

Copyright Law

US Code, Title 17

Sect. 106

Exclusive rights of creators:

- ◇ reproduce their works
- ◇ modify them
- ◇ distribute them
- ◇ perform them in public
- ◇ display them in public

It doesn't have to say it's copyrighted!

Sect. 107

Fair use limits creator's exclusive rights, when ALL these are considered:

- ◇ purpose/character of the use
- ◇ nature of the original work
- ◇ quantity/quality of portion to be used in relation to the whole
- ◇ no adverse effect on the value or marketability of the original

Sect 108

Libraries (extensions of classrooms) are granted use otherwise limited to creators:

- ◇ may make reproductions for students
- ◇ model library practices limit access to class numbers and instructors' names

draft, May 8, 2009

FACULTY

To use the library's EReserve and Reserve Desk, you must agree that materials you submit are in compliance with University Libraries' interpretation of the US Copyright Law.

<http://scholar.lib.vt.edu/copyright/libcguid.html>

STUDENTS

You may make one copy (i.e., download, printout, or photocopy) for your personal reading, research, and education. Any other use, without the permission of the copyright holder, is illegal.

<http://scholar.lib.vt.edu/copyright/libcguid.html#fairuse>

Copying

Preserve the author's name, the title of the work, the source, and the copyright statement.

Public Domain

Works produced by the US government:

not copyrighted

Works published since 1977

© protected for the life of the creator + 50 years

Works published 1923-1977

© protected for 75 years

Works published prior to 1923

no longer © protected

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VIRGINIA TECH

UNIVERSITY
LIBRARIES

Copyright & Fair Use Guidelines

<http://scholar.lib.vt.edu/copyright/copyright.html>

Reserve Services

<http://scholar.lib.vt.edu/copyright/libcguid.html>

Inside

Library Guidelines

Copyright Law

**Fair Use
consider all factors
© Myth**

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VT University Libraries

Reserve Services Copyright Guidelines

<http://scholar.lib.vt.edu/copyright/libcguid.html>

Materials available from the library's Reserve systems are available only to the VT community and use must be limited to private study, scholarship, or research.

Faculty may place on reserve:

Books

1 chapter from one book may be placed on reserve, including edited collections of readings and essays--each are considered a chapter of the book.

Articles: journals/newspapers

1 article from one journal title or newspaper may be placed on reserve.

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Copyright Guidelines

continued

US Government Publications

These are generally in the *public domain*, that is, they are not copyrighted and reproduction is unlimited.

Consumables

Workbooks, exercises, standardized tests and test booklets, answer sheets and the like are not appropriate for reserve because this would directly effect the market for these works (a violation of "fair use").

Coursepacks

Custom published anthologies such as coursepacks are prepared for sale through local copy centers and bookstores and, therefore, are not appropriate for reserve because this directly effects the number of copies sold to students in the course.

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© Myth about FAIR USE It's OK--it's for education.

You must consider *ALL 4 of the factors that determine fair use* before you include someone else's work in your own without permission.

1. Purpose and character of use
 - © profit or nonprofit
 - © commercial or educational
 - © degree of transformation
 - © value added
 - © for criticism, commentary, news reporting, teaching, scholarship, research
2. Nature of the work
 - © character of the work
 - © e.g., fact or fiction
 - © worthy of (extensive) protection?
3. Amount and substantiality
 - © use only what is necessary
 - © quantity and quality in relation to the whole work
4. Effect
 - © Will use harm potential market for or value of the work after a portion has been used?

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