

《孔夫子网公开出售高校学生的毕业论文 被举报后照卖不误》

导读:毕业季临近，又是“论文搞事情”的高发期。孔夫子旧书网公然出售十多所知名高校学子的4000多篇论文，论文作者纷纷投诉



The authors who accused a website of selling their dissertations against their consent cannot demand the removal of the thesis from the platform as the sale does not constitute copyright infringement, intellectual property experts said.

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According to a report from news portal thepaper.cn, there are some 4,000 items tagged as "doctoral dissertations" for sale on kongfz.com, a second-hand book platform, which come from dozens of elite Chinese universities including Tsinghua University, Peking University and Fudan University.

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The dissertations are priced from 5 - 1,000 yuan by different sellers on the website.

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"The website removed some works in October 2016 after our complaints. But now they are selling them again,"

Zhang Ming (pseudonym), who has a doctorate from Tsinghua University, was quoted by thepaper.cn as saying on Wednesday.

“2016年10月，清华大学博士生张明（化名）在接受thepaper.cn采访时表示，”

Many of the graduates, who said their dissertations are being sold without consent, added that the website is infringing their intellectual property rights and causing psychological and economic damages, said the thepaper.cn report.

“许多毕业生表示，他们的学位论文在未经他们同意的情况下被出售，这侵犯了他们的知识产权，并造成了心理和经济上的损害，thepaper.cn网站报告称。”

"We don't want our dissertations to be spread widely before our original points of view are published in academic journals or books, as there's no way to guarantee other people will not copy these ideas," Zhang added.

“我们不想在我们的观点在学术期刊或书籍上发表之前，我们的学位论文就被广泛传播，因为没有办法保证其他人不会复制这些观点，”张明补充说。

When the author hands in the dissertation to university faculties for reviews, or the graduate donates the copies to the libraries or gifts these copies to friends, the writers have already executed their publication rights, Yao Huanqing, a professor from the Law School of the Renmin University of China, told the Global Times on Wednesday.

“当作者将学位论文提交给大学院系进行审查，或者研究生将论文副本捐赠给图书馆或作为礼物送给朋友时，作者已经执行了他们的出版权利，姚欢庆，中国人民大学法学院教授，周三告诉《环球时报》。”

If the sellers on the kongfz.com got these copies from the above mentioned sources, then the copies cannot be considered as pirated, said Yao.

“如果kongfz.com网站上的卖家从上述来源获得了这些副本，那么这些副本就不能被认为是盗版，”姚欢庆说。

Unless the authors can prove that these copies are pirated, they cannot demand the shop owners to stop selling the copies, and the sellers could set the price according to their discretion, Yao said, adding that the owners do not have a duty to explain how they got these copies either.

“除非作者能够证明这些副本是盗版的，否则他们不能要求店主停止销售这些副本，卖家可以根据他们的 discretion 设定价格，姚欢庆说，并补充说，店主也没有义务解释他们是如何获得这些副本的。”

An employee of the website told thepaper.cn on Tuesday that they will forward the students' complaints to the website's senior management.

“该网站的一名员工周二告诉thepaper.cn，他们将把学生的投诉转发给网站的 senior management。”