

Quoting and use of former knowledge

The university as an academic institution deals with generating knowledge (research), preserving knowledge, and the imparting of knowledge (teaching). The university encourages the use of accumulative knowledge for the purpose of creating new knowledge, while strictly maintaining the moral and legal rights of the creator of the original knowledge. The purpose of this document is to provide a brief introduction to the student about basic ideas relating to the ethics of the use of quotations, knowledge, and former works.

1. Work of Art

A work of art is the realization of the fruits of thought of a creator in any way (not copying), a realization that is the product of effort, talent and investment that imbues the work with a character different from its components (examples: form of expression, wording, sentence, illustration, painting, picture, invention, story, song, etc.). An idea is not a work of art; however, the method of expressing that idea is.

2. Intellectual Property

- Any work of art is the intellectual property of the creator and it is protected in and of itself.
- Intellectual property is a possession even if it is not protected by law (including the copyright laws).
- It is possible to transfer the ownership of an intellectual property. The transfer of ownership is like selling an asset and, therefore, requires a written contract.

3. Copyright

- 3.1 A copyright is a legal process that protects the reputation of the creator, on the one hand, and the implications of this reputation on the financial status of the creator, on the other hand. This protection gives the creator of the work of art the right to determine what use can be made of his work. The copyright is created in order to encourage works of art on the basis of new and original ideas by giving the creator an incentive.
- 3.2 The copyright is valid during the lifetime of the creator and is extended for several decades after his death (currently 70 years). The copyright is given automatically without the need for administrative registration (as opposed to the requirement for administrative registration of a patent, trademark or sampling).
- 3.3 The creator may pass the copyright, entirely or partially, to another. The transfer is like selling an asset and, therefore, requires a written contract.
- 3.4 The publisher, the producer, or the editor that collected and grouped works of art has copyrights of the collection; that is, under the condition he has received the approval of the creators.

- 3.5 A work of art protected within the framework of the copyright laws is any work of art, as long as it is documented and original; that is, even if the matter of protection is not indicated besides the work of art in an explicit manner.
- Documented: kept in any way – written, recorded, photographed, accommodated in electronic media, built, etc.
 - Original: the first, not copied, containing no imitation of others.
- 3.6 The copyright protects the creator from –
- Copying the work of art (copyright)
 - Its sale or distribution
 - Preparation of a new work of art based on it
 - Its presentation in public
- 3.7 Special words, names, slogans and short expressions can not be protected by copyright; however, they can be protected by trademarks, samples, or other means.

4. Plagiarism

- 4.1 Plagiarism is a false presentation in which a work of art or part of a work of art of a creator is presented as a work of art or part of a work of art belonging to another; that is, even if the legal rights of the creator are not violated.
- 4.2 Plagiarism is considered an act of theft, fraud, lack of decency and deception. Plagiarism is unethical conduct; that is, in comparison to an action that harms copyrights, which is an illegal action by definition.
- 4.3 One must distinguish between copyright violations (legal offense) and violations of false presentation – plagiarism (moral offense).
- Copyright violations are offenses to the owners of the rights (for example, the creator or the publisher).
 - False presentation violations (plagiarism) are offenses to the owner of the intellectual property and to the recipient of the work or to whom the work is displayed (for example, lecturer or audience).
- 4.4 Examples of plagiarism:
- The presentation of a work of art or a segment of a work of art of a creator as a work of art or a segment of a work of art of a different person.
 - The use or copying of segments, words, illustrations, graphs or pictures of another without a special sign (for instance, inverted commas) or an indication of the name of the original.
 - Imprecise indication of the name of the original.

- Copying a sentence while changing the words without indication of the name of the original.

5. Methods for proper usage and quoting

- 5.1 As a rule, any work that is handed in and has copied items (wording, illustrations, paintings, etc.) must ask and receive written consent from the copyright owner (in academic works the owner of a copyright is usually the publisher), and one must cite the original in the body of the work next to every copied item in a clear and precise manner. In case the total of all copied items from one source does not exceed 50 words (or equals 50 words), there is no need to ask permission; however, one must indicate in the work the original next to every copied item in a clear and precise manner.
- 5.2 In any segment that is copied from a work, one must insist on marking it explicitly (to delineate with inverted commas), and to indicate the original in a clear and precise manner.
- 5.3 It is important to check the requirements of the author of the work (especially what should be the level of originality of the work and what proportion of the work it should be). Examples: homework, lab report, final work, literary review, final project, a research work for an advanced academic degree, an article.

6. Punishment

As stated, plagiarism is an act of theft, fraud, lack of decency and deception. Academe considers plagiarism to be severe academic dishonesty that does not meet the expectations from an academic degree holder. Therefore, academe considers plagiarism a very severe offense that requires severe punishment. According to the regulations of Ben-Gurion University, there are serious punishments for students who are convicted of this offense. Examples of punishments formerly handed out are cancellation of a degree or certificate, expulsion from the university for a long period, and permanent expulsion.