What am I entitled to claim rights on a thesis dissertation?

A thesis is a student's contribution and as such is protected by intellectual property law. The doctoral student is usually considered the sole author of the thesis. However, some authors and co-authors may have contributed to the writing of the thesis, but this does not necessarily mean that they own any rights in the work. The rights in a thesis are protected by both economic rights (such as the right to reproduce and distribute the work) and moral rights (such as the right to be attributed as the author of the work). The rights in a thesis are generally divided between the doctoral student and any other authors who contributed to the work.

Who is entitled to claim rights on a thesis dissertation?

- The doctoral student who wrote the thesis is usually entitled to claim all rights in the work.
- Other authors who contributed to the work may also be entitled to claim rights in the work, depending on the terms of any agreement between them.
- The rights in a thesis are protected by both economic rights (such as the right to reproduce and distribute the work) and moral rights (such as the right to be attributed as the author of the work). The rights in a thesis are generally divided between the doctoral student and any other authors who contributed 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 [2] that enables you to disseminate your works within the scientific community under certain conditions and to your preferences.

When I write a software program 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 (excluding provisions may be set out in special contracts).

Does copyright apply to charts, drawings, graphics or maps that were produced in my research unit and published on any kind of medium?

The provisions of article L112-2 [1] are very specific about this, and all the more so the consent of joint authors is required to be allowed to deposit an article in an Open Archive.

Can I protect my pictures and photographs?

They are protected at the moment they are made. If you need to use them, you can from time to time, as long as you respect the author’s rights. In a case like this, you must comply with Conditions of use (e.g. CC license [5] for example).

May I use so-called copyright free pictures?

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

Can I use an image available on the web in a publication?

If you found it on the web, it has already been published and it is therefore copyright-protected. You have to ask its author for permission or possibly comply with its CC license [5].

When I deposit pictures in an image library or in an open archive, am I allowed to use them as I wish?

You are the author, so you can use them provided you comply with provisions of the contract you may have signed with the depositing body. If you use photographs coming from such sites, you must comply with Conditions of use (e.g. CC license [5] for example).

What are the legal rules I must comply with when I organise an exhibition?

You must comply with copyright by securing authorisations from the authors of the exhibited works.

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 use them. In order to be able to do so, you must comply with Conditions of use (e.g. CC license [5] for example).

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 of research with students and researchers, except for a commercial use.

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When I deposit teaching materials on my web page or in an open archive, do I deposit new copyrightable works?

Yes, but it depends!