

Case study: copyright issue

Education



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Copyright Issue Copyright Issue Copyright is broadly defined as the legal right of an originator of intellectual property including books, research articles, music, art etc. On the other hand royalties are given to an individual who poses the copyright and has given the authority to a company which might use the copyrighted material for business purposes. In case of Mildred Marks, the university has no right to all or part of the royalties of her bestseller novel.

There was no such deal between the author and the university management prior to the publication of her novel. Marks has the legal and ethical right to keep all the royalties to herself because the faculty handbook does not addresses this issue rather it states that faculty members shall be granted a salary increment and favorable performance evaluation on the basis of their research and publications. Hence the university principle has no legal right to ask for the share of royalties instead he has to increase Marks's salary.

The university president and Marks should resolve this issue through evaluating the legal terms and conditions of publications in addition to employment contract (Torremans, 2009). This will also help in formulating the university copyright policy such as the following:

If the university wishes to benefit from royalties of different publications by faculty members then a written contract must be signed between the two parties prior to the origination of work. However, if the intellectual material is published by the university's publishing house then the management reserves all the copyrights and related authorities.

Reference

Torremans, P. (2009). *Copyright Law: A Handbook of Contemporary Research*. Cheltenham, UK: Edward Elgar Publishing.

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