**Copyright questions and answers - images**

1. 4.1.2 If you created the image as part of your employment at GCU, and it is unpublished, then GCU owns the copyright. GCU are happy for you to use the image as part of their contribution to academia.
If you created the image in your own time using your own equipment, and it is unpublished, then you hold the copyright. This means that you can use or share it freely. You should consider what your overall aim is with the piece. If you want to publish or release it at a later date, publishers may not view it favourably if it has appeared on the open web. If you want to share the image file widely, then you can make it available as an Open Educational Resource (OER) and assign a Creative Commons (CC) licence which allows you to specify exactly what uses you will allow to be made of your creation. More information is on our webpage at <http://www.gcu.ac.uk/library/servicesforstaff/copyright/creatingcontent/> GCU has an official interim policy on Open Educational Resources which clarifies the university’s position on the creation and sharing of OERs <http://www.gcu.ac.uk/media/gcalwebv2/library/content/pdffiles/GCU-Interim-Open-Educational-Resources-Policy-Approved.pdf>

If you created the image while in the employ of another university or employer, then you should check with them to clarify who holds the copyright and what uses they allow you to make of it.
If you would like further help, contact the copyright team on copyright@gcu.ac.uk
2. 4.1.1.1 Just because you created an image, it does not mean that you are the copyright holder. You may have assigned copyright to a third party such as a publisher or website owner as part of the publication process. If this is the case, you will have signed an agreement with the third party usually called a **Copyright Transfer Agreement (CTA)** which outlines who owns the copyright and what you are allowed to do with the image. Sometimes you may have retained the copyright by signing an **Exclusive Licence to Publish**; again, you should check carefully what you are allowed to do. In either case, if the agreement you signed does not cover your required use, then you must ask permission from the third party.

If you did not sign an agreement as part of the publication process, you probably still own the copyright and you are free to use it as you wish. If you are in any doubt and would like further help, contact the copyright team on copyright@gcu.ac.uk

1. 4.1.1.2.2 This is covered by an educational exception to copyright law. This allows the use of an item for teaching purposes, provided that the source of the material is credited, the use of the material is fair, and that the use is truly to illustrate the point being made (showing images for shock value or to make the session more engaging does not qualify under the exceptions for education). More information on how to credit a media resource is available on tab two (Guidance on using OERs) of our web page at <http://www.gcu.ac.uk/library/servicesforstaff/copyright/reusingcontent/>
If you would like further help, contact the copyright team on copyright@gcu.ac.uk
2. 4.2.1.1. Check what kind of uses you are allowed to make of the image. Some images will be clearly labelled with a Creative Commons (CC) licence which will specify what you can do. More information is available on our web page at <http://www.gcu.ac.uk/library/servicesforstaff/copyright/reusingcontent/> and on the finding images page <http://www.gcu.ac.uk/library/onlineresources/findingimages/>
If the image does not have any licence information, then check the terms and conditions of the website. However, if the original image was not created by the website authors, then you should try to find the original and check the conditions under which it can be reused. Many websites reuse images in breach of UK copyright law.
If you can’t find any clear information on terms and conditions of use on the original image, then contact us for further advice on copyright@gcu.ac.uk
3. 4.2.2 Check what kind of uses you are allowed to make of the image. Some providers such as Shutterstock have different payment plans depending on the type of use you want to make. Providers’ terms and conditions and charging schemes will vary, so check the website carefully. Don’t spend money unless you really need to! You can do a Creative Commons image search to find free images online. More details are available on the finding images web page at <http://www.gcu.ac.uk/library/onlineresources/findingimages/> . If you want to use a purchased image for teaching, contact us for advice at copyright@gcu.ac.uk
4. 4.2.1.2 The educational exceptions to the UK copyright act cover the use of an image which is part of a website, or of a GCU print or electronic resource for educational purposes. This allows the use of an item for teaching purposes, provided that the source of the material is credited, the use of the material is fair, and that the use is truly to illustrate the point being made (showing images for shock value or to make the session more engaging does not qualify under the exceptions for education).
You should always cite the source of these images. A standard citation format for use with media resources is:

Type of content: Title by Author. Link (Licence)

For example:

Image : The Thinker by John Smith. [http://commons.wikimedia.org](http://commons.wikimedia.org/) (CC-BY-SA-3.0)

1. 4.2.3.1 If you have digitised the image from a GCU print resource, then you are usually not allowed to share it on an open access site. You can check permissions with the publisher to be sure.
If the image was sourced from a GCU subscription electronic resource then you are not allowed to share it on an open access site.
If the image is from an open access electronic resource, then check the licence under which it was published or the terms and conditions on the web site.
You can do a Creative commons image search to find free images online. More details are available on the finding images [web page](https://www.gcu.ac.uk/library/onlineresources/findingimages/) .
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