

9/2/16

Copyright-related guidelines for course reserve material

The complete Library copyright policy is available upon request.

Course Reserves Guidelines for Textbooks

The SUNY Orange Library Course Reserves Guidelines are designed to comply with the legal requirements of Title 17 of the United States Code and prohibit copying not allowed by the law, Fair Use Guidelines, license agreements or the permission of the copyright holder.

Fair Use allows the following items to be placed on reserve for one semester only:

- One chapter of a book if ten or more chapters or less than 10% if 9 or fewer chapters
- One article from a periodical or newspaper
- One short story, short essay or short poem, provided that it is not the heart of the work
- One chart, graph, diagram, cartoon or picture from a book, periodical or newspaper
- Permission is needed for the following which generally do not fall within Fair Use Guidelines:
 - Material described above kept on reserve for more than one semester
 - More than one chapter or article from a book, or more than one selection from a collection of essays or poems
 - Anthologies created by photocopying copyrighted materials.

The above parameters may be exceeded if a purpose of use argument can be made that does not impinge on the heart of the work limitation. A copyright challenge form needs to be completed in this instance.

Textbooks

Required textbooks are problematic, in that it cannot be assumed that placing them on reserve will fall within the guidelines of Fair Use. Further explanation of these guidelines can be found in the AALT handout document.

The following will be applied to textbooks:

Courtesy, complimentary or promotional copies of textbooks will not be placed on reserve unless accompanied by specific written permission from the copyright holder. This document should include the time period covered, the ISBN, title, author, and edition, and state the nature of permitted in library use.

Textbook copies owned by the instructor or textbooks whose copyright permission falls under the provisions of Fair Use may be placed on reserve for one semester. If needed longer, copyright permission must be obtained by the instructor. Purchased textbooks may be donated to the library.

The following types of textbooks may be refused unless permission is obtained:

- Those clearly marked as not for sale/resale, complementary or review copies.
- Those with copyright statements on the title page verso that prohibit further dissemination.

Original material:

Original material such as exams or study guides, may be placed on reserve without restriction.

Other materials

Personal copies except videos, CDs, and software, may be placed on reserve for one semester.

Library copies will be reviewed each semester and returned to the collection annually.

Personal Copies of Recordings:

- Personal copies of commercially made recordings may be used for one semester without obtaining permission. One backup copy may be made and circulated.
- Recordings of original broadcasts (e.g. ABC News) may be used for 10 days after broadcast without obtaining permission. They must be viewed in their original format. Website use, licensing agreements and/or terms of use may restrict this privilege as well as copying.
- Videotapes Recordings of instructional television programs may be used for one semester without obtaining permission. Website use, licensing agreements and/or terms of use may restrict this privilege.

Personal Copies of other Audio-Visual material

One duplicate of an original purchased copy may be made and placed on reserve. Software license terms and instructions must be included.

Other General Guidelines

Please Note:

Library staff may remove and return any non-compliant course reserve material at any time.

Library staff will remove old editions of textbooks between semesters. If a department or instructor wishes to have an old edition remain available, a label must be affixed to the previous edition that describes the utility of the item.

Faculty who wish to challenge any aspect of these guidelines may complete a Copyright Challenge Form for each disputed item. The signer of this form will be accepting responsibility for any violation of copyright law.

All material will be labeled as follows:

Copyright law of the United States (Title 17, United States Code) governs the photocopying or reproduction of copyrighted material. The user of this work is responsible for determining the lawful use of this material and liable for any copyright infringement.

Obtaining copyright permission or a licensing agreement can be a long and complicated process. The resources listed below may help.

Copyright Clearance Center

The CCC acts on behalf of copyright holders to grant permissions and collect fees.

21 Congress Street

Salem, MA 01970

www.copyright.com

iCopyright

<http://info.icopyright.com/>

Creative Commons Search

<http://search.creativecommons.org/>

This search engine offers information on permitted use of materials.

Licensing agreements and terms of use

Library subscription databases have licensing agreements that can be reviewed upon request. Terms or conditions of use often outline permitted uses and are usually universal to all users of a site or service.

Sites that include searchable, but not comprehensive, databases

U.S. Copyright Office

www.copyright.gov

Click on Search Records to access the databases.

Stanford University Copyright Renewal Database

<http://collections.stanford.edu/copyrightrenewals/>

US Class A book renewals requested from 1950 and 1992 for books published in the US between 1923 and 1963.

WATCH

<http://tyler.hrc.utexas.edu/>

Look here for copyright holder contact information. The WATCH copyright file is a joint project of the Harry Ransom Humanities Research Center at The University of Texas at Austin and the University of Reading Library, Reading, England.

Songs

ASCAP

www.ascap.com

Click on ACE Repertory Search for songs licensed by ASCAP in the U.S.

BMI

<http://repertoire.bmi.com>

SESAC

<http://www.sesac.com/licensing/licensing.aspx>

Search the SESAC repertory database.

Copyright Owner

Direct contact with the copyright holder will sometimes result in permission without royalty payment, but can be time consuming. A letter to the Permissions Department of the publisher or network should include the following information:

Course Name
College Name
Duration of use

Author of work
Title of work
Edition of work
Form of distribution (whole book or periodical, photocopy of chapter or article)

Material on course reserve will be accessible by course name, course number, instructor's name, department, title and author.

A self-addressed stamped envelope should be included.