in the public domain.

But beware:

- not everything that says it's public is in the public domain – you need to check the provenance of a work
- just because something is in the public domain in the USA doesn't mean that it's in the public domain in the rest of the world – you need to check
- collections of public domain works may be copyrighted so you can use individual works, eg an image, without permission but you may not re-use a collection – you need to check
- even if you use a work that's in the public domain, you may be required to cite it in a particular way as with this NASA image

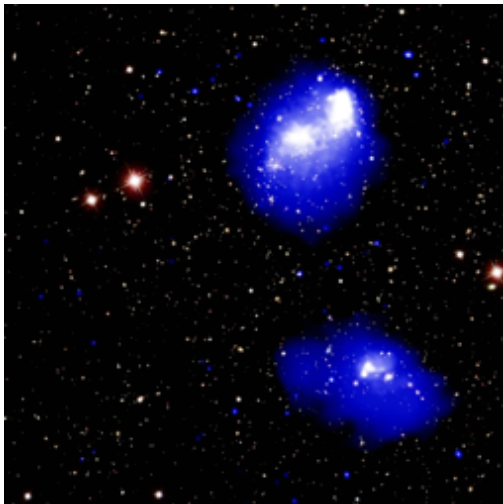
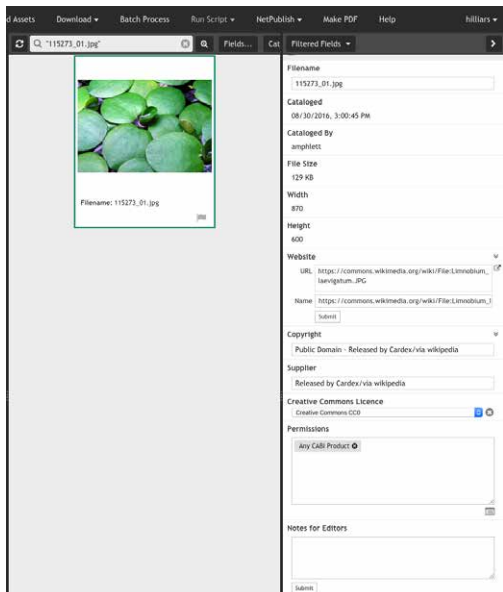


Image Credit: X-ray: NASA/CXC/SAO/G.Schellenberger et al.; Optical:SDSS

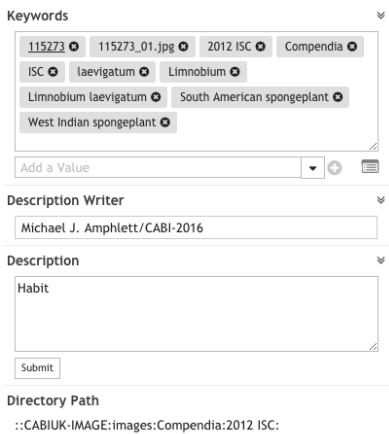
Adding images to Extensis Portfolio

CABI has an image management system called Extensis Portfolio (EP). You can find a quick guide to using it [here](#). When adding images to EP, you should ensure that you name the image file sensibly, using the species name where appropriate. You must also complete the key metadata fields, eg copyright, Creative Commons licence, species name and preferred common terms as keywords, location, etc. This will enable the images to be searchable and will show other staff how they can be used and in which products and services. If the copyright, permissions and CC (where relevant) fields aren't completed or are inaccurate, then those images can't be used by CABI without risk.



The screenshot shows the Extensis Portfolio software interface. On the left, there is a preview of the image '115273_01.jpg', which depicts several green, rounded, fleshy plant parts. The main area on the right contains a metadata form with the following fields and values:

- Filename: 115273_01.jpg
- Cataloged: 08/30/2016, 3:00:45 PM
- Cataloged By: amphlett
- File Size: 129 KB
- Width: 870
- Height: 450
- Website:
 - URL: https://commons.wikimedia.org/wiki/File:Limnobium_laevigatum.JPG
 - Name: https://commons.wikimedia.org/wiki/File:Limnobium_laevigatum.JPG
- Copyright: Public Domain - Released by Cadev/via wikipedia
- Supplier: Released by Cadev/via wikipedia
- Creative Commons Licence: Creative Commons:CC0
- Permissions: Any CABI Product
- Notes for Editors: (empty)



The screenshot shows the 'Keywords' and 'Description' sections of the Extensis Portfolio software interface. The 'Keywords' section contains a list of tags: 115273, 115273_01.jpg, 2012 ISC, Compendia, ISC, laevigatum, Limnobium, Limnobium laevigatum, South American spongeplant, and West Indian spongeplant. Below the list is an 'Add a Value' input field. The 'Description' section has a 'Description Writer' field with the value 'Michael J. Amphlett/CABI-2016' and a 'Description' field with the value 'Habit'. A 'Submit' button is located below the description field. The 'Directory Path' section shows the path '::CABIUK-IMAGE:images:Compendia:2012 ISC:'.

Useful links

www.gov.uk/government/organisations/intellectual-property-office

www.gov.uk/copyright

creativecommons.org/

www.stm-assoc.org/intellectual-property/permissions/permissions-guidelines/

www.copyrightservice.co.uk/copyright/copyright

www.legislation.gov.uk/ukpga/1988/48

wipolex.wipo.int/en/text/283693

www.epuk.org/files/ABCD_of_copyright.pdf



For copyright queries, please contact **Susan Philcox**,
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For image queries, please contact **Mike Amphlett**,
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