An Overview of Plagiarism and Intellectual Property Issues

Rajasree O.P.[1]*, Mangala A.Hirwade[2]& Sunil Kumar.U.T[3]
[1]Librarian, Bhiwapur Mahavidyalaya, Bhiwapur, Nagpur(MS)-India
[2]Assistant Professor, Dept. of Lib. & Info. Science, RTM Nagpur University, Nagpur(MS)
[3]ICAR-Central Citrus Research Institute, Amravati Road, Nagpur (M.S), India-440033

ABSTRACT

The paper is an attempt to find the relevant details for plagiarism and intellectual property rights among the academic institutions. Various aspects of plagiarism are explained, so that the readers can understand the basics of plagiarism and its overtures in intellectual property particularly copyright. Various means to avoid the plagiarism and tools and techniques in detection are also defined for the benefit to academic community. The consequences of plagiarism are also explained in detail for the benefit to researchers and academia.

Keywords: plagiarism, academic, copyright,software,implication, research

INTRODUCTION

Plagiarism goes with the desire to disguise or hide the source of the information being plagiarized, whereas transparency in research demands that the sources of information are declared and are properly acknowledged both in the place of use and in the list of references. Plagiarism is now discussedmore now days due to strict stancetaken by different international as well as national agencies and publishers. There are common mistakes on the part of authors to copy their own previous published work and from other published journals, papers, books etc without acknowledging the original author. The issue may be unintentional and may haves far reaching implications. So this paper is an attempt to discuss the various issues and put forward the salient points to make the issue more visible, understandableto the research and academic community.

Plagiarism is easily avoided by not copying any printed material directly from the source and by writing original text in his or her own words, and, if paraphrasing, citing the source. The above simple steps are seldom forgotten by the scientific fraternity. Publishing and disseminating ideas are crucial to improve the scientific temperament in the world, and creators should adhere to common

standards regarding plagiarism. Publishing people should take care to preserve the scientific integrity.

Types of plagiarism reported by researchers

Direct Plagiarism: direct plagiarism is called as those action of authors to directly copy another one's work without any changes and acknowledging the author or creator.

*Self-Plagiarism:*self-plagiarism is nothing but copying or using one's own previous work for writing report and publications.

*Mosaic Plagiarism:*It happens when a student uses the phrases from outside source and not acknowledging the source. The words matches with the synonyms of the authors language will also attract the provisions of plagiarism.(https://qcpages.qc.cuny.edu)

*Accidental Plagiarism:*It is the failure to understand the difference between one's own work from outsiders while making the reporting leading to conflict of rights. Failure to acknowledge and give credit to others works is also considered as plagiarism. Appropriate adaptation must be added to give credit to original work.

Important points considered to avoid Plagiarism

*1. Don't copy:*Copying your own words from previously published work or any published material, book etc. citation should be given at the point of source.

2. *Write in one's own words:* writers should avoid paraphrasing wherever possible. Paraphrasingis acceptable only when it occurs minimally in the text. The easiest way to avoid plagiarism is to not paraphrase. People can use own"voice"to convey the ideas. (Ober,H; Simon, S.L and Elson, D, 2013)

3.*Rewriting and citing:* more citations indicates that the author depends on borrowed material hence you can rewrite. Any discussion of commonly understood concepts must be properly cited.

4.*Don't use the figures and tables of your own previously published papers without citing:* It's always better to not republish a figure that you've published before. But if you must, cite the original paper in the figure or table caption and make sure you mention in the text that it was from your earlier publication and obtain permission if you have not retained the copyrights. (Akhlesh, 2012)

5.*If required permission you can ask for it:*Any work like figure, table or any kind of data which has not been published, has been created or gathered by someone who is not among the coauthors of the

paper of publication, you should take permission to publish those material. You can also seek copyright permission for every published work which the author intended to republish.

IMPLICATIONS OF PLAGIARISM

Plagiarism has been widely discussed and its affects are reported in academic circles. The following are some of the implications of the plagiarism in academic environment.

Reputation of faculty and student

The academic institutions do have their own integrity committees or panel to judge the students work. Based on the report of the committee or judge the necessary action to reprimand the student may be initiated. The penalty may vary from fine, suspension or other means depends on the level of misconduct. Student academic record will also reflect the offense, possibly causing the student to be barred from one institution to another. Now a day's schools, colleges, and universities take plagiarism very seriously. (Weber-Wulff, 2012)

More damaging is to a professional or a public figure who enjoys a reputation in the society is debarred or forced to step down from his profession or position due to plagiarism allegation. The blot of the charges will carry in his carrier for many years. It will be difficult to find a new job or to enjoy the pre-allegation era reputation of the position. (http://www.ithenticate.com)

Plagiarism has been widely discussed and its ramifications are reported in academic circles. The consequences of plagiarism allegations are severe and can ruin ones carrier. Strict action after the reprimanding is so embarrassing and painful to academic community as an academics or a researcher's career always depends on his ability to publish as manypapers in a reputed journal or book.Debarring an author from a particular publisher or journal will jeopardize his position and reputation.

Legal Issues

The legal issues of plagiarism arevery complicating as copyright laws are absolute. It is illegal to use another person's work without citation and reference. Author can sue the person copying the work and legal action will initiate. Plagiarism may be leads to severe punishment like imprisonment. People are normally aware of copyright laws and should be careful to avoid the plagiarism. Professional writer or author has many avenues to avoid plagiarism, as it is a serious ethical and legal issue.

Financial implications

The plagiarism involves copyrighted material and other materials which are in the domain or for the exclusive use of its author or creator, but the work is being copied illegally and presented as his own work. The financial or monetary implications of the issue are due to the monitory loss to creator or author. The issues are more relevant in today's world and people start realizing the true implications of plagiarism. In the court also the authors are awarded monetary compensation equivalent to the loss of his earning due to plagiarism, which shall be recovered from the person responsible for it. Even the students, academics, and researchers are being fined for the misconduct.

Plagiarized Research

The research work based on plagiarized matter will have severe consequences and the reputation of the researcher is tarnished. In medical education the plagiarized work will lead to difficulties involving human health and complications. The consequences of plagiarism cannot be simple and easy to get ride off due to legal complications, once it is in public domain and no one is immune to it. Neither ignorance nor stature absolves a person from the ethical and legal ramifications of committing plagiarism. (Cameron, C.; H. Zhao and M. K. McHugh., 2012)

One should understand the plagiarism properly before venturing in to any art work or creations and should also think about avoiding it.The plagiarism rules and regulations are easy and simple to understand and make use in ones field of work. If need arises one can use an online plagiarism checker or plagiarism detection software before making it official or submission to third party. Apathy or insensitiveness to the plagiarism will lead to bad reputation and self-image, career ambiguities and legal problems.

TOOLS FOR CHECKING PLAGIARISM

Culwin and Lancaster's explained the four stages of plagiarism detection, which are termed as collection, analysis, investigation and confirmation. The investigation method can be used as either text based plagiarism detection techniques or source code based plagiarism detection techniques.

Text based detection methods employs the similarity of key words, substring matches, text parsing to divide the sentences in to number of words and text for matching similarity to understand the plagiarism level.

Plagaware, Plagscan, CheckForPlagiarism.net, iThenticate, plagiarismdetection.org etc. are some of the tools used for text based plagiarism check. Plagware and plagscan are onlinesoftware generally
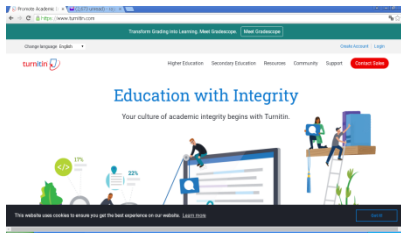
used in academic circles.CheckForPlagiarism.net use fingerprint based approach to analyze and report the plagiarism in documents. iThenticate is one of the most widely used online tool to check for the plagiarism in researchers and academic field. It has its own library of documents to support in 30 languages(https://www.researchgate.net)
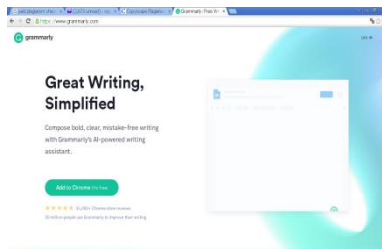
Source code based detection methods mainly employs Lexical similarities, parse tree similarities, program dependence graphs and metrics to identify the similarities.

Some of the tools used by code based detection methods are Measure of software similarity(MOSS), JPlag, Code Match etc. Jplag is easier to use but support fewer languages than MOSS and gives output in HTML.

Some of the major paid software(tools) used by academic institutions

(urkund)(turnitin)(copyscape)

(grammarly)

Figure 1: Screenshots of some of the plagiarism software's used by academic institutions

DIFFICULTIES IN PLAGIARISM DETECTION TECHNOLOGY

1. Supporting languages are limited making the plagiarism detection difficult.
2. Software check some specified repository and others cannot able to access it for checking plagiarism.
3. Handling capacity of the software should also be upgraded to meet growing demand.

4. The data uploaded to the site for the check is remain in the repository or to a third party may be misused.

COPYRIGHT INFRINGEMENT VERSUS PLAGIARISM

Reproducing a part of a literary work published or otherwise is deemed to be an act of copyright infringement and liable to be prosecuted for willful act of plagiarism. Hence using the copyrighted material without accreditation is a serious crime need to be avoided. In this situation, copyright infringement and plagiarism run in parallel. However, if, for instance, the source work does not enjoy copyright because the term of copyright has expired (e.g. the works of Shakespeare), or it does not exist in a material form (e.g. an impromptu, unscripted speech), there would be no copyright infringement, but there could still be plagiarism.

Copyright permission: Permission granted for Copyright permission footnotes shall be displayed to acknowledge the source of lengthy quotations, scale and test items, and figures and tables that have been reprinted or adapted. Authors may seek permission to reproduce or adapt material from a copyrighted source. (Wipo magazine)

Important differences between copyright and plagiarism:
There are important differences. Copyright is a type of intellectual output in a physical form, not the ideas, information, etc. whereas the plagiarism covers both the intellectual ideas in physical form as well as thoughts, actions, inventions etc. Hence may say that plagiarism is thus a wider concept than copyright infringement. In a sense, copyright infringement may broadly be considered to be a *species* of the *genus* "plagiarism."

CONCLUSIONS

The issue of plagiarism is very challenging as it affects all the forms intellectual property especially the copyright. Different types of plagiarism are explained. Implications of plagiarism are explained in brief to make it clear to the readers who wish to read the article for avoiding plagiarism. Plagiarism and copyright is a major topic to be addressed and understand clearly. The consequences of plagiarism is far reaching and to be addressed sensitively. Although they have certain common elements, plagiarism and copyright infringement are different. The plagiarism does affect not only the copyright, financial and legal environment but also the reputation of individual, institutions.

References

Akhlesh, L. (2012). Avoidance of plagiarism. . 6:069901 (2012). *Journal of Nanophoton* , 069901.

Cameron, C.; H. Zhao and M. K. McHugh. (2012). Perspective: publication ethics and the emerging scientific workforce: understanding "plagiarism" in a global context. *Acadamic Medicine, 87* (1), 51–54.

copyscape. (n.d.). Retrieved January 10, 2020, from https://www.copyscape.com: https://www.copyscape.com/

grammarly. (n.d.). Retrieved January 10, 2019, from https://www.grammarly.com: https://www.grammarly.com

http://www.ithenticate.com. (n.d.). Retrieved December 2, 2019, from resources/6-consequences-of-plagiarism: http://www.ithenticate.com

https://qcpages.qc.cuny.edu. (n.d.). Retrieved January 1, 2019, from Plagiarism: https://qcpages.qc.cuny.edu/~redwards/Plagiarism/09.html.

https://www.researchgate.net. (n.d.). Retrieved December 22, 2019, from Plagiarism_prevention_deterrence_detection: https://www.researchgate.net/publication/234127012_/Plagiarism_prevention_deterrence_detectioncitation/download

Ober,H; Simon, S.L and Elson, D. (2013). Five Simple Rules to Avoid Plagiarism. *Ann Biomed Engineering, 41*, 1-2.

turnitin . (n.d.). Retrieved January 10, 2020, from https://www.turnitin.com: https://www.turnitin.com

urkund. (n.d.). Retrieved January 10, 2020, from www.urkund.com: www.urkund.com

Weber-Wulff, D. (2012, July 24). *Viewpoint: The spectre of plagiarism haunting Europe*. Retrieved December 2, 2019, from BBC News : http://www.bbc.co.uk/news/18962349.

Wipo magazine. (n.d.). Retrieved January 10, 2020, from https://www.wipo.int/wipo_magazine: https://www.wipo.int/wipo_magazine/ehtmln/2018/si/article_0008.