

Common Copyright Scenarios

Faculty

1) A professor publishes a scholarly article in a journal that requires copyright transfer

At NCSU, faculty members retain copyright in all traditional, non-directed works, so the faculty member owns copyright in their article. Subject to any conditions of external funding agencies, she may sign away some or all of their rights to the publisher. A copyright disclosure is not required.

2) A professor publishes a commercial textbook

At NCSU, faculty members retain copyright in all traditional non-directed works. The faculty member is likely to own copyright in the textbook. Since the work is going to be commercialized, however, the faculty member should submit a copyright disclosure to <https://execportal.acs.ncsu.edu/>

3) A visiting professor creates a syllabus and lesson plans for an NCSU course

Faculty members at NCSU retain copyright in all traditional-non-directed works, including course materials. The visiting professor retains copyright in her work but NCSU has a non-commercial license to use the course materials in subsequent courses. A copyright disclosure is not required.

Students

1) A graduate student completes a paper for her seminar that includes comments and proposed revisions made by her instructor

Students at NCSU own copyright in their work. Comments and suggestions made by others that are not separately copyrightable do not constitute authorship, so the graduate student owns all copyright in her seminar paper. A copyright disclosure is not required.

2) An undergraduate student takes detailed class notes and offers them for sale to other students planning to take the same course

Notes of classroom and laboratory lectures and exercises taken by students are not student works and may only be used for personal educational purposes. They cannot be commercialized by the student or any third party. Depending on the contents of the notes, such activity may also constitute a violation of NCSU's Code of Student Conduct.

3) As part of a funded research assistantship, a graduate student creates software to support work in an NCSU lab

Work prepared within the course and scope of employment, and specifically works created in the course of a student's employment by the University, are considered works made for hire and owned by NCSU. Computer software created by non-faculty University programmers for use by the University constitutes a directed work, and is owned by NCSU. Likewise, the software may be tied to an invention and fall under NCSU's Patent and Tangible Research Policy. For both of these reasons, the software belongs to NCSU and a software disclosure should be made at <https://execportal.acs.ncsu.edu/>

Staff

1) At the direction of his supervisor, an employee in Student Stores takes photographs to be used in signs throughout the building

Work prepared within the course and scope of employment is considered work made for hire, so copyright in these photographs is owned by NCSU. A copyright disclosure should be made at <https://execportal.acs.ncsu.edu/>

2) A photographer in University Communications takes photographs documenting her vacation trip to Australia

SPA employees own works created at their own initiative, outside the scope of their employment, and without exceptional use of university resources. The photographer owns all copyright in these photographs. A copyright disclosure is not required.

3) A volunteer at the annual Friends of the Libraries' Book Sale takes pictures of the Sale while it is in progress

Volunteers retain the copyright to works they create unless the University unit or department that has initiated or benefits from the work obtains the copyright or license to use the work. If NCSU intends to use the photographs, they shall require that the volunteer execute a Volunteer Agreement to Grant Copyright License or Volunteer Agreement to Assign Copyright for the work.

If you have any further questions, please contact William Cross, wmcross@ncsu.edu or Brian Eller, bbeller@ncsu.edu.