

Copyright Guidance for BTS-Related Business Activities

1. Executive Summary

- Copyright is a type of intellectual property that protects original works of authorship.
- The author or creator of a work automatically owns the copyright, as long as the work is original. However, there are some exceptions, such as when the work was created during employment, or when it is the result of collaborative research.
- Copyright protects against a number of actions, including:
 - Copying the work
 - Distributing copies of the work
 - Renting or lending copies of the work
 - Presenting the work in public
 - Adapting the work
 - Putting the work on the internet
- Copyright owners can register their work to enhance protections, but registration is not mandatory. If someone copies or publishes a protected work without permission, the copyright owner can sue for damages.

2. Introduction

This British Toxicology Society (BTS) policy is intended to support speakers with understanding copyright and how it impacts on multiple facets of presentations given at BTS-related and sponsored events. This policy and the attached declaration aim to ensure that the BTS is protected from breaches of copyright. The policy is specific to the Acts of Parliament of the United Kingdom, though many of the principles may be applied to other jurisdictions. The Copyright, Designs and Patents Act 1988 (CDPA) gives the author or creator of the material the exclusive right to copy, adapt, communicate, lend or sell copies of the work, and this right can be sold or transferred.

Limited re-use of copyright material by a third party is permitted in exceptional circumstances, including some educational scenarios. Examples of these circumstances, such as “fair dealing,” are detailed in the guidance Exceptions to copyright generated by the Intellectual Property Office¹, however caution should be used when applying these. **If in doubt, take it out.**

The CDPA 1988 protects an author’s or creator’s economic interests, by providing a legal framework for deciding when and to what extent copyright has been infringed. In 2014, amendments to the CDPA took account of developments in digital technology to extend the limits to scenarios in which material can be copied fairly.

3. Definitions

3.1 Creative Commons Attribution Licences provide a standardised way to specify how users of a copyright-protected work may reuse the work. The licences can be applied to various creative works, including research outputs, to ensure the maximum possible reuse by others while allowing the copyright owner to specify conditions for reuse. All licences allow redistribution of the work, provided that the users attribute the author. There are six Creative Commons Licences, built around three criteria: whether or not they allow adaptations (derivatives); whether or not they allow commercial

¹ <https://www.gov.uk/guidance/exceptions-to-copyright>

reuse; and whether or not adaptations (if allowed) must be shared with the same licence. Many funders require authors to make their research publications available under a Creative Commons Attribution Licence, allowing both adaptations and commercial reuse.

3.2 Intellectual Property (IP) refers to creations of the mind, such as inventions, artistic creations, literary works or symbols. Intellectual Property Rights protect the works of creators and include copyright, patents, trademarks and designs.

4. Core Principles

Copyright is an automatic right which applies to a wide range of creative works in material form, giving creators of original works the right to control the use of their material by third parties, for a fixed period of time.

The areas, which are protected by copyright and applicable to the BTS, are:

- Not only books, journals and newspaper articles, but also letters, poetry, computer programs, and more.
- Published editions - the typographical arrangement of a literary work.
- Databases - data or materials individually accessible and arranged in a systematic or methodical way, such as a library catalogue or a stock market report.
- Artistic works - any original artistic material (irrespective of quality) available in a fixed format, such as photos, paintings, maps and more.
- Sound recordings - in any format. Those that are simply a direct copy of another recording are excluded.
- Films - original footage in any medium, including celluloid, DVD and other digital formats.
- Broadcasts - visual images, sounds or other information, transmitted for simultaneous viewing/listening by members of the public.

Copyright is a property right, so can be transferred or sold. The person who owns the copyright has the exclusive right to:

- Copy or reproduce - including electronic storage such as file downloads.
- Issue, rent or lend copies.
- Show or play in public (this applies to literary, dramatic or musical works, sound recordings, films and broadcasts).
- Communicate or transmit a copy - including putting material on the web, emailing or broadcasting it.
- Adapt material – including translation, or any kind of editing.

If you do any of the above acts without permission from the copyright owner, it may be infringing copyright. Dealing with infringing copies made by another party - by storing, distributing or selling them - is also a violation of copyright.

When the rights-holder is indeterminate or untraceable, copyright material becomes an **orphan work**. A 2014 amendment to the CDPA provides a framework for [Licensing Orphan Works](#) for copying or re-use.

5. Duration of Copyright

Copyright protection starts as soon as a work is created, for a fixed term. Copyright in literary, dramatic, musical and artistic work usually extends until 70 years after the creator's death. The UK Intellectual Property Office provides more information about [copyright duration](#) for work in other formats.

In addition to copyright, creators of original works are also granted **moral rights**, to protect their reputation, as follows:

- Attribution: the right to be identified as author, once asserted
- Integrity: the right to object to derogatory treatment of work
- The right not to have work falsely attributed.
- The right to privacy of personal/domestic films and photographs

The author can waive both, the right to be identified and the right to object to derogatory treatment. However, unlike copyright, moral rights cannot be transferred to another person.

6. Fair Dealings and Exceptions

There are some exceptions within the law, which allow you to copy material under certain circumstances without infringing copyright. Most of these exceptions apply to everyone, and are intended to encourage creative and innovative uses of copyright material while protecting the interests of the rights-holder.

Several of these exceptions rely on the concept of **Fair Dealing**, which has no legal definition, although a large body of case law has established some boundaries:

Re-use of a modest portion of a copyright work (<10% is often used as a guideline), fully attributed, for a limited audience, for a limited time, in a non-commercial environment, may be defensible as 'fair'. Courts have been willing to stretch this definition in cases where there is clearly no impact on the market for the original work.

The Intellectual Property Office has published a full set of guides to [Exceptions to Copyright](#).

7. Copyright of Images

In creating a presentation, writing for publication, adding images to the BTS website for illustrative purposes or designing a poster, the Society and/or an individual is likely to want to illustrate their material with other people's images. It is important to bear in mind that **free-to-view** images are not necessarily **free to re-use**. Even uncredited photos on transient websites may be protected by copyright.

UK copyright law permits you to **'quote'** other people's images, provided that they are relevant to your discussion or critique (i.e. not just used for decorative purposes), and that you have used no more than is required for your specific purpose.

You also need to abide by **'fair dealing'**: your use of the image must have no impact on the market for the original (you should use a lower resolution or cropped version) and you must fully acknowledge the rights-holder (your image caption or credits should reiterate any copyright statement or licence terms indicated at the source).

8. Using Images for Education Purposes

The captions for any images that are reproduced should provide information about the image and its source. The rights-holder should be identified (e.g. "Copyright © Institution xx /Company xx") and there should be a note reiterating any copyright statements or licensing terms indicated at the source (e.g. "All rights reserved", or "This work is licensed under a [Creative Commons Attribution 4.0 International License](#)") and state whether all necessary permissions to use the image have been obtained.

9. Recommended Sources of Images

The creator of an image may release it with a [Creative Commons licence \(CC Licence\)](#), which provides a simple, standardized way to grant copyright permissions to their work.

Many image libraries allow you to filter search results by **CC licence status**: for instance **CC 0** (in the public domain, no attribution required), **CC BY** (free to re-use with attribution and indication if

changes were made) or **CC BY-NC** (free to re-use in a non-commercial context, with attribution and indication if changes were made). The **CC Search** tool enables you to search multiple libraries simultaneously.

Advanced Search on a web browser such as **Google Images** enables a user to filter results by Usage Rights, similar to Creative Commons categories. However, be aware that Google does not accept responsibility for the reliability of these results - check the terms of use at source, where possible.

10. Declaration

All Presenters are expected to grant the British Toxicology Society (BTS) Executive Committee a royalty-free license to use, reproduce, sell access to, and distribute all handouts, PowerPoint presentations or other materials in connection with the Annual Congress, the Continuing Education Programme, or Webinars.

The BTS understands that the individual and/or their employer retain copyright ownership of the materials and the underlying content of the presentation, which they may continue to use (or allow others to use) in any way.

Those presenting at the Annual Congress, through webinars and other BTS meetings will be provided with the following statement in their invitation letters “ *By agreeing to present at the meeting, you are confirming that you have read and understood the Society’s guidance on copyright, which can be viewed at (<https://www.thebts.org/information/policies-strategies/>)*”.

This guideline can be provided in a larger type face on request for ease of reading.