

FAQs on copyright

What is copyright?

Copyright is a protection of the forms and expressions of an idea. For example, someone who writes a book or an article is the creator of a literary work. Copyright means that the creator/author initially has the exclusive right to control the use of that work. Rules on this are stipulated in the Swedish Act on Copyright in Literary and Artistic Works (SFS 1960:729).

What are copyrighted works?

A work is copyrighted if it is sufficiently original. This means that the work must be an independently achieved and original result of the author's own creative process. Copyright protection does not cover ideas, circumstances, information or facts.

Who is the author?

The author is initially always a natural person, never a judicial person.

What does copyright entail?

Copyright means the author initially has the exclusive right to control the use of the work.

What are financial rights?

Financial rights consist of the right of the author to produce copies of the work in any form they wish, and the right to make the work available to the public through dissemination, for example.

Can financial rights be transferred to someone else?

A copyright can be transferred to another person, even a judicial person, i.e. company, foundation or association. Remember that if you transfer your financial rights to a work, this may prevent you from using the work in the future without permission from the new owner, e.g. if you want to use an article you wrote in a thesis.

What are moral rights?

Moral rights consist of the right to be named whenever the work is used, and the right to object to any use of the work that violates its artistic reputation.

Can moral rights be transferred to someone else?

No, they cannot be transferred but they can be waived to a certain extent, meaning that the author may agree not to be named as the author.

Must I always request permission from the author to use a copyright-protected work?

The general rule is that you must have permission from the author in order to use their work; however, there are certain limitations to the author's exclusive rights. You may, for example, copy the work for private use or refer to and quote published works without the consent of the author.

The author may choose to transfer the financial rights to others, in whole or in part, or give others the right to use them. For employees at Lund University, the vice-chancellor's decision *General recommendations on Lund University's right to use copyrighted material* applies, in which the University's right to use a work created within the scope of an LU employment is clarified. The use must respect the limitations described and show consideration for the author.

When does the copyright occur?

Copyright protection is generated automatically and does not require registration.

How long does the copyright apply?

As a general rule, the duration of copyright is the author's lifetime plus 70 years.

What is "upphovsrätt"?

"Upphovsrätt" is the Swedish word for copyright. The symbol © which you often see in books and other works does not have any legal significance in Sweden, but is there to remind others that the work is protected by copyright.

Can I copy someone else's work?

In Sweden, it is permissible to copy a copyrighted work for private use, but with certain limitations. "Private use" refers to making one or a few copies for yourself, friends and family, and the copies may never be used for commercial purposes. Copying entire literary works in written form or digital databases is not allowed, only limited parts. Written form covers both analogue and digital written form. When copying at the workplace, you are not permitted to produce copies for colleagues. Certain copying for private use can be done at work, if the copies are intended for work, but only to a limited extent. There is, however, a special agreement concerning copying for teaching purposes at Lund University. You can read more about this on the Bonus Copyrights website: [\[link\]](#)

Am I allowed to quote a work?

Yes, there are citation rights that allow you, in certain contexts, to quote a published work even if the work is copyrighted. However, certain requirements are set for the use of quotes, in particular regarding the purpose and extent of the quote. The purpose of the quote must comply with good practice, meaning you can quote in order to criticise, analyse or highlight the work in question, or to underline your own view. Quotations can be made to the extent justified by the purpose. It simply depends on the circumstances of each individual case.

Can I use images in my degree project/thesis?

In scholarly presentations such as doctoral theses, published works of art and photographs may be freely reproduced in connection with the text. One requirement is that the focus of the presentation is on the text itself and that the image is only used to illustrate the subject of the thesis. In other words, you may not include images that are irrelevant in the context, or make the images the most important part of the presentation. Remember that the image must be included in conjunction with the text. Images used on the cover or back of a thesis always require permission. If additional copies of the thesis are printed to be sold to the public, the production of the thesis is considered to have

commercial purposes, in which case reproducing images requires permission. The provision that published works of art and photographs may be reproduced in conjunction with the text in scholarly presentations applies to reproduction in both printed and electronic form. Remember to always name the creator of the work.

The definition of what is a scholarly presentation is based on the aim of the presentation. The presentation must be of a certain standard, but whether or not it has value from a scientific point of view is irrelevant.

Are photographs protected by copyright?

Photographs can be copyrighted if they meet the criteria for copyrighted work. The duration of copyright for an image or photograph is the author's life plus 70 years.

A photograph may be protected even if it does not meet the criteria for a copyrighted work, through what are known as neighbouring rights, in which case the photograph is protected for 50 years from when it was taken. The best thing is to request permission from the copyright holder, either through direct contact or through a copyright organisation, e.g. Bildupphovsrätt i Sverige, <http://bus.se/>. You can also use images covered by Creative Commons licenses, <https://search.creativecommons.org/>.

Must I publish my paper on Lund Student Papers?

Lund University encourages students to publish their papers electronically on Lund Student Papers (LUP). This gives the University a licence to publish the paper, but the copyright remains with the student who has the right to publish the paper as they see fit and otherwise control the use of the work.

The University may stipulate in a course syllabus that the paper must be uploaded in LUP. However, the University cannot require that the paper be made available to the public.

Students cannot demand to publish a paper on LUP or require that the paper be removed from LUP after it has been published as LU is responsible for the system and its content.

If you have further questions, please contact the Legal Division at Lund University.