

AWARENESS SHEET ON COPYRIGHTS FOR AUTHORS:

Literary and scientific texts, images, drawings, tables and other forms of illustration ("works") are generally protected in Switzerland by law. Excerpts and parts of a text, a picture or a table, for example, also count as a work.

The copyright originates with the person who created the work ("creator"). The copyright protects the creators and gives them rights as to whether, when and how their works may be used. Copyright protection arises automatically with the creation of the work and is generally limited in time to 70 years after the death of the creator. There is no register, as is the case with patents or trademarks, for example.

Anyone who uses, modifies or exploits a copyrighted work without the creator's permission infringes the copyright. It is therefore absolutely essential that permission is obtained from the creator, whenever possible in writing, for the use or modification of the work. Copyright infringements can cause severe claims for damages.

Copyright in the scientific context is limited by the so-called right of citation. Accordingly, citing scientific works is permitted even without the creator's permission, provided that the following conditions are met:

- a) The work must already have been published. In other words, it must have been made accessible to an open number of people/the public with the consent of the creator.
- b) The cited work must be embedded in a presentation of its own. No modification has to be made to the works cited, but there must be a contextual reference to and a reflection on the works cited. The author has to thematise and discuss the cited work. A work should not be modified without the consent of the creator. Modification of a work does not fulfil the requirements of thematisation, reflection and discussion. Furthermore, the cited work must be of secondary importance to the own presentation. It is not permissible to just list works without commenting on them or to link them to one's own content.
- c) Only as much of a work may be used as a citation as is effectively necessary.
- d) The cited work must be marked as such and the source from which the quotation originates and the creator must also be explicitly and visibly mentioned.

These explanations are incomplete and do not claim to be an in-depth overview of Swiss copyright law.

They are intended solely to raise the authors' awareness and in no way replace the authors' own enquiries and clarifications about possible copyrights of third parties.

It is the responsibility of every author to ensure his or her own legal rights and to obtain information about the existence and scope of copyrights and permission to use them.

The present information relates solely to Swiss copyright law. It is the author's responsibility to clarify whether the use of a work is permissible under the law of another country, e.g. the author's country of residence.