

Reusing Scholarly Content: A Discussion of Copyright, Fair Use, and Licenses

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Copyright, fair use, and licenses are terms frequently mentioned in academic work, but not easily understood. [Copyright](#) protects content creators and gives them the right to say how and when their work can be used or transformed to create something new. [Licenses](#), or permissions, help content creators establish reuse options for works as they are created, encouraging easy sharing. [Creative Commons](#) is a well-known organization that helps content creators both protect and share their work with others. [Fair Use](#) allows content creators to use works still under copyright for the purpose of education and criticism. By reviewing how content will be reused, you can determine if you need to pay any fees to the owner of the material before using it.

Copyright, Licensing, and Fair Use in Practice

Copyright Scenario. You have some figures that you previously published in a journal article that you'd like to reuse in a new book chapter. Can you use the figures from your published article? Do you need to gain permission to use them? And if so, from whom?

While authors are starting to negotiate terms of reuse into their contracts with publishers, traditionally ownership and copyright of content is transferred to the publisher of the journal upon publication. Therefore, in order to reuse something, you must seek permission from the copyright holder, usually the publisher. The [Copyright Clearance Center](#) manages this process for hundreds of journals in an easy to use online format. Individuals can search for a journal, enter information about how they will use the content, obtain an estimate, and then purchase the rights. For journals not managed through the Copyright Clearance Center, check the owning journal's homepage and look for "author guidelines" specifically on "copyright, reuse, or permissions". You may need to email the owning journal directly to find out whether you can reuse it.

Licenses Scenario. You are working on a presentation for an upcoming conference and you need an image to help explain your point. You do a quick Google search and find many options. Can you use these images? Can you submit your presentation to [DigitalHub](#) (Northwestern Medicine's open access repository) with these images in it?

Many images online are not [in the public domain](#), instead the images exist online because the copyright holder has placed them online, or because the copyright holder has used a license, often called a [Creative Commons License](#) to explain how someone may copy, distribute, and make some uses of their work.

To find images to use in your presentations, consider:

- using websites devoted to images in the public domain or have a Creative Commons Zero license, such as [Pixnio](#), [Unsplash](#), or [Wikimedia Commons](#)
- searching [Flickr based on type of Creative Commons Licenses](#)
- using [Google's image search](#), on the results page click on Tools, then Usage Rights, then Labeled for Reuse

Once you are sure you've properly followed the licenses provided by the image creators, then you may consider uploading your presentation to [DigitalHub](#), so that it can be made openly available to a larger audience.

Fair Use Scenario. You are creating a lecture for students on an emerging topic in medicine. You'd like to share a video from Vimeo or YouTube in your class. Your lecture is being recorded and saved for students to re-watch on Panopto. What other considerations should you make for media (photos, images, figures) in your recorded presentation?

If possible, you should cite the video and any other media on a presentation slide or in the course materials. Use the Fair Use Principles to evaluate the use of media in an educational setting. The four factors of fair use are 1) Purpose and character of the use; 2) Nature of the copyrighted work; 3) Amount used; 4) Effect on the market for the work. For more detail, see the [Fair Use Checklist](#) from Cornell University.

Finally ...

Whenever you reuse content, you should, at minimum, cite others' work. Use these links to learn how to cite an image or photograph using [APA style](#) or [NLM style](#), or online videos using APA style or [NLM style](#). Contact your [Liaison Librarian](#) for assistance in finding copyright, licensing, and fair use guidelines.

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