

Who owns the rights to teaching material in remote education?

The transition to remote teaching has placed considerable demands on the organisation, not least through the need to adapt and produce teaching material for use in virtual learning environments and other digital tools. In such a situation, questions may arise about who owns the rights to the material.

As always, what applies is that the University is the owner of *physical* material that is produced or used in its activities. Regarding *intellectual* efforts used to create a product, e.g. teaching material, the creation of the product may reach the level of copyright protection (and is then called a work). However, in this case there is a requirement for what is created to be sufficiently original. The creator of the work is the author and owns the copyright to it.

Copyright means that the author has the right to be named and the right to respect when the work is used by others. This also entails a right to decide on the production of copies of the work and on how the work is made available to the public.

This also applies when a copyrighted work is created as a result of an employee carrying out their duties. However, through the employment, the employer has a *right to use* the work within the framework of its normal activities, for the purposes and needs that could be foreseen when the work was created. Changes in relation to the organisation's needs are also permitted. This is called right of use and requires no specific consent from, or compensation to, the employee/author.

The information above not only applies generally, but also to teaching staff who produce teaching material within the scope of their employment. This may include exercise assignments, reading instructions, and exam questions and answers or other material that the University has the right to use in order to provide continuous and efficient teaching. The University's right of use also covers notes, material for lectures and presentations, if the material has been made available to others for an educational purpose, e.g. through a virtual learning environment or other digital tool.

The University has decided on General recommendations on Lund University's right to use copyrighted material, reg. no STYR 2015/542, which includes more details on the matter. The decision is in LU's rules and regulations: [General recommendations on Lund University's right to use copyrighted material I 2017 I \(PDF 55 kB\)](#)

If you have any questions, contact the Legal Division.