

Part IV – Copyright

Introduction – The Dr. Sandor and Berthe Benedek Memorial Library (the Library) will abide by the copyright law. The library observes the fair use aspect of Section 107 – Limitations on Exclusive Rights: Fair Use of the Copyright Law. (See appendices) The burden of complying with the law’s fair use clause rests with the library patron.

1. The copy becomes the property of the patron.
2. The library has no notice that the copy is for purposes other than private study, scholarship, or research.
3. At the place where the library allows materials reproduction, a sign will be posted as follows:

NOTICE: WARNING CONCERNING COPYRIGHT RESTRICTIONS

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproduction of copyrighted material. Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specific conditions is that the photocopy or reproduction is not to be “used for any purpose other than private study, scholarship, or research.” If a user makes a request for, or later uses, a photocopy or reproduction for purpose in excess of “fair use”, that user may be liable for copyright infringement.

4. In order to meet the needs of the 1990 Rental Amendments Act the following will be attached to all computer discs.

NOTICE: WARNING OF COPYRIGHT RESTRICTIONS

The copyright law of the United States (Title 17, United States Code) governs the reproductions, distribution, adaptation, public performance, and public display of copyrighted material. Any person who makes an unauthorized copy of adaptation of the computer program, or redistributes the loan copy, or publicly performs or displays the computer program, except as permitted by title 17 of the United States Code, may be liable for copyright infringement.

5. Photocopying guidelines for the Library allow for single copies of library owned materials.
6. If the patron’s copying needs exceed the Fair Use provision of the law, it is the responsibility of the patron to request permission to make additional copies. Patrons wishing to do so may find the following information helpful. This page may be copied for their benefit:

The U.S. Copyright Office, Library of Congress, 101 Independence Ave., Washington, DC 20559, provides several types of information and services. Many of the circulars and forms are available via the internet, as is other information from the Copyright Office. The number for the Public Information Office is 202-707-3000. Staff there will be able to provide you with general copyright information and answer any questions you may have concerning copyright registration. Note: the number is not toll-free.

It is recommended that when reproduction of copyrighted materials requires that the patron requests permission, s/he should communicate complete and accurate information to the copyright owner. The Association of American Publishers suggests that the following information (as it applies) be included in a permission request letter to the publisher (or other proprietor) in order to expedite the process:

- A. Author's, editor's, translator's full name(s);
- B. Title, edition, and volume number of book or journal;
- C. Copyright date;
- D. ISBN for books, ISSN for magazines and journals;
- E. Number of exact pages, figures, and illustrations;
- F. Exact chapter(s) and page numbers;
- G. Number of copies to be made;
- H. Whether material will be used alone or combined with other photocopied materials;
- I. Name of College or University (if applicable);
- J. Course name and number (if applicable);
- K. Semester and year in which material will be used (if applicable);
- L. Instructor's full name (if applicable).

All of this information should be sent with a self-addressed return envelope to the permissions department of the publisher.

The following book available through STLS is very helpful in copyright matters:
The Copy Right Primer by Janis Bruwelheide

COPYRIGHT LAW

Section 107 of the Copyright Law of the United States of America
(Title 17 U.S. Code, as revised February 1, 1993)

107 Limitations on exclusive rights: Fair Use

Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for the purposes such as criticism, comment, news reporting, teaching, scholarship, or research, is not an infringement of copyright. In determining whether the use of a work in any particular case is fair use the factors to be considered shall include:

1. the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. the nature of the copyrighted work;
3. the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
4. the effect of the use upon the potential market for or value of the copyrighted work.

The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.