

NON-TRADITIONAL RESEARCH OUTPUTS

COPYRIGHT – WHAT YOU NEED TO KNOW

This factsheet is intended for University of Newcastle staff members to use in the context of their employment only and provides general advice. University staff should contact the Copyright Advisor if they have specific questions or concerns.

What is the difference between the labels ‘NTRO’ and ‘Other research materials’ for non-traditional outputs at the University?

In terms of output types and the copyright involved, very little. However, at the University the label ‘NTRO’ is reserved for non-traditional research outputs that are [approved by the NTRO Committee](#). Within the [NURO](#) and [Open Research Newcastle](#) systems, non-traditional outputs are labelled as ‘Other research materials’ until/unless approved. [View the NTRO Guidelines](#)

Ownership in research outputs

Research outputs can have varied ownership, depending on the type of output and any employment, publication, funding, or other agreements involved. It’s important to consider who owns what before making research outputs open access (OA). Read all agreements carefully before signing and/or negotiate rights around open access and other usage as needed.

What if I have assigned ownership of my research output to someone else?

Where you do not own your output due to assigning ownership to another party under an agreement, this will likely limit your options for OA (e.g., writing a Government report). The agreement you signed will dictate your potential choices around OA, but you may be able to negotiate further OA options via discussion with the organisation or agency/body involved.

Output versus representation

For some research outputs, the OA representation will be the output itself (e.g., a report file). For others, there may be potential restrictions around ownership, the physical nature of the output, etc. Consideration will then be needed around suitably representing the output (e.g., photographs of artworks, snippets of audio/video, links to material online). See the table on the last page for more information.

What if I didn’t create the representation/s of my output?

It’s common for representations of non-traditional outputs to be created by others (e.g., photographs of artworks, videos of installations, etc.). Where this is the case, the person (or organisation) that created the representation will generally own it, even where you own the underlying research output. To use these representations for your own OA needs, you will need to either organise transfer of ownership or enact a licensing/usage agreement.

What if I don’t have the ability (or retained rights) to make a representation open access?

There may be situations where file-based OA isn’t possible, due to the form of the output (e.g., a video game), or the agreement involved (e.g., a book of poetry). In these cases, the representation may take the form of a link to online material, especially where the material is openly accessible.

Where reuse rights are limited, researchers should try negotiating with the copyright holder for additional OA options, e.g., potential mediated access. There will also be situations where an OA representation for an output is not allowable due to the copyright, ownership, or proprietary content involved.

Using ‘third-party’ copyright

When you have added images, graphs, tables, text, music, video, etc., to your research outputs from external sources, this is known as using third-party copyright. Material you create can become third-party copyright through employment, publication, funding or other agreements. When reusing third-party materials, there are requirements you must follow so that you do not infringe copyright, including providing appropriate attribution under moral rights. [View the University’s Copyright Compliance Policy](#)

Using third-party materials will add complexity to the OA process for your research outputs. Use open-licensed materials wherever possible or organise written permission from any copyright owners involved – both are covered on the next page. You can keep track of third-party materials in your projects via our [Copyright Checker spreadsheet](#)

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Using open-licensed materials

Material shared under Creative Commons or other open licensing schemes (such as software) will include specific requirements for reuse. At a minimum, this will likely include attribution and noting the licensing involved, along with highlighting any changes you have made. The latter assumes adaptation is allowable under the licence, which is not always the case.

Other permissions

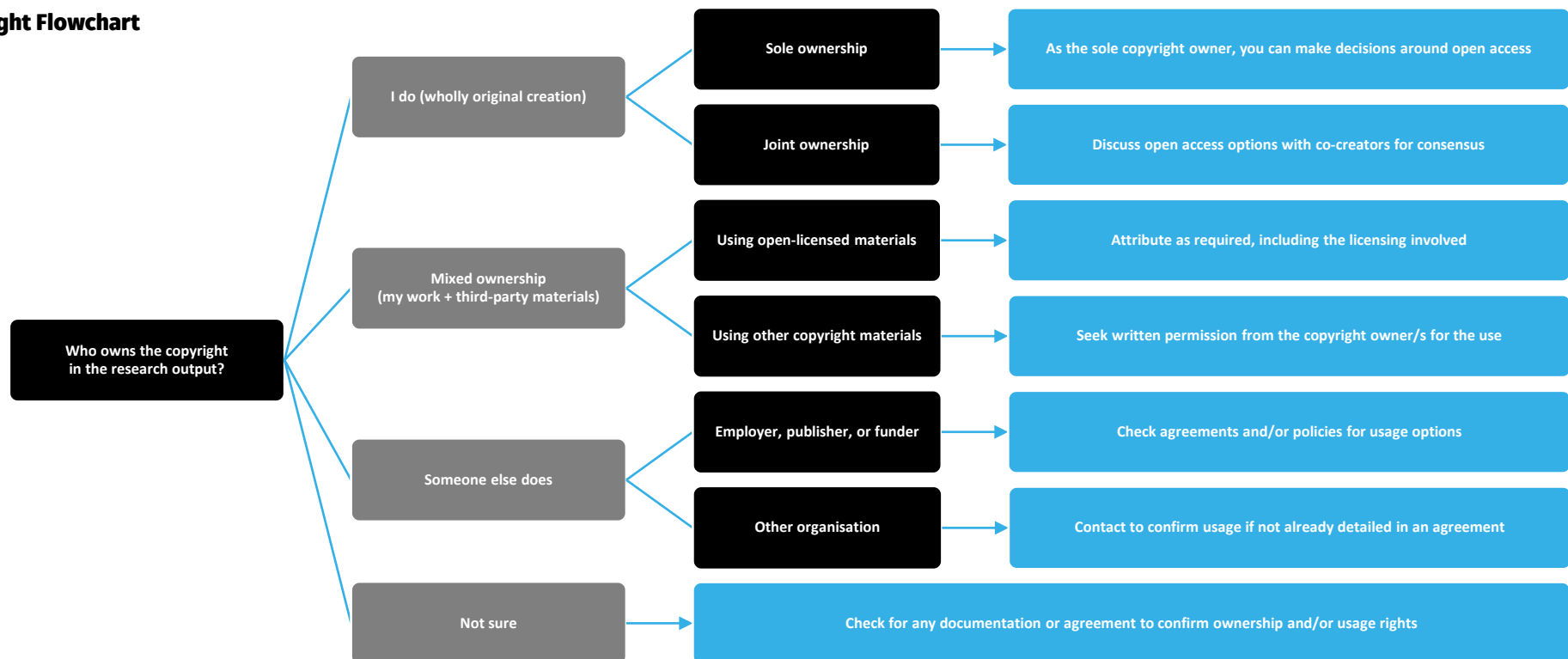
Where material was created by an internal University unit such as Research Services or the Library, the copyright will generally be held by the University. Best practice is to check with the unit involved for any updates and/or reuse notes.

You may be able to rely on direct permissions (licensing) from the copyright owner to make use of third-party material. Where you rely on these permissions (e.g., for a digital image), keep them on file. It's also recommended to add a note to your output in an appropriate location, such as a figure caption including '© [Copyright owner]. Reproduced with permission'.

Moral rights

Moral rights are an important consideration under the Copyright Act 1968. All creators/contributors should be attributed for the research output, along with sources for any third-party materials used. The required attribution may vary, depending on the licensing or permission/s involved.

Copyright Flowchart



NON-TRADITIONAL RESEARCH OUTPUTS

Output type	Examples	Open access representations	Ownership	Third-party materials
Text-based outputs	• Reports • Creative writing • Reviews • Translations	Can the output be made available? Limited to use of a link, selection or sample?	Does the creator own the copyright? Are any publication or funding agreements involved?	Are third-party materials included such as images or extended quotes?
Visual/image-based outputs	• Designs • Architectural plans • Scientific illustrations • Artworks	Can the output be made available without restriction? How to best represent the output, e.g., photograph, digital content?	If photography, did someone else take it? Are any funding or other agreements involved?	Are third-party materials included such as images or photography?
Audio/video-based outputs	• Films and documentaries • Short-form videos • Video games • Music and other audio	Can the output be made available? Limited to use of a link, selection or sample?	Does the creator own the copyright? Are any funding or other agreements involved?	Are third-party materials included such as images, video, music, code, etc.? Music has multiple layers of copyright than can add complexity
Digital-based outputs	• Software, apps, and code • 3D models • Online/web resources • Other digital creations	Can the output be made available without restriction? How to best represent the output, e.g., link, selection or sample?	Is the output fully original or built on others' work/code? Were contributions covered by an employment or other agreement?	Are third-party materials included such as images, video, or music? Is any of this content open-licensed?
Physical & other outputs	• Performances and dance • Other live events • Exhibitions • Installations	How to best represent the output, e.g., photographs, video, digital content?	If photography or video, did someone else take it? Are any funding or other agreements involved?	Are third-party materials included such as video, music, etc.? Performances and events can have multiple layers of copyright
Other considerations	• Is the output a stand-alone item? Or part of another research output (e.g., a creative representation of concepts or data)? You may need to negotiate individual usage rights where the latter is the case, especially if you are not considered an 'author' of the overall research output. • When creating a representation of your output, what file formats will be accessible to users? What will be suitable for inclusion in Open Research Newcastle? For example, not all users have software to open PSD (Photoshop) files, so using PNG or JPG would be a better option. • Where will you store any permissions received? The University's Records Governance Policy provides useful guidance.			

Copyright Support

Ask a question: newcastle.edu.au/copyright-request

Phone: (02) 492 16456

Web: newcastle.edu.au/copyright-support

