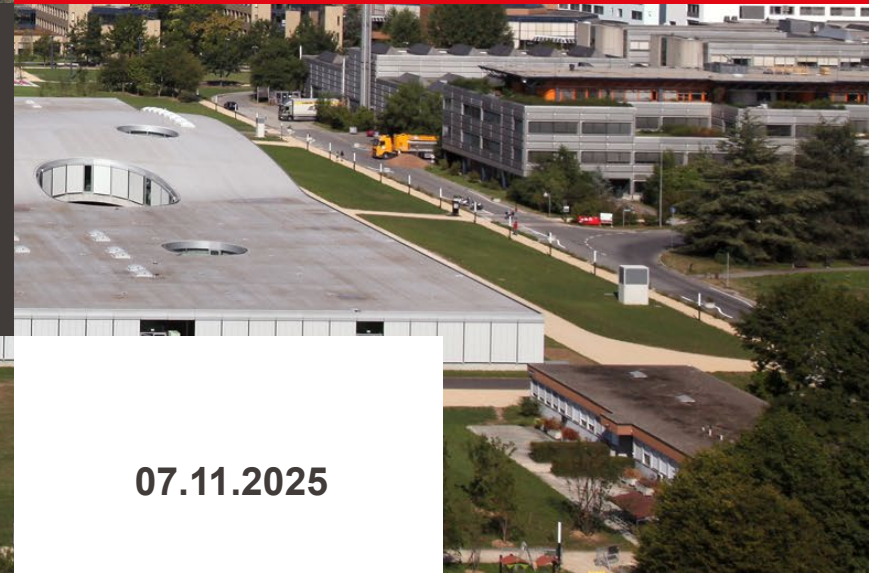


Copyright: The Basics

Vincenzo Palatella

07.11.2025





Agenda

- Introduction to intellectual property
- As an author, what do you need to know?
- As a user, what do you need to know?



Introduction to Intellectual Property

What's Intellectual Property?

- Intellectual property (IP) refers to **every creation of the mind**.
- It can be divided in two categories:
 - **Industrial property**
 - Patents
 - Trademarks
 - Industrial design
 - **Copyright and related rights**
 - Literary works
 - Artistic works
 - **Scientific works**

- **Applies automatically** when a work is published (no formality is needed)
- **Protects the form**, not the idea
- Has exceptions. In particular:
 - Private use ([LDA, art. 19](#)), including **educational purpose**
 - **Citation** ([LDA, art. 25](#))

Moral vs Economic rights

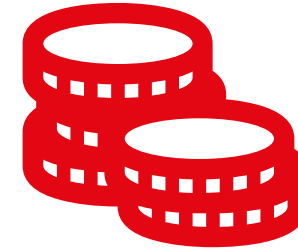
- Copyright includes two kinds of rights:



Moral rights

- To be acknowledged as the author of the work
- Integrity of the work
- To decide about the first publication

Not transferables



Economic rights

- The economic exploitation of the work
- Reproduction, adaptation translation etc.

Transferables

Copyright duration





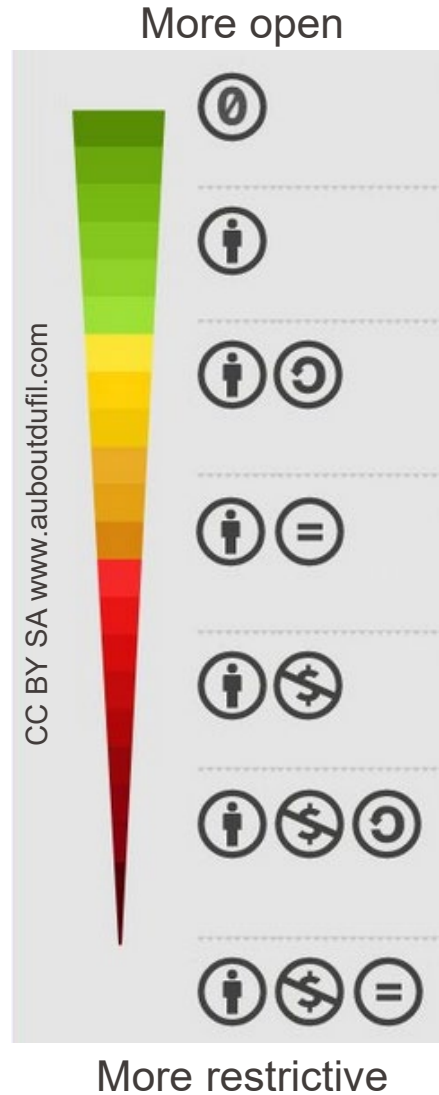
As an author, what do you need to know?

Rights retention or rights assignment

- Non-Open Access publication with a publisher:
 - **Copyright transfer agreement:** some of your economic rights will become the property of the publisher, often exclusively.
 - It is therefore necessary to be vigilant and if necessary to negotiate the agreement in order to keep important rights: **reuse, share, self-archive.**
 - You can use the [EPFL Author Amendment](#) and submit it to your publisher.

- Open Access publication
 - With a publisher or self-publication (technical reports, preprint, etc.)
 - Creative Commons (CC) licences

Creative Commons (CC) licenses



CC0 Public Domain

CC BY Attribution

CC BY-SA Share Alike

CC BY-ND No Derivative

CC BY-NC Non-Commercial

CC BY-NC-SA Non-Commercial + Share Alike

CC BY-NC-ND Non-Commercial + No Derivative

- Copyright in Switzerland: [Federal Act on Copyright and Related Rights \(LDA\)](#).
- The EPFL context is regulated by the [Federal Act on the Federal Institutes of Technology, article 36](#): the employee retains his/her copyright in any work for which copyright is applicable.
- **All your rights** (authorship, distribution, exploitation, etc.) **belong to you without any further steps**, until you decide to publish (make public) your work.

Who owns the copyright on an EPFL thesis?

- **The author is the sole copyright owner** of his/her thesis and is also responsible for its content.
- By publishing your thesis at EPFL (paper and electronic version on Infoscience), **you keep your copyright**, you simply grant a non-exclusive exploitation right to EPFL. You also have the **possibility to publish your thesis under a Creative Commons license**.
- Regarding patents and embargos to publish your thesis: contact your doctoral school.
- [EPFL Ordinance on the doctorate](#)



As a user, what do you need to know?

As a user, what do you need to know?

- The **list of exceptions** in the LDA is a closed list, unlike other countries such as the United States which have adopted the principle of "fair use".
- Among the exceptions under Swiss copyright law (LDA) are :
 - the right of **quotation**
 - the exception for **educational purposes**
 - the right of **private copying**
 - the exception for **research purposes** (text and data mining)

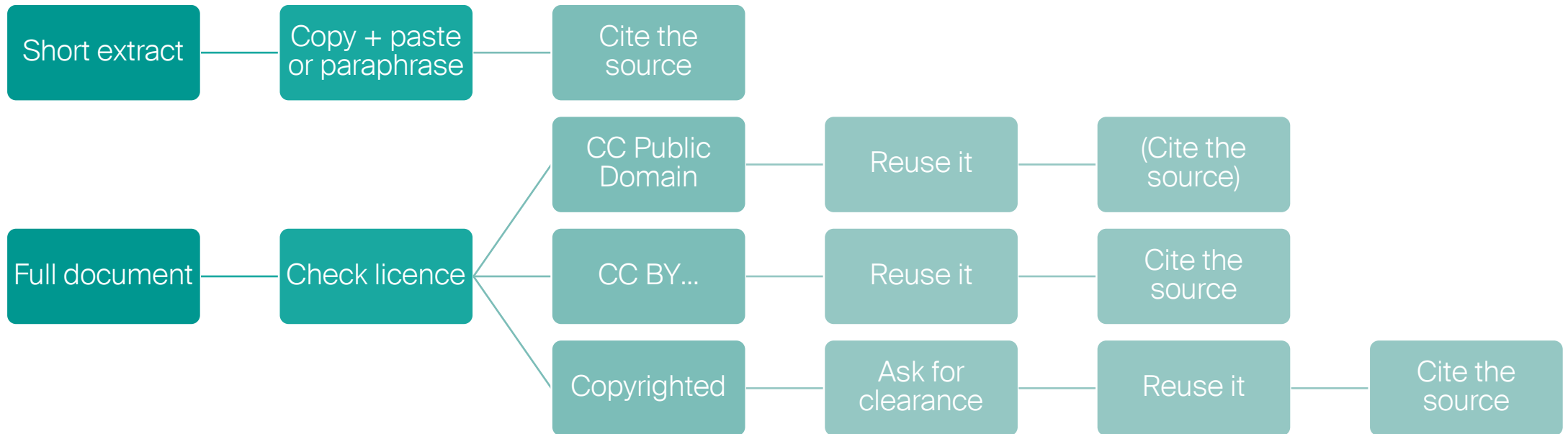
- EPFL Lex 3.3.3 Directive concerning the citing and referencing of sources in written work submitted by students
- Quote: insert in your work **short extracts** or a reference to another work whose the source must always be cited.
- Citing is a matter of **intellectual honesty and research ethics**, your readers need to know what comes from you and what is borrowed.
- Failure to respect the rules of citation is called **plagiarism**.

Quote VS Reuse

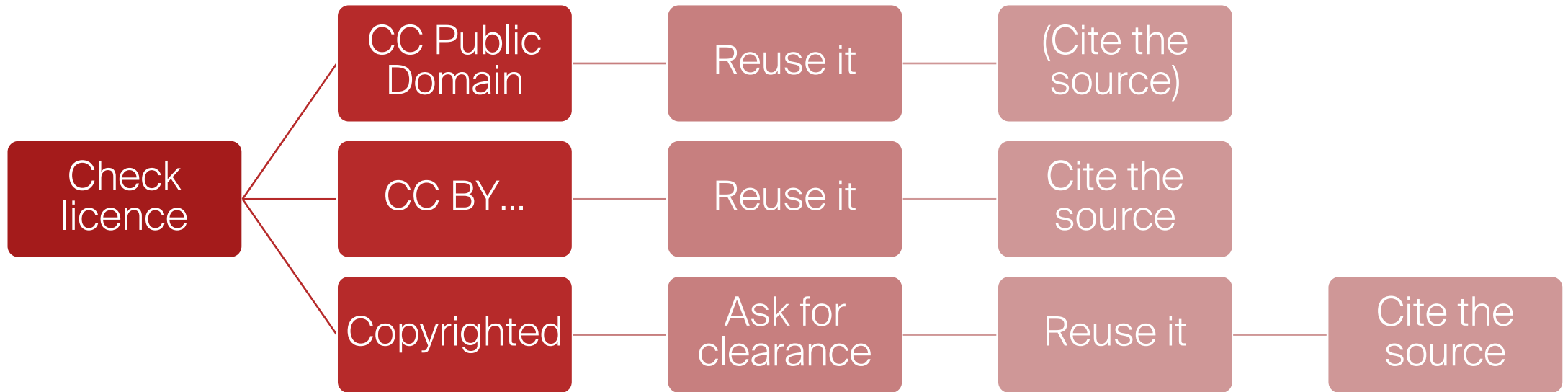
- Quoting is a right; reusing is not.
- **Quote:** insert in your work **short extracts** or a reference to another work whose the source must always be cited.
- **Reuse:** reproducing a whole work (or a substantial part) already created (published or not) in another work. It generally requires **formal authorizations from the right holders**, unless the work is under a free license. And of course, reusing implies citing.
- Important: **images, figures and graphic elements are considered as works by themselves.**
- **Thesis made by articles** is not plagiarism, but requires 1) to obtain the right to reproduce each article and 2) well contextualize the integration of the articles used in the thesis.

- The Library ensures that the users' rights set forth in the Swiss Copyright Act are respected in the license agreements it signs. But it is not always possible to reconcile the need for access to an essential resource with optimal conditions for using that resource.
 - Certain exceptions, in principle granted by the Swiss Copyright Act, may be prevented or restricted by a contract.
- The right that is most often prohibited in license agreements is **text and data mining (TDM)**. If you plan to do text and data mining with non-OA resources, please contact the Library for more information on the conditions of its license agreements.

Recap – Text



Recap – images, figures and graphic elements



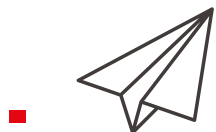
Supporting material

- Training offer of the EPFL Library
- Rational Bibliographic
- EPFL Author Amendment
- 6 Publishing Support Fast Guides
- “Publish your thesis while respecting copyright rules”
- Coffee lecture on Creative Commons





Next
Coffee break ☺
Patents



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