

COPYRIGHT QUICK GUIDE

Articles, News Journals & eJournals

Institutional repositories & open access journals

Open access journals and [institutional repositories](#) contain scholarly academic articles that are available online, articles within these repositories can be linked to, embedded, downloaded and printed. [The Directory of Open Access Journals](#) provides a list of scholarly journals that are open access.

[OAster](#) & [Trove](#) can assist with finding open access articles held within institutional repositories.

Embedding & linking

Embedding and linking to articles removes many copyright problems. Where possible it is best to link or embed an article than to scan, photocopy, download and upload.

The Library has a wide range of [journals and newspapers](#) online that allow linking and embedding.

Using snippets or quotes

Using snippets or quotes from articles is fine as long as the quote taken is within reasonable limits, that is not quoting more than what would be considered 1% of a work.

- 1% of the number of pages of a publication totalling more than 200 pages.
- 1% of the number of pages in a paginated electronic work [PDF].
- 1% of the number of words of an electronic work that is not paginated.

Scanning

Articles can be scanned under the fair dealing provisions – research & study, criticism and review.

Limits [how much you can scan] - 1 article, more if the subject matter is related or if the use of the article is for the same course or research.

Articles can be scanned from journals and newspapers and kept electronically for your research or study purposes.

Articles that are scanned from journals or newspapers that you intend to place online must only be done so for the period of your course and must be placed behind a password and not made available to anyone else. Fair dealing research and study does not apply to public use.

Downloading

Library databases

It is best to provide a link to articles within the Library's databases if you wish to provide copies to fellow students. Articles can be downloaded and used for individual research purposes - one copy for your use. Articles cannot be downloaded and then uploaded to blogs, websites or open web publishing platforms.

The majority of Library databases allow for:

- Linking to articles;
- Articles to be printed directly from the database.

Online sites

Fair dealing allows for articles to be downloaded from online sources.

Limits [how much you can scan] - 1 article, more if the subject matter is related or if the use of the article is for the same course or research.

Articles that are downloaded can only be kept electronically for your research or study purposes.

The Library provides online access to a range of [Australian and international newspapers](#) try linking instead of downloading.

Articles that are downloaded from online journals or newspapers that you intend to place online must only be done so for the period of your course and must be placed behind a password and not made available to anyone else. Fair dealing research and study does not apply to public use.

Printing

You can print copies of articles under the fair dealing provisions. You may print copies from online sources or photocopy articles from printed copies of newspapers or journals.

Limits [how much you can scan] - 1 article, more if the subject matter is related or if the use of the article is for the same course or research.

Fair dealing & Fair use

The fair dealing provisions do not apply to public sites such as blogger.com, ISSUU or other open publishing platforms. Fair dealing allows the use of copyright works by students for research and study purposes only. Fair use is an American provision and terminology for using copyright works and does not apply in Australia.

The fair dealing provisions are closed provisions and only applicable whilst undertaking a course of study, or research. Copyright works [that are not creative commons or free licensed works], incorporated into online environments within RMIT such as blogs, e-Portfolios, or other online platforms can only remain online whilst enrolled, if you are no longer enrolled in the course the works must be removed.

The fair dealing provisions require you undertake a genuine act of fair dealing - the use of the work for either research and study purposes, or criticism and review purposes.

- *Research or study*: undertaking a course of instruction or personal private research. This provision allows students and researchers to rely on using a reasonable portion of copyright works as part of their research or study. Demonstrating or showing works to others as part of public events, exhibitions or competitions is not covered by fair dealing and will require the permission of the copyright holder.
- *Criticism or review*: undertaking a legitimate task that involves criticising or reviewing a copyright work. For example a magazine review for a new release on DVD's that includes an image of the DVD cover could be considered a legitimate reliance on the fair dealing provision of criticism or review. As the act of review or criticism is a genuine act, an act of forming an opinion on the work – the DVD.

- [Parody and satire](#) is a new purpose within the fair dealing provisions. Copyright holders don't usually licence criticism of their works such as an adaption/mashup that casts them and the brand in a bad light. When undertaking a dealing of a copyright work for the purpose of parody and satire the dealing must be **legitimate**, a genuine act of parody and satire, the use must be transformative the new work must transform the original work into a work that is either satirical or humorous.

The amount used, and the market place for the existing work are important considerations with fair dealing - was a substantial amount of the existing work used, and was there an interference with the existing or potential market for the work. If not was the part used an important part of the work and in using that part was the use competing in the market place with the original work. If it is found that a substantial amount of the original work has been used, and the part used is an important part of the original work, and the use could have been licensed within the existing market, then the use would most probably be considered unfair and a breach of fair dealing/copyright law.

Getting advice

The [Copyright Management Service](#) can assist with further advice feel free to [contact us](#) with any query you may have.