# Plagiarism in the Digital Age

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# Sections

# Overview of Plagiarism

# DEFINITIONS ACCORDING TO THE OXFORD ENGLISH DICTIONARY

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**Plagiarism**

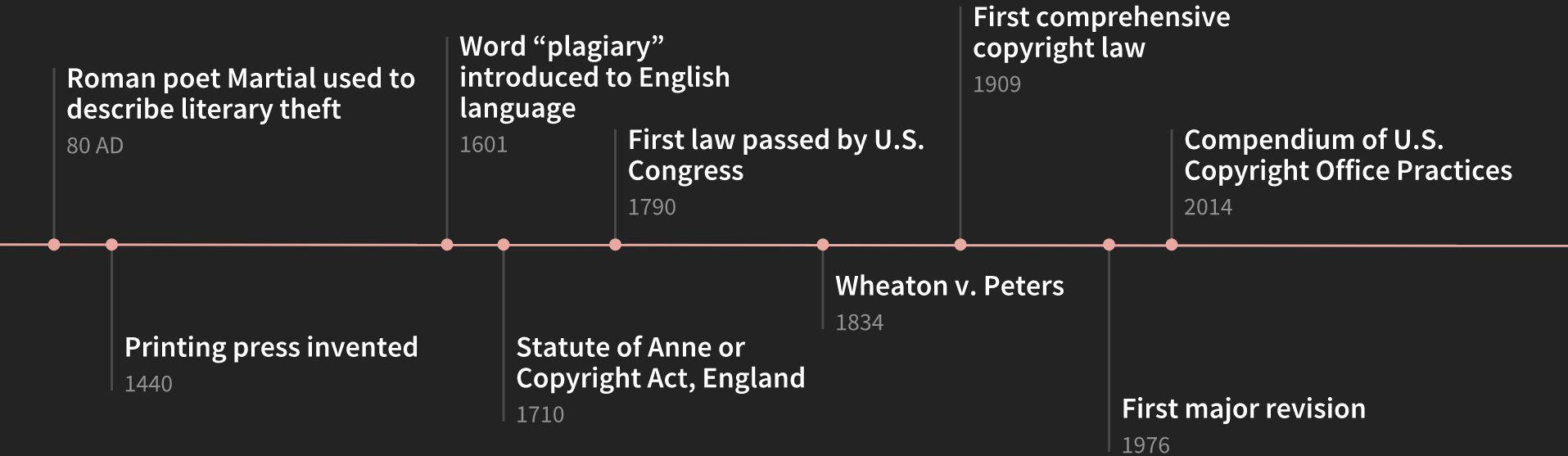"The practice of taking someone else's work or ideas and passing them off as one's own."

**Copyright Infringement**

"The unauthorized or unlicensed copying of a work subject to copyright."

**Imitation**

"A thing intended to simulate or copy something else."

# Historical Timeline + Case Law

Roman poet Martial used to describe literary theft

80 AD

Printing press invented

1440

Word "plagiary" introduced to English language

1601

Statute of Anne or Copyright Act, England

1710

First law passed by U.S. Congress

1790

Wheaton v. Peters

1834

First comprehensive copyright law

1909

First major revision

1976

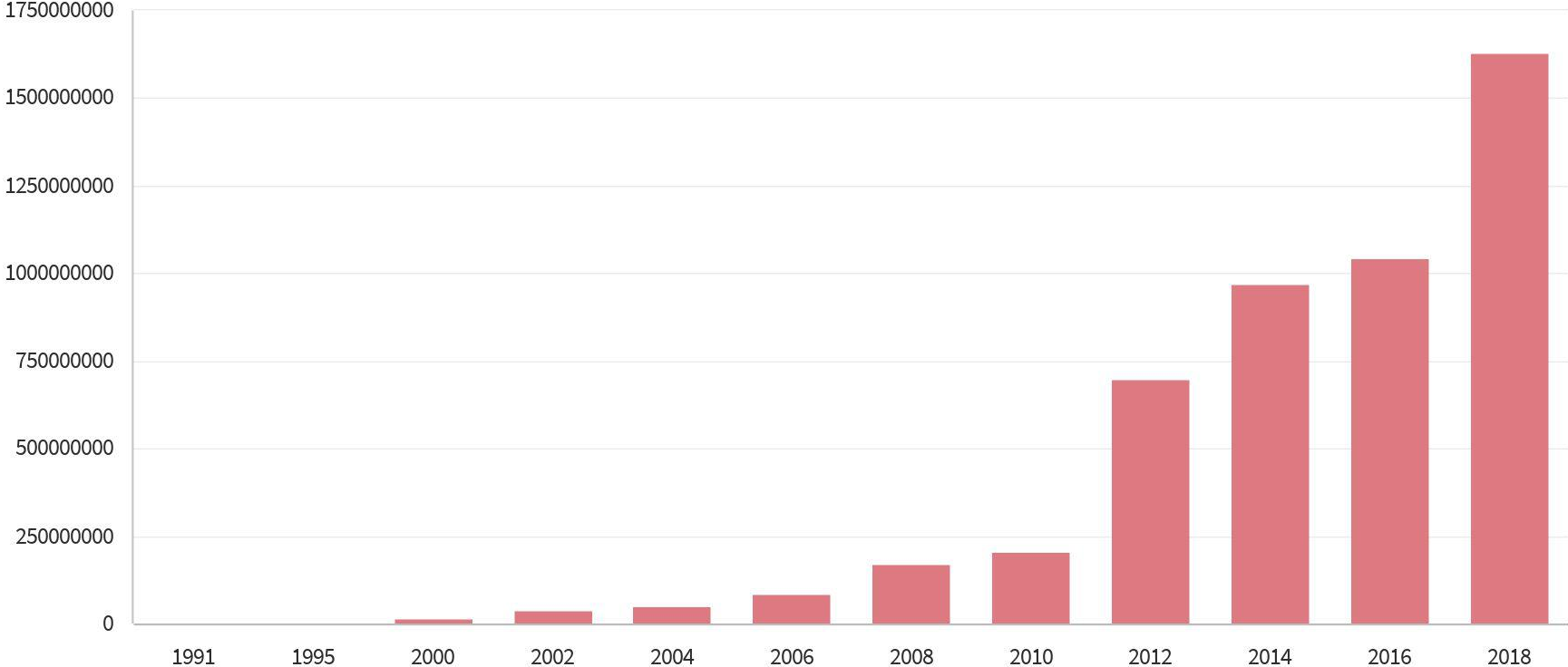Compendium of U.S. Copyright Office Practices
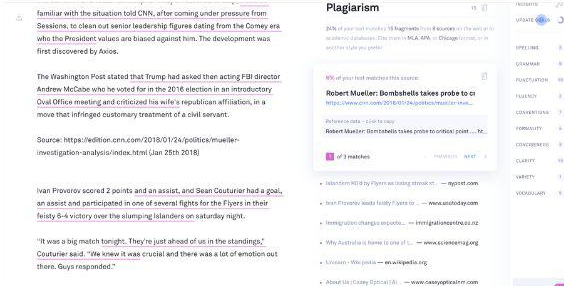
2014

# Types of Plagiarism



- **Direct**

  using word-for-word work by someone else, claiming it as your own

- **Hired**

  if someone pays another person to write their assignment for them

- **Borrowed**

  using essays from friends

- **Self-Plagiarism**

  using an assignment that you have already submitted for another class or directly copying it

- **Mosaic**

  adding parts of your work and someone else's in one assignment

- **Collaboration**

  if you work with others on a project but claim it was done alone

- **Contributing Author**

  if someone contributes to an essay and you do not credit them

- **Aggregated**

  using someone else's idea and sources as another paper

- **Outline**

  using the same basic points of another paper with new information

- **Bibliography**

  directly copying someone else's bibliography in your own work

- **Secondary Source**

  citing primary sources correctly but not secondary sources

- **Accidental**

  if you read research or language that influences your writing and inadvertently use similar phrases in your work

# Changes Throughout the Digital Age

# Total Number of Websites

| | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|
| 1991 | 1995 | 2000 | 2002 | 2004 | 2006 | 2008 | 2010 | 2012 | 2014 | 2016 | 2018 |

# Current Solutions







## Turnitin

Could avoid writing papers if they simply copied off the internet

Turnitin was developed in 2000 and became a staple in schools and universities

Compare students' work to stored essays and sources

## ArXiv

Publication focused on physics

TrackBacks protocol

- Only those qualified can post

- Anyone can read, anonymous sites not allowed

However, some well-known journals currently refuse to publish a paper if on an open-access platform

## American Historical Association

1974 committee of representatives, elected by the members

- Addressed concerns of ethical misconduct in academia

- Published new guidelines that enforced a confidential procedure

Raised concerns about lawsuits and whether the division was effective and legitimate, instead educate the public and historians about plagiarism

# Plagiarism in Design

# Challenges Overview

Learn to draw accurate copies

Designer's decision to choose the rules they want to follow and those they do not

Ideation through influences

Goal is to make original art, crafting their own perspective and style

Plagiarism in Design

Skip hard work and profit is unethical

Professors must push students

Taught practices to conceptualize, prototype, and test their designs

Short changing creativity and authenticity

# University Regulations

Their policy states that "through syllabi, or in assignments, faculty members are responsible for informing students of policies with respect to the limits within which they may collaborate with, or seek help from, others. [...] The New School recognizes that the different nature of work across the schools of the University may require different procedures for citing sources and referring to the work of others. [...] This policy is not intended to interfere with the exercise of academic freedom and artistic expression."

Step 1:
Faculty would notify the student involved

Step 2:
Faculty meets with the student

Step 3:
The university designee would review the faculty's recommendation

Step 4:
The student also has the right to appeal in writing within fifteen days

Step 5:
The Provost would make the final decision

# Current Solutions



## Trademark

"A word, name, symbol, or device used to indicate the source, quality, and ownership of a product or service."

Defining characteristic from one person or brand to another

Valid registration lasts for ten years and must be renewed to be in continued use



## Patent

"A grant from the U.S. government that permits its owner to prevent others from making, using, and importing, or selling an invention."

Three types:

- Utility

- Design

- Plant patents

Considered trade secrets



## Non-Disclosure Agreement

"Typically used whenever there is transfer of private or confidential information from one organization to another."

Legally binding contracts

Extremely common document not limited to the area of design

Protection of proprietary information, invasion of privacy, responsibility of violation
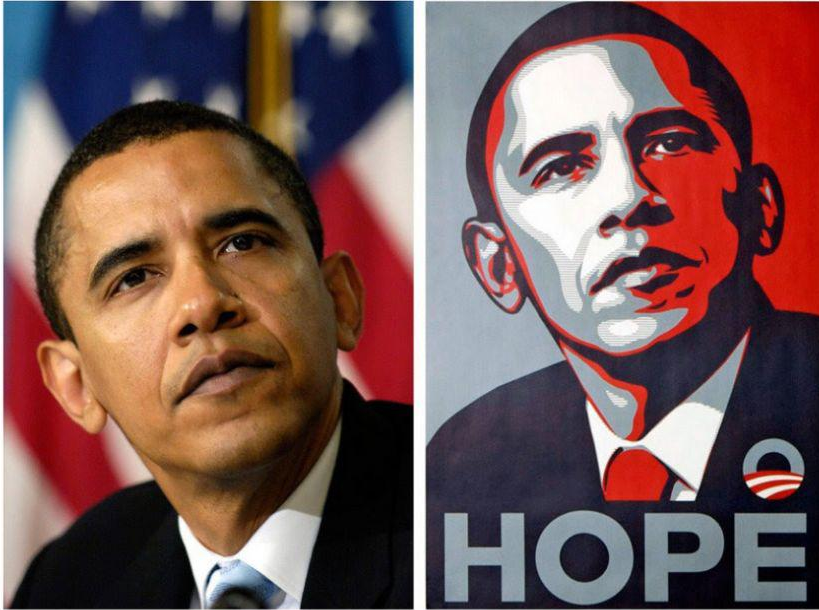


## Creative Commons License

Most recent development in intellectual property

- Developed in 2002

- Current version in 2013

"Simple, standardized way to grant copyright permissions to their creative work."

Subject of debate and scrutiny

# Case Study Examples



**AP Photographer Mannie Garcia v. Shephard Fairey's Obama campaign poster**

- 2008
- Later discovered that Fairey misled the court about what photo the poster was based on by submitting false evidence
- Prompted his attorneys to withdraw
- No decisive decision made
- Questions around the photograph being fair use
- Was Fairey's work derivative or transformative?

# Case Study Examples



No Labels T-shirt (2010)    More Party Animals Tote (2004)

**Dave Warren, the Creative Director of Fly Communications c.2010 v. Thomas Porostocky of No Labels c.2004**

- Warren claims that he created the concept and the graphic was based on royalty free clip art
- Disputed this, by saying that it was blatant plagiarism

# Conclusion

# My Recommendations

**1**   Overall: Better understanding for intermediary design steps

**2**   University: If you partner with a company or share your work with peers for feedback, plagiarism can overshadow the capstone projects which are integral to the learning experience

**3**   Workplace: Can work within parameters of an NDA but issue being that more companies move in-house after round 1 consultation (most important) and becomes a grey area if a team can use the project in their portfolio. Is it possible to have a combined effort and collaboration between the agency and brand that is legally viable?

# Future Expectations

**1** **More development and ethics taught in combating plagiarism**

More information available and in niche industries instead of thought about in one way

**2** **Develop into various methods that will be more specific to different types of work**

Understand the nuances of the subject, which will ultimately fall onto the universities

**3** **Technology to combat plagiarism will have to evolve alongside the innovation that warrants it**

We have better technology everyday at our disposal

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