Intellectual Property Considerations for Dissertation Authors

Doctoral candidates must consider copyright issues as early as possible in preparing their dissertation. There are several important reasons for this.

- In most cases, your dissertation will incorporate previously copyrighted material, and you must ensure that your reuse is legal.
- Publication of your dissertation may impact others who are working with the same source materials or data sets. You must coordinate with your team to ensure appropriate management of shared IP.
- You’ll be creating a copyrightable work, and want to consider carefully how you will manage your intellectual property.

This document outlines key copyright issues you may encounter in preparing and submitting your dissertation. Members of the Stanford community who need further copyright information should feel free to contact

Mimi Calter  
Associate University Librarian  
& Chief of Staff  
Stanford University Libraries  
mcalter@stanford.edu

Lauren Schoenthaler  
Senior University Counsel  
Office of the General Counsel  
lks@stanford.edu

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Understanding Copyright & Patents

Most dissertations incorporate material that was previously copyrighted, and many also contain material that will be later republished. Some also contain material that will be part of a patent application. Choices you make in what you include in your copyright and how you make it available can impact your future publications significantly, so it is important to consider copyright and patent issues as early as possible in the preparation of your dissertation.

Dissertation authors are strongly encouraged to review the Copyright Law Overview section of Sanford’s annual Copyright Reminder, which provides a brief synopsis of copyright issues relevant to the academic space. Students who’s dissertations might result in patents should also review Stanford’s Office of Technology Licensing pages on patents, and should note that OTL has determined that publication of a dissertation qualifies as a public disclosure for purposes of patent filings. Some key issues to consider include:

• You must have explicit permission to republish copyrighted material unless the use is considered a Fair Use under section 107 of US copyright Law
• Permission may be required to use your own work, if you assigned rights to a publisher
• If material was jointly published, ensure your co-authors are aware of the reuse

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• What is the character of the use?
• What is the nature of the work to be used?
• What is the amount of the work to be used?
• Will the use negatively affect the value of the work?

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External Visibility
You will be offered the option to limit the percentage of your dissertation that is made available to third-party distributors, like Google, to 20%. It is not a sliding scale, and your only choices are 20% and 100%. The visibility limit can be applied with or without an embargo, but if applied with an embargo it will only come into play once the embargo expires. You can change your external visibility from 20% to 100% at any time by submitting a HelpSU ticket. Note that it is not possible to revert external visibility from 100% down to 20%.

Registering Your Copyright
Stanford does not register your dissertation’s copyright on your behalf. You can register yourself through the Copyright Office’s website: http://www.copyright.gov/eco/

Note that registration is not required for your work to be covered by copyright, though it does provide benefits.
Resources
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   http://www.stanford.edu/dept/DoR/rph/5-2.html
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Stanford Fair Use page
   http://fairuse.stanford.edu/
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