# Copyright

By Dr Sruthi Balaji, University of Queensland School of Law

Cite as: Balaji, S. (2026). Copyright. Zenodo. https://doi.org/10.5281/zenodo.24126262

---

Copyright is a set of rights granted by the government to protect the particular form, way, or manner in which information or concepts are expressed. Copyright does not protect ideas, concepts, styles, techniques, or information, but rather the form in which these things are expressed. Other subject matter that is not able to be protected with copyright includes names, titles, slogans, people, and people's images.

Copyright is administered and enforced on a country-by-country basis. In Australia, the relevant law is the *Copyright Act 1968*. Owners of copyright have several exclusive rights to control the use of their material and different rights apply to different types of material. Anyone who wants to use the copyrighted material needs to obtain permission from the copyright owner.

Although copyright laws are enforced nationally, international copyright treaties have resulted in broadly consistent protection across signatory countries, including mutual recognition of copyright and a copyright right term that generally lasts for the life of the creator plus 70 years.

Copyright protection generally extends to two categories of material: 'works' and 'other subject matter'.

Examples of works include:

- Literary works – i.e. the written word, including books, journal articles, instruction manuals, reports, computer programs and databases.
- Artistic works – includes paintings, drawings, cartoons, sculptures, diagrams, buildings, photographs and maps.
- Dramatic works – includes choreography (dance), screenplays, plays and mime pieces.
- Musical works – includes music itself, separate from any lyrics or sound recordings,

The 'other subject matter' category covers sound recordings, films, and TV and radio broadcasts.

---

## Criteria for Copyright Protection

Copyright protection is free and automatic. There is no need to apply in Australia as there is no system of registration.

To qualify for copyright protection, a work must be 'original'. For the purposes of copyright, original simply means that the work has not been copied from another source.

---

## Why is it relevant?

Copyright is relevant to researchers because it governs how research outputs can be used, shared, and reused. Many common research materials, such as journal articles, images, datasets, software code, and teaching resources, are protected by copyright automatically when they are created. Understanding copyright helps researchers use third-party materials appropriately, share their own work under suitable terms, and navigate publishing agreements with journals or other publishing outlets. For example, researchers may choose to share their outputs under open licences such as those developed by Creative Commons, which allow others to reuse material under specified conditions.

It is also important in collaborative and institutional research settings, where questions may arise about authorship, ownership, and how and when research outputs can be disseminated or reused.

---

## Practical Steps

1. **Understand who owns copyright.** Copyright automatically protects many research outputs. Works created by employees in the course of their employment may be owned by their employer, subject to institutional policies. Check your institution's policies to understand ownership arrangements.
2. **Clarify rights in collaborations.** When working with collaborators from other institutions or with external partners, discuss authorship, copyright ownership, and how research outputs may be shared or reused.
3. **Check permissions when using third-party material.** If you want to reuse figures, images, tables, or other works created by others, check whether permission is required. Some works may be available under open licences such as those developed by Creative Commons, which allow reuse under specific conditions.

4. **Check publishing agreements carefully.** Academic publishers sometimes require authors to transfer copyright as part of the publication process. Before signing, check whether you can retain certain rights, such as sharing your work in an institutional repository or reusing it in future research and teaching.

As with all intellectual property issues, your institution's intellectual property office should be able to clarify and assist with any copyright related matters that come up in the course of your work.

---

## Case Study

In Australia, the use of copyrighted material to train AI models is a subject of ongoing debate. The Australian Government has definitively ruled out introducing a text and data mining exemption, and so there will be no carve out for AI developers to train their models on Australian creative works. Now, various other reforms are being debated such as the implementation of a collective or voluntary licensing framework. This case highlights the challenge of updating copyright rules to keep pace with emerging technologies such as generative AI. [1]

---

## References


1. College of Law, *Australia Rejects AI Copyright Exemption, Backs Creative Industries*, 17 November 2025. Available at: <https://www.collaw.edu.au/community/news/australia-rejects-ai-copyright-exemption-backs-creative-industries/>.
2. The University of Queensland, *Intellectual Property and Copyright*. Available at: <https://web.library.uq.edu.au/research-and-publish/publish/intellectual-property-and-copyright>.
3. Attorney-General's Department, *Copyright*. Available at: <https://www.ag.gov.au/rights-and-protections/copyright>.
4. The University of Queensland, *Intellectual Property Policy*. Available at: <https://policies.uq.edu.au/document/view-current.php?id=117>.