

# The Copyright Issue

Anne Katz, PhD, RN, FAAN

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*When you sign over copyright to a publisher,  
you effectively no longer own the work that you created.*

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**D**o you remember the first (or 40th) time you received notification that a manuscript you submitted to a journal was accepted? Did you dance around your office, yell so loudly that the person in the office next door came to check on you, and/or immediately post the news to Facebook and Twitter to ensure that your success would be broadcast to all your friends and relatives? And did you then download the required forms and merily sign them before scanning or faxing them back to the journal? Like many of you, I have done all of the above.

The forms that perhaps you neglected to read in their entirety, or even at all, before signing likely give the publisher copyright of your work. Copyright is a form of intellectual property law and, when you sign over copyright to a publisher, you effectively no longer own the work that you created. Depending on the publisher's agreement, authors can retain specific rights to their work. Some publishers provide rather open agreements, whereas others transfer all content ownership from the author to the publisher. It should all be clearly conveyed in the publisher's forms. You will need to understand these limitations. For example, some agreements note that work cannot be used, reproduced, or distributed without the permission of the copyright owner, the publisher. Many authors do not understand this, and it can lead to significant problems, including self-plagiarism. If you have published in any journal, you have likely signed away your copyright; therefore, if you then use portions of that work in another manuscript, you have effectively

broken copyright law if you do not have the express permission from the first journal. Sound complicated? It is not, really, as long as you have paid attention to the forms you have signed as part of the publication process and understand that you likely no longer own your work.

Things have become more complicated in recent years with the advent of university repositories that house digital copies of student theses and dissertations in addition to other products of research. These are usually open access, so that anyone can use them, and they serve as a way of promoting the scholarly product of the institution. Herein lies the problem for the *Oncology Nursing Forum* and other publications. When a thesis or dissertation is freely available to anyone, we cannot legally own copyright to it, even if the author signs over copyright to the journal for the work. For this reason, authors who submit their thesis or dissertation for publication must comply with our policy that states, "A thesis or dissertation in entirety is not appropriate for submission to the *Oncology Nursing Forum*. Manuscript submissions that are substantially similar to or the same as a previously published dissertation or thesis will *not* be considered for publication. Text, tables, figures, etc., should be paraphrased to avoid duplication (self-plagiarism) and content should be substantially condensed. Submissions that fail to comply with this policy will be removed from publication consideration."

Every manuscript that is submitted to the *Oncology Nursing Forum* is checked using the iThenticate® software program. This software has the ability to access published material, websites, and the grey literature (theses, dissertations, reports) to detect similarity in words, phrases, and more. Not infrequently, we find that authors have inadvertently plagiarized themselves by including portions of previously published work that they authored. This is almost always

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unintentional and because of ignorance of copyright law or, most commonly, not remembering that they signed away their copyright as part of the publication process when their manuscript was accepted for publication. This is even more important for students to know because they may not understand or even know about their thesis or dissertation being placed in the university repository, and, of course, they usually do not have choice about this.

What can be done about this? Other than trying to change the publication industry, we need to take personal responsibility to ensure that any forms we sign have been read and reread in their entirety—both the large and the fine print. After the dancing around the office, the yelling in joy, and posting our success on social media, we need to ensure that we have understood exactly what we have signed. And we need to be very clear with our students about what happens to their theses and dissertations once they are complete and submitted to the university. We all need to ensure that when we report on studies, systematic or integrative reviews, and meta-analyses we have conducted, that we have paraphrased throughout the manuscript and not used any of the original language, unless directly quoted and correctly cited.

As the editor of this journal, it falls on me to make a decision when an iThenticate review shows that there is a considerable amount of overlap with a previously published manuscript or a thesis or dissertation held in a university repository. I use this as an opportunity to educate the author(s) about copyright and self-plagiarism. I do not get annoyed, and my response is not punitive; I want the author to understand that this is a legal issue and not a personal one. I have never had a negative response from an author when this is communicated to them. It is always my hope that, when this occurs, it is the first and only time for the author(s). I want them to be proud of their work and the eventual publication in the *Oncology Nursing Forum*. And, I want them to dance, yell, and notify everyone on social media in full knowledge that no laws were broken in the act of publication.



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