

COPYRIGHT QUICK GUIDE

STUDENT WORKS [USING AND PUBLISHING]

Students own the copyright in works produced as a part of their course of study. Examples of student works are used throughout the University in a variety of ways. To use student works **you must obtain the permission of the student.**

The Copyright Management Service has a range of student permission forms to obtain permission to use student works.

Students are provided with exemptions within the Copyright Act to use copyright works under the Fair Dealing Provisions - research and study. Unfortunately these provisions do not extend to copyright works to be communicated or made available online by staff once the student has left the course. Using students works that contain third party materials such as images, music, film snippets, or extracts of text, raises the issue of how do you legitimately use the third party copyright works without breaching copyright. If the student works you intend to use are to be placed online, you must ensure all of the third party copyright works contained in the student work have been attended to.

Permission can be sought for the third party materials, or alternatively they can be used under an 'educational licence'. More information on the educational licences can be found under the information guides section of the [Copyright Website](#).

RMIT's IP Policy provides a clear understanding on RMIT's ownership in relation to student works:

IP Policy 540: <http://mams.rmit.edu.au/l11qeacwcb081.pdf>

Students – Learning & Teaching Intellectual Property

*Subject to any employment relationship between the University and a student or any provision under the following two paragraphs, **any intellectual property created solely by a student is owned by that student.***

Where a student contributes to the development of intellectual property through scholarship or other activities involving other students or members of staff or uses existing University intellectual property (background intellectual property), the moral rights of authorship of all those contributing to the creation of the intellectual property will be recognised in accordance with University policy.

Where a student is involved in a project or specific commission in respect of which the University or any party to an agreement with the University has provided funds, equipment, facilities or supervision, the University may require the student to be a party to an intellectual property and/or confidentiality agreement before commencement.

Students – R&D Intellectual Property

*Subject to any employment relationship between the University and a student or any provision in this policy, **any R&D intellectual property created solely by a student is owned by that student.***

Where a student contributes to the development of R&D intellectual property through research or other activities involving other students or members of staff or uses existing University intellectual property (background intellectual property), the moral rights of authorship of all those contributing to the creation of the intellectual property will be recognised in accordance with University policy.

Where a student is involved in a project or specific commission in respect of which the University or any party to an agreement with the University has provided funds, equipment, facilities or supervision, the University may require the student to be a party to an intellectual property and/or confidentiality agreement before commencement.

The University may require that public access to a thesis be restricted for a specified period to enable the student, the University and any outside funding bodies to benefit commercially from the results of a research project.

In the event that the intellectual property in a student's work may be commercially viable, the University encourages the student to utilise the services of the relevant College or commercial company in assessing, protecting and prosecuting the commercial application of the intellectual property

STUDENT GUIDES

[Fair Dealing/Fair Use
Students and Copyright](#)

GETTING ADVICE

The Copyright Management Service is a University Wide advice and permissions service for RMIT Staff. The Service provides copyright advice and permission seeking services to all RMIT Staff. copyright@rmit.edu.au