

Copyright Risk Analysis and Prevention for Scientific Journals under Digital Publishing: Post-print

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Abstract

Objective: To analyze and investigate copyright risks and preventive measures for scientific journals in the context of digital publishing. **Methods:** Through an analysis of scientific journal copyrights, this study clarifies the establishment and fair use circumstances of scientific journals' right of communication through information networks. It also identifies common digital new media platforms for scientific journals, the main types of works protected under copyright law, and copyright infringement acts of scientific journals on digital new media platforms. Employing case analysis methodology, it conducts cluster analysis of typical legal infringement cases involving scientific journal copyrights and the main infringement types of scientific journal copyrights in databases. **Results:** The study proposes methods for determining infringement of scientific journals' reproduction right and right of communication through information networks, as well as approaches for handling copyright infringement of scientific journals on digital new media platforms. It summarizes preventive measures for scientific journal copyright risks on digital new media platforms and in databases. **Conclusion:** This paper provides ideas and references for addressing intellectual property risks of digital scientific journals, avoiding disputes or conflicts arising from scientific journal copyrights, and ensuring the healthy development of scientific journals under digital publishing.

Full Text

Analysis and Prevention of Copyright Risks in Scientific Journals Under Digital Publishing

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Abstract

[Objective] To analyze and investigate copyright risks and preventive measures for scientific journals in the context of digital publishing.

[Method] Through analysis of copyright in scientific journals, this study clarifies the emergence of the right of communication through information networks and fair use scenarios. It identifies common digital new media platforms for scientific journals, major work types protected under copyright law, and copyright infringement behaviors on these platforms. Using case analysis methodology, it conducts cluster analysis of typical legal infringement cases involving scientific journal copyrights and major infringement types in databases.

[Result] The study proposes methods for determining infringement of reproduction right and information network transmission right in scientific journals, as well as approaches for handling copyright infringement on digital new media platforms. It summarizes preventive measures against copyright risks for scientific journals on new media platforms and in databases.

Conclusion This paper provides ideas and references for addressing intellectual property risks in digital scientific journals, helping to avoid disputes or conflicts arising from copyright issues and ensuring the healthy development of scientific journals under digital publishing.

Keywords: digital publishing; scientific journals; copyright risks; new media platforms; right of communication through information networks

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1. Copyright of Scientific Journals

Scientific journals are cultural media that publish, exchange, and disseminate creative achievements in science and technology. As scientific and technological works, the related rights they generate constitute part of intellectual property, with copyright being the most relevant aspect in scientific journal publishing. Copyright in scientific journals primarily divides into two categories: (1) moral rights (right of publication, right of attribution, right of modification, and right to protect work integrity), which are personal rights connected to the author and their work; and (2) economic rights (right of communication through information networks, reproduction right, distribution right, adaptation right, compilation right, etc.), which provide economic returns and creative protection for copyright holders.

With the rapid development of computer technology, network technology, and

digital mobile terminals, journals have gradually transitioned from traditional to digital publishing. Digital scientific journals offer advantages including large information capacity, broad coverage, fast dissemination speed, and full resource sharing, making them better adapted to modern information propagation characteristics and earning widespread recognition from readers. However, the readability of digital works, combined with the extensive reach, replicability, and concealment of digital dissemination, enables easy online access to resources. Without copyright holders' consent, works can be arbitrarily copied, pasted, uploaded, downloaded, or even used for profit, damaging the interests of copyright holders and publishers and triggering copyright infringement issues. Consequently, research on copyright risks and prevention in digital scientific journals has become increasingly important, carrying significant theoretical and practical implications.

The rapid development of the internet and the popularization of digital media have transformed how people create, disseminate, and use works online. To adapt to this reality, copyright law has made corresponding adjustments. The revised Copyright Law extends protection to online works, defining "making works available to the public through the internet or other wired or wireless information networks, enabling the public to access such works at individually selected times and places" as an act subject to copyright protection. The law explicitly stipulates that the right of communication through information networks is one of the exclusive rights enjoyed by copyright holders, meaning that articles, images, audio, and video on webpages, blogs, and social media platforms are all protected. Additionally, the revised law regulates the conduct of network service providers and users, clarifying their rights, obligations, and corresponding penalties and compensation methods in the network environment.

Nevertheless, in digital scientific journal dissemination practice, numerous new media platforms indiscriminately republish articles, many of which constitute non-"fair use" works that infringe upon the legitimate copyright of rights holders, most commonly involving reproduction right and the right of communication through information networks.

2. Infringement Determination of Reproduction Right and Information Network Transmission Right

Reproduction right refers to the right to make copies of a work. Reproduction involves fixing a work on a tangible material medium through existing or future methods, enabling the work to be perceived, disseminated, and copied by others. An act constituting reproduction under copyright law must satisfy two requirements: (1) the work must be reproduced on a tangible material carrier, as only through a material form can the work be fixed and a clear comparative relationship established between the original and the copy; and (2) the work must be fixed relatively stably and permanently on a tangible material carrier, forming one or more tangible copies.

The right of communication through information networks refers to the right to make works available to the public through wired or wireless means, enabling the public to access such works at individually selected times and places. The standard for infringing this right includes: implementing acts that exercise another's right of communication through information networks without permission, or directly undermining the rights holder's control over their work's dissemination through information networks. Those who infringe upon network dissemination rights without constituting a crime shall bear tort liability.

Determining whether infringement of reproduction right and information network transmission right has occurred forms the foundation for identifying copyright risks in digital publishing. Several aspects can be considered: (1) Copyright registration and evidence—if the original author has registered copyright for the scientific journal, relevant evidence can strengthen infringement determination; (2) Substantial similarity—determination requires comparing content, structure, and expression between the original and allegedly infringing work to identify obvious plagiarism; (3) Chronological order—comparing publication timelines is crucial, as if the allegedly infringing work existed before the original, further investigation of its source may be needed; (4) Network dissemination—proof that the infringed work was disseminated on information networks, whether in print or electronic form, through uploading, downloading, linking, reposting, or similar methods; (5) Unauthorized use—key to infringement determination is proving the absence of authorization, as reposting or forwarding without permission constitutes infringement; and (6) Economic loss—determination must consider whether the unauthorized dissemination caused economic harm to the original copyright holder, either by preventing legitimate earnings or enabling others to gain improper benefits.

3. Copyright Risks of Scientific Journals on Digital New Media Platforms

3.1 Common Digital New Media Platforms for Scientific Journals

Current digital publishing development has shifted from simple work digitization to digital composite publishing, with new media representation becoming the development trend. New media refers to communication forms that utilize digital and network technologies to deliver information and entertainment services through channels such as the internet, broadband local area networks, wireless communication networks, and satellites, using terminals including computers, mobile phones, and digital televisions. Strictly speaking, new media should be called digital new media. Common digital new media platforms for scientific journals include:

- (1) **Online Journal Platforms:** Many scientific journals establish official websites or online platforms offering full-text downloads, submission systems, and academic resources, facilitating reader access to latest research and providing authors with submission and communication channels.

- (2) **Social Media Accounts:** Numerous journals maintain official accounts on social media platforms like Weibo and WeChat, publishing research findings, academic news, and editorial perspectives, enabling readers to obtain information and interact with editors and peers.
- (3) **Open Access Platforms:** These platforms provide free access to academic papers. Journals often publish some or all papers through open access platforms to increase visibility and impact.
- (4) **Video Platforms:** Some journals release science popularization videos, academic lectures, experimental demonstrations, and other content on video-sharing platforms like Bilibili and YouTube, helping readers understand research more intuitively.
- (5) **Technology Summits and Forums:** Some journals organize or participate in academic events with online live streaming or video replays, providing platforms for academic exchange while increasing journal exposure and influence.

3.2 Work Types on Digital New Media Platforms

New media features multi-element integration, information technology assistance, and interactive usage. According to copyright law, textual works, pictorial works, and video works in digital scientific journals can all be protected, provided they meet requirements such as originality and creativity. The main work types protected by copyright law on digital new media platforms are shown in Table 1 .

3.3 Copyright Infringement Behaviors on Digital New Media Platforms

Continuous digital technology development provides favorable opportunities for new media works but also facilitates infringement such as illegal copying and dissemination, making copyright violations increasingly low-cost. New media copyright protection issues have emerged accordingly. New media environments enable broader reach, faster dissemination, more difficult rights confirmation and protection, and globalization that transcends geographical boundaries, revolutionizing traditional copyright protection systems. New media copyright infringement presents characteristics fundamentally different from traditional infringement. In conventional print publishing, authors typically maintain complete control over their works. However, on digital platforms, works can be easily copied and disseminated without authorization, infringing authors' copyrights. Additionally, digital works are vulnerable to alteration, damaging originality and authors' reputations. Copyright subjects in new media development have become increasingly diverse, with both inherent and platform-specific characteristics. In new media environments, rights holders can exercise their moral rights and related economic rights. For instance, the right of publication allows copyright holders to freely decide whether to publicly release their original

content—clicking “send” successfully exercises this right. Currently, most mobile new media in China allow content push scope settings, enabling rights holders to select visible groups. The right of attribution ensures rights holders are credited in new media works, either within the content or during forwarding, safeguarding legitimate rights and interests.

Major types of copyright infringement behaviors on digital new media platforms include:

- (1) **Reposted scientific journal articles without author or source attribution.** Article 10(2) of the Copyright Law stipulates that the right of attribution—indicating author identity and crediting the work—is protected by law. Authors may credit or anonymize works, with anonymity being one method of exercising attribution rights. New media platforms often repost others’ works without attribution, infringing the copyright holder’s right of attribution, right of communication through information networks, and reproduction right.
- (2) **Reposted articles with author and source indicated but without explicit authorization.** Article 2 of China’s Regulations on the Protection of the Right of Communication through Information Networks explicitly states that, except as otherwise provided by laws and administrative regulations, any organization or individual making others’ works available to the public through information networks must obtain the rights holder’s permission and pay remuneration. Therefore, new media platforms cannot be exempted from liability even when they credit original authors and sources if they lack explicit authorization.
- (3) **Unpermitted excerpting and integration of other articles’ content.** Article 5 of the Regulations on the Protection of the Right of Communication through Information Networks clearly prohibits providing works whose rights management information has been removed or altered without permission. “Works” formed by excerpting and integrating multiple articles are neither compilation works under copyright law nor fair use, thus harming copyright holders’ legitimate rights.
- (4) **Third-party sublicensing beyond authorized scope.** Although authorization may be obtained, it is often limited to single-platform use by the authorized party, which cannot sublicense. Sublicensing beyond the authorized scope is invalid, and third-party reposting still infringes the original author’s copyright. For example, if a copyright holder authorizes a new media platform to republish a work on a specific network service platform, that platform cannot publish the work on other platforms beyond the authorized scope nor transfer the republication right to any third party, otherwise constituting infringement.

3.4 Handling Copyright Infringement on Digital New Media Platforms

- (1) **Sending Infringement Notices:** Copyright holders or their legal representatives may send infringement notices to infringers, demanding cessation of infringement and removal of infringing content. Notices should specify infringement facts, titles and links of infringing works, proof of legitimate copyright, and demands for removal or cessation.
- (2) **Contacting Internet Service Providers:** If the infringer is an internet service provider (such as a portal website or official account), copyright holders can contact the provider to request necessary measures, such as blocking or deleting relevant links and content, or suspending the infringer's account.
- (3) **Filing Legal Action:** If infringers fail to cooperate or the situation is serious, copyright holders may file legal action to protect their legitimate rights through the courts. In litigation, copyright holders must provide sufficient evidence of infringement and request appropriate judgments, such as cessation of infringement, removal of content, and compensation for economic losses.

4. Legal Case Analysis of Scientific Journal Copyright Infringement

4.1 Analysis of Legal Infringement Cases

Analyzing legal infringement cases helps understand infringement types, severity, and impact, facilitating timely legal measures to protect rights holders. Such analysis can summarize specific cases and practical experience for reference in similar cases, enabling rights holders and enforcement agencies to better address infringement by drawing on existing precedents and legal rules. The number of copyright infringement cases in digital publishing continues to rise, with increasingly diverse specific infringement behaviors. China has issued a series of laws, regulations, and policy documents to strengthen intellectual property protection, providing greater legal support for rights holders.

In journal copyright infringement cases, databases are among the most common platforms, typically involving substantial amounts. Database platforms usually collect numerous journal articles from different journals or authors. When these works are used, copied, or disseminated without authorization, the infringement involves large quantities. Academic database platforms typically provide intellectual property licensing services and generate commercial profits, making infringement potentially directly impact their business models and profitability.

4.2 Types of Copyright Infringement in Databases

In databases, journal copyright infringement mainly includes: (1) **Piracy and unauthorized copying**—reproducing and disseminating journal articles in pirated form without authorization, which is particularly prominent in digital environments due to convenient dissemination and copying methods that make piracy difficult to prevent; (2) **Unauthorized republication and resale**—republication and resale of others' articles without copyright holders' permission, often conducted through improper citation or citation tampering; (3) **Unauthorized modification and adaptation**—modifying and adapting journal articles without permission and without substantial changes, infringing the original author's adaptation right and potentially causing distortion and misunderstanding of the original work; and (4) **Data abuse and illegal acquisition**—journal articles in databases may contain large amounts of valuable data, and unauthorized abuse or illegal acquisition infringes original authors' copyrights, necessitating enhanced security measures for data sharing and management to prevent intellectual property violations.

Typical infringement cases in digital publishing primarily involve violations of reproduction right, right of communication through information networks, and right of publication. Infringement subjects are complex, involving journal publishers, article authors, agencies, and information service institutions. Infringers typically bear civil liabilities including cessation of infringement, elimination of impact, apology, and compensation for losses. The infringement behaviors in typical digital publishing copyright cases are shown in Table 2 .

5. Prevention of Copyright Risks for Scientific Journals Under Digital Publishing

5.1 Prevention Methods on Digital New Media Platforms

- (1) **Emphasize Copyright Protection:** Authors and relevant personnel should strengthen copyright protection awareness and consider applying for copyright or other intellectual property protection measures for key content.
- (2) **Select Trustworthy Platforms:** When choosing digital new media platforms, prioritize reputable platforms with robust copyright protection mechanisms. Understand platform user agreements and copyright policies to ensure work protection.
- (3) **Register Copyright:** For important scientific journal works, copyright registration is recommended to provide stronger legal protection and evidence for rights protection in infringement disputes.
- (4) **User Agreements and Copyright Policies:** Carefully read user agreements and copyright policies when using new media platforms to ensure copyright is not infringed. Understand platforms' infringement handling

mechanisms and complaint procedures.

- (5) **Access Permission Control:** When publishing on new media platforms, utilize provided permission control functions to manage and protect scientific journal content. Restrict access permissions to ensure only authorized personnel can view and use content.
- (6) **Watermarking and Copyright Notices:** Adding watermarks or copyright notices to scientific journal works can effectively reduce misappropriation and infringement by clearly displaying author information and warning potential infringers.

5.2 Prevention Methods in Databases

- (1) **Technical Protection Measures:** Digital Rights Management (DRM) technology can encrypt and control access to journal works in databases to prevent unauthorized copying and dissemination.
- (2) **User Authorization Management:** Establish reasonable user authorization management mechanisms to restrict usage permissions and scope, ensuring only authorized users can access relevant content.
- (3) **Contractual Constraints:** Sign clear contractual terms with database users, suppliers, or partners to define rights and obligations of all parties and strengthen prevention and accountability for infringement.

Conclusion

This paper, against the backdrop of digital publishing, systematically reviews concepts including copyright in scientific journals, infringement determination of reproduction right and right of communication through information networks, and fair use scenarios. It analyzes common digital new media platforms, work types, and infringement handling methods for scientific journals. Through legal case analysis, it comprehensively examines risks in databases and proposes corresponding preventive measures. Future research will further improve the theoretical framework, expand the scope, and deeply explore copyright issues in scientific journals under digital publishing, hoping to provide beneficial references for research in this field and promote the high-quality sustainable development of scientific journals in the digital publishing era.

References

- [1] Xiao Hong, Yu Chengyao, Xie Lei. Several Copyright Issues in Journal Digital Publishing [J]. Publishing Wide Angle, 2023(6): 15-20.
- [2] Luo Jiao. Copyright Mechanisms of New Publishing Models for Scientific Journals [J]. Acta Editologica, 2021(1): 32-36.

- [3] Wang Liping. On Intellectual Property Protection for University Digital Scientific Journals [J]. Journal of Inner Mongolia Minzu University (Social Sciences Edition), 2016(6): 118-120.
- [4] Cheng Ziyang. Intellectual Property Protection Under Digital Publishing [J]. China University Science & Technology, 2018(7): 95-96.
- [5] Zhang Huichun. Analysis of Copyright Issues in Academic Journal Digital Publishing [J]. Editorial Friend, 2019(2): 97-101.
- [6] Hu Ling. Research on Copyright Protection of Digital Journals [J]. Journal of Chifeng University (Chinese Philosophy and Social Science Edition), 2016(12): 179-180.
- [7] Zhang Jingjing, Han Jian, Huang Heqing. Strengthening Intellectual Property Protection for Chinese Scientific Journals in the Digital Era [J]. Chinese Journal of Scientific and Technical Periodicals, 2012(3): 380-384.
- [8] Wang Feng. Analysis of Copyright Protection Issues for Academic Journals Under Digital Dissemination [J]. Public Communication of Science & Technology, 2021(2): 30-32.
- [9] Zhang Tian. Discussion on Copyright Protection Issues in New Media Environments [J]. China Media Technology, 2014(5): 44-46.
- [10] Zhang Yin, Han Xinyue. Research on Standardized Application of Copyright Contracts for Academic Journals—Taking Chinese Library and Information Science Journals as Examples [J]. Library and Information Service, 2019(12): 22-28.
- [11] Song Ge. Compliance Dilemmas and Industry Governance of Copyright Licensing for Digital Journal Platforms [J]. Publishing Wide Angle, 2023(21): 35-39.
- [12] Ding Xianming. Legal Risks of Copyright Infringement in New Media and Platform Response Measures [N]. Democracy and Legal System, 2021-03-18(6).

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