Who is entitled to claim rights on a thesis dissertation?

You are entitled to claim rights over your work as a doctoral student. The writer of a dissertation, a doctoral thesis, is the author of the work and is entitled to its rights.

Can articles or article manuscripts be compiled in the manuscript of a thesis?

When manuscripts are submitted for publication, the doctoral student is the sole author of the manuscript and is entitled to the rights associated to the work.

As a conclusion, to use works of mind, you have to pay close attention to the rights associated to them, to avoid breaching them.

What are my rights when I publish my doctoral thesis?

What is behind author rights?

Copyright is twofold and comprises both economic rights and moral rights (Art. L111-1 [1]).

The economic rights govern the conditions of exploitation of the work and apply to the whole of the world (Art. L112-1 and L121-2 [1]). They provide for the authorship and integrity of the work.

The moral rights are vested in the author and are perpetual, inalienable and imprescriptible. They provide for the authorship and integrity of the work.

What is my obligation for the contract?

It is essential to carefully read the terms and conditions of such a contract; and to make sure that the contract is signed by all joint authors, who shall be bound by their signature.

You must demonstrate your joint authorship, seek the permission of the doctoral student and cite the thesis when you publish your work.

Can a thesis be published by a publisher for a commercial purpose?

If so, the article will become a composite work (Art. L113-4 [1]).

You must obtain the permission of the doctoral student and any other joint authors to avoid breaching their rights.

May I reuse text or figures from a thesis I supervised in an article?

Only the doctoral student who wrote it. Courts have ruled that the writer of a dissertation, a doctoral thesis, is the single author (Art. L120-6, 2nd paragraph). The doctoral student must obtain the permission of the doctoral student and any other joint authors to avoid breaching their rights.

Doctoral theses

When manuscripts are submitted for publication, make sure that citations are properly made in reports, theses, presentations, courses and conferences. This is a moral obligation for the doctoral student.

When manuscripts are submitted for publication, the doctoral student is the sole author of the manuscript and is entitled to the rights associated to the work.
Does posting my article in an open archive amount to publishing?

Definitely, deposits in open archives are acts of publication.

May I post the full text of my articles on my web page or in an open archive?

You must check if the contract with the publisher allows it by making a search about their publishing policy in Romeo...[4]. Note that the consent of joint authors is required to be allowed to deposit an article in an Open Archive.

How can I notify the rights in my works I am willing to share?

Subject to the rights you have already assigned, you can manage the rights to your works through one of the six options...[5]. Enabling you to disseminate your works within the scientific community under certain conditions and to your preferences.

When I write a software programme or a part of it, what are my rights as an author?

You hold the moral rights (L112-2)[1], but the economic rights are your employer’s property, exempting provisions may be set out in special contracts.

When I deposit teaching materials on my web page, can I protect them?

If you are the author of original lectures, tutorials, exercises and corrections, using a CC license...[5] will enable you to disseminate your works for educational and research purposes as part of the educational exception (L122-5)[1]. Pursuant to article L122-5 of the Code of Intellectual Property...[1], you may use works exclusively for illustration purposes as part of a course or research with students and researchers, except for a commercial use.

Are all parts of an article subject to copyright?

An article is copyrighted in its whole, including figures and tables. May I reuse published figures and pictures?

Yes, under specific provisions set out in your contract with your publisher if you were the author. It is essential to always cite the publication. Otherwise, you have to ask permission to do so to the publisher who holds the rights.

Is the publisher authorised to reuse my figures in another context?

As far as you have assigned your economic rights to the publisher, he is entitled to reuse a part of your article in another context if such reuse is provided for in the contract. The provisions of the contract are determining!

Is the poster I presented at a conference subject to the same rights?

It is also a “work of the mind” created to present data. If your poster refers to the content of an article, it should be cited.

May I use excerpts of a presentation from a conference I attended to?

Yes, but it depends!

When I deposit teaching materials on my web page, am I allowed to use them as I wish?

You are the author, so you can freely use your own teaching materials. If you use photographs coming from other sources, you must check their copyright status by consulting the relevant entities like the communication, partnership or valorisation departments.

Do posting my articles in an open archive mean my rights are not yours any more in another context?

Yes, your rights are not yours any more in another context.

Are the rights I have when I organise an exhibition the same as when I organise a conference?

You must comply with copyright by securing authorisations from the authors of the exhibited works. You can obtain guidance locally in your Region by consulting the communication, partnership or valorisation departments.

Am I entitled to use photographs taken by visitors who came to report about my work (journalists, in-house photographers, associations, students)?

These photographs or films were made by third parties, that is, other persons than you. So they are the authors and you need their permission to reuse them in your work. So they may only be used if you have agreed with the photographers coming from such sites, you must comply with their copyright. If you use photographs coming from other sources, you must comply with the copyright of the photographer. You are the author, so you can freely use your own teaching materials. If you use photographs coming from other sources, you must check their copyright status by consulting the relevant entities like the communication, partnership or valorisation departments.

What is the educational exception?

Pursuant to article L122-5 of the Code of Intellectual Property...[1], you may use works exclusively for illustration purposes as part of a course or research with students and researchers, except for a commercial use.

Is the poster I presented at a conference subject to copyright?

It is also a “work of the mind” created to present data. If your poster refers to the content of an article, it should be cited.

Can I use my own images in my article on a website, even if they are not my own images?

They are protected under copyright. However, if you are using the images under a Creative Commons licence, you may use them under certain conditions and they are considered to be in the public domain. In this case, you must comply with the licence terms. If you use photographs coming from other sources, you must check their copyright status by consulting the relevant entities like the communication, partnership or valorisation departments.

Can I use copyright free photographs?

Be cautious, copyright free does not mean with no rights at all. As soon as there is a licence of use, you must comply with its terms.