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PRINTtips

Writing Ethically... in the Digital Age



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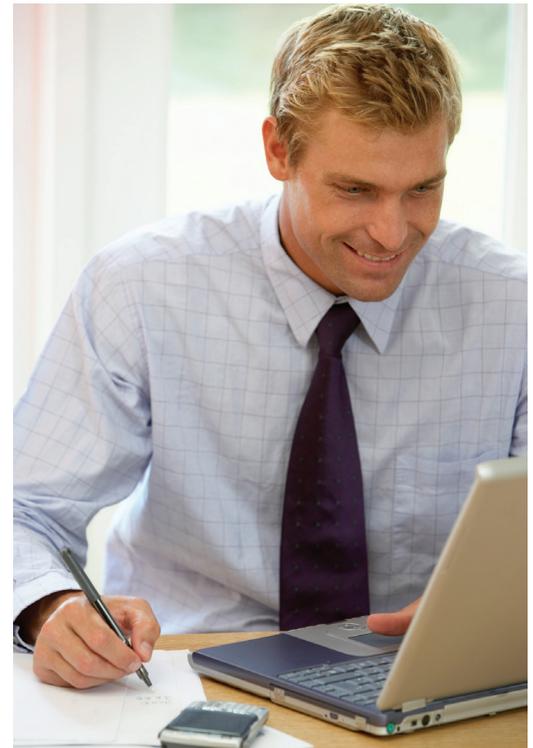
In today's workplace, effective promotional writing is now a necessity. Besides writing copy for printed material such as brochures, product sheets, and visual aids used in sales presentations, companies and organizations now need to produce content for web sites, blog posts, press releases, and social media.

A common way to begin a writing task is to search the internet for ideas and to see what others have written on a particular topic. While this helps stimulate your thinking and expand your knowledge, it also can lead to questionable writing practices such as borrowing heavily from a source without citing it, paraphrasing that remains very close to the original, unconscious plagiarism, and even copyright infringement.

We all freely copy things we like and send them to others, use them on our social network sites, or add them to our presentations and reports. Ethical writing does not prevent the use of other's ideas and words, but it does require that the source be cited and fully credited whether the source is paraphrased or directly quoted.

Questionable Writing Practices

Many questionable writing practices are not the result of overt intention by the writer to pass off other's idea or work as his own. Rather, it is a failure to give credit where it is due – to cite the source using commonly accepted citation methods. Here are a few examples of questionable writing practices:



- **Patchwriting.** The Citation Project, a 2008 multi-institutional research project studying plagiarism in college student writing led by Rebecca Moore Howard of Syracuse University, defines patchwriting as “restating a phrase, clause, or one or more sentences while staying close to the language or syntax of the source.” Similarly, The Bedford Handbook for Writers calls patchwriting “paraphrasing the source's language too closely.” The writer deletes words or phrases from the source, substitutes synonyms and adds new phrases, yet follows the structure of the source.

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“Ethical writers do not give the impression that another’s ideas or words are their own ...”

“If something is generally accepted as fact, is easy to find by looking in general reference sources, or is already known to readers, that information is considered common knowledge and does not require a citation.”

“Copyright law was written into the Constitution of the United States in 1887.”

The Citation Project contends that patchwriting is a misuse of sources, but is not plagiarism because it does not rise to the level of theft. Rather, writers lapse into patchwriting when they don’t fully understand what the source is saying. Patchwriting becomes a way for the writer to learn the material by putting it in his own words.

- **Misuse of sources.** Ethical writers do not give the impression that another’s ideas or words are their own by failing to cite sources. Instead, they use appropriate forms of citation such as quotation marks and indented paragraphs to fully identify and credit their sources.

The Online Writing Lab (OWL) of Purdue University says a writer must “document any words, ideas, or other productions that originate somewhere outside of you” including words or ideas from printed publications or materials; information gained through interviewing or conversing; when using someone else’s exact words or a unique phrase; when reprinting graphics (diagrams, illustrations, charts, pictures, etc.); or when reusing or reposting digital information.

If something is generally accepted as fact, is easy to find by looking in general reference sources, or is already known to readers, that information is considered common knowledge and does not require a citation.

- **Unconscious plagiarism.** Sometimes called cryptomnesia, unconscious plagiarism is a function of the quirk in our memories. According to memory expert Henry Roediger from Washington University in St. Louis, it is easier to remember information than to remember the source, and to remember information without knowing we’re remembering it.

Plagiarism

Plagiarism is the act of appropriating another writer’s ideas or words and using them as one’s own original work. As the internet has provided easy access to written material, the incidence of plagiarism has risen. In academia and journalism, plagiarism is considered academic dishonesty.

Acts of plagiarism can violate copyright laws, except for fair use, which allows use of copyrighted material for specific purposes such as parody or satire. Writers can avoid charges of plagiarism by correctly and fully citing the source of the material.

Copyright

Copyright is legal protection for writers on how their original works are used. To qualify for copyright protection, the work must be tangible (i.e., exist in physical form) and original (i.e., independently created by the author and stemming from a creative effort).

Copyright exists from the moment a work is created and available in tangible form. In the United States, copyright extends for a fixed number of years after the creation or publication date, then expires at year-end.

- All copyrights for works published before 1923 have expired and the works are now in the public domain.

- Works published between 1923 and 1964 are in the public domain unless the copyright was renewed.

- Works published before 1978 without including the copyright notice (i.e., the word copyright or the copyright symbol © and the name of the copyright owner) are in the public domain.

- For works published after March 1, 1989, copyright notice is not required as a condition of establishing copyright protection, though registration is required to bring a lawsuit for copyright infringement.

- In 1998, legislation was passed that prevents any new works from entering the public domain until 2019. Beginning that year, works published in 1923 will enter the public domain, and this will continue in subsequent years for all works published between 1923 and 1977.

Copyright law was written into the Constitution of the United States in 1887. Congress enacted

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the first federal copyright law (An Act for the Encouragement of Learning, by Securing the Copies of Maps, Charts, and Books to the Authors and Proprietors of Such Copies) in May 1790, and the first work was registered two weeks later. In 1870 copyright functions were placed within the Library of Congress; the Copyright Office became a separate department within the Library of Congress in 1897. The copyright law has been revised repeatedly; in 1790, 1831, 1870, 1909, 1976 and 1998.

The doctrine of fair use is an important limitation on the rights of the copyright owners. It was established in 1976 in recognition that strict

application of copyright law would impede the production and distribution of works.

The Importance of Ethical Writing

Ethical writing means properly crediting the sources from which information is gathered, avoiding outright theft of the work of others in the form of plagiarism, and abiding by copyright laws. When conducting research on a topic, make notes, study them, then put them aside for at least 30 minutes before starting your own writing. Do not refer to the notes while writing; use them only to check what you have written to be sure you did not plagiarize.

“Ethical writing means properly crediting the sources from which information is gathered ...”

Vocabulary of the Graphic Arts

Common knowledge: facts that are considered to be known by the reader. The test of common knowledge is when the fact is widely accessible, is known by a lot of people, and can be found in general reference sources such as a dictionary or encyclopedia. Common knowledge facts do not require citations.

Copyright: in the United States, a form of property protection provided by Title 17 of the U.S. Code of laws to the “authors of original works of authorship”. The protection is available to both published and unpublished works.

Copyright infringement: the reproduction, distribution, performance, public display or creation of a derivative work without the permission of the copyright owner.

Copyright notice: the word copyright or the copyright symbol © and the name of the copyright owner.

Cryptomnesia: literally, hidden memory; sometimes called unconscious plagiarism. The ability to remember things you have seen, heard, read or experienced without consciously realizing it. Cryptomnesia explains apparent plagiarism that is not deliberate.

Fair use: any copying of copyrighted material done for a limited and transformative purpose (such as commentary, criticism or parody).

Patchwriting: a failed attempt at paraphrasing. Instead of copying a statement verbatim, the writer rearranges phrases and changes tenses but relies too heavily on the vocabulary and syntax of the source material.

Piracy: the illegitimate use of materials held by copyright.

Public domain: creative materials not protected by intellectual property laws such as copyright, trademark, or patent laws. A public domain work may be used without obtaining permission.

Release: an agreement releasing someone from legal liability for a particular activity; often used to avoid lawsuits. The grantor of a release agrees to give up any right to sue that may arise from a specific situation.

Unconscious plagiarism: also known as cryptomnesia. The quirk of memory that allows people to recall things without consciously realizing it.

“Public domain: creative materials not protected by intellectual property laws such as copyright, trademark, or patent laws.”



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Photograph and Image Copyrights

“In general, the photographer is considered the owner even if the work was for hire ...”

Images, including photographs, clip art, drawings, graphics – are usually copyright-protected. Determining the copyright owner for photographs can be difficult. In general, the photographer is considered the owner even if the work was for hire (such as photographs of a wedding or other event). And the copyright endures even if the photographer is no longer living – rights can be transferred by a will as personal property. The photographer must specifically transfer the copyright, in writing and signed, to another person.

Stock photography and clip art sold in books, on CDs or downloadable from web sites is royalty-free (or may be in the public domain) but usually is not copyright-free. Exercise care when using the images. By reading the agreement or license that accompanies the image or is available on the web site, you’ll understand what your rights are for reproduction of the image and whether there are limitations on use. The most common limitation is for incorporating the image into something you intend to offer for sale.