

# Faculty of Humanities

## IP and copyright of teaching materials – Top Tips

### 1 Who holds/owns the Intellectual Property (IP) of hardcopy teaching materials?

The University of Manchester, as under **s.11(2)** of the Copyrights Designs and Patents Act – CDPA (1988) – Where a literary, dramatic, musical or artistic work is made by an employee in the course of his employment, his employer is the first owner of any copyright in the work subject to any agreement to the contrary.

Any third party content contained within the teaching materials will belong to the owner/author of that content.

### 2 Who holds/owns the IP of online teaching materials such as Blackboard quizzes, recorded lectures (podcasts)?

The University of Manchester. The format of teaching materials (hardcopy or electronic) does not affect who has the IP of those materials.

### 3 If you inherit/re-use teaching materials from previous colleagues, who holds the IP of those teaching materials?

Again, The University of Manchester (*see above*).

### 4 Who has the IP of any articles you produce for a peer reviewed journal?

The University generally waives its rights to scholarly materials created by employees, subject to the provisions of **section 5 of the University's IP Policy**. This is an example of an 'agreement to the contrary' as stated within the **CDPA**. This is, however, subject to you providing the University with an ongoing licence to use such scholarly materials, in accordance with section 5.2 of the University's IP policy.

### 5 What is the situation re sharing teaching materials as Open Educational Resources?

Open Educational Resources (OERs) should have an appropriate Creative Commons Licence (discuss this at School/Faculty level) and any third party content contained in them should generally be used with the permission of the rightsholder.

For any queries contact [uml.copyright@manchester.ac.uk](mailto:uml.copyright@manchester.ac.uk)

### 6 Can I upload a PDF of a journal article to Blackboard?

Unless the article is Open Access, then generally the answer is no, although you could link to the PDF if the article is available online, however the link must not circumvent a subscription paywall. Articles can also be made available on Blackboard (Reading Lists) via the **Library's Digitisation service**, under the terms of the University's **CLA Licence**.

### 7 Can I link to a video in YouTube?

Yes, but generally it's safer to only use videos which you know have been uploaded to YouTube by the genuine rightsholder, which is why using official channels, such as for example the BBC or National Geographic, is the best option. Embedding or even linking to illegally uploaded material could be classed as 'secondary infringement'; however the risk of linking to such material is still generally quite low, depending on the context of how it is used.

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### 8 What can I do if I find that teaching materials I created have been put up on the internet?

Contact the **Copyright Guidance Service** in the first instance.

### 9 How do I go about requesting permission to use a resource (hardcopy or online)?

A useful first step is to telephone the rightsholder directly (this could be an individual or possibly an organisation) and see how easy (costly) acquiring permission or a licence to use the relevant material might be. You can always contact the **Copyright Guidance Service** for advice, and/or to see if there are any educational exceptions in law which would allow use without the need for permission. We also have a **permissions template** which you can adapt to ask for permission.

For more information on copyright have a look at our **Copyright Guidance Service** web pages, and try out the **Copyright for Teaching Materials – Can I Use it?** decision tree online resource.

### External links

- **CopyrightUser** is a really useful, independent online resource aimed at making UK Copyright Law accessible. <https://www.copyrightuser.org/>
- **JISC Intellectual Property rights in a digital world** <https://www.jisc.ac.uk/guides/intellectual-property-rights-in-a-digital-world>
- **JISC Recording lectures: legal considerations** <https://www.jisc.ac.uk/guides/recording-lectures-legal-considerations>