

Procedure for Copyright Clearance

It is incumbent on the University Store to respect the intellectual property of others as outlined in the appropriate laws and statutes. It is recognized that there exists a fair use doctrine. This allows for faculty members to be able to make limited numbers of copies for students involved in classroom activities provided that the need for copies is spontaneous and the material copied is of a brief nature. At the University Store web page (<http://orgs.bloomu.edu/cga/store.html>) there are a series of articles about copyright applications as well as frequently asked questions.

Below is a general outline of the procedures that should be followed in order to have duplicated materials available for students in a timely manner.

- A. A faculty member prepares class related materials. The materials are to be duplicated on campus and offered for sale at the University Store. One of two paperwork paths must be followed:
 1. If any of the three following situations occurs, the faculty member may take the materials directly to the Duplicating Center.
 - a. Copyright. The faculty member holds the copyright to the material.
 - b. Certificate of Originality. The faculty member will acknowledge that the material is their original work and complies with the fair use standards of copyright law by signing a statement to that effect on the back of the Duplicating request form.
 - c. Public Domain. The faculty member demonstrates that the material is in the public domain. Materials are in the public domain if the copyright has expired, or if the author of the materials has designated them for free use.
 2. Copyright Clearance. The faculty member knows that all or part of the materials contains copyrighted materials. The material is delivered to the University Store along with the necessary bibliographical citations. Store personnel will work to acquire the necessary copyright approvals. (This process may require some time depending on the agreements entered into by the holder of the copyright. The additional cost for copyright clearance will be added to the final cost of each book.) The faculty member will be notified when approvals have been obtained and the material, along with copyright clearance, will be delivered to the Duplicating Center so production can begin.
- B. A faculty member prepares materials for sale at the University Store and has the material copied and bound at another source.
 1. The duplicated materials are delivered to the University Store for sale on consignment. One of four options will be exercised:

- a. **Copyright.** The faculty member holds the copyright to the material. It will be accepted on consignment and sold.
- b. **Certificate of Originality.** The faculty member is the author of the material. He/she will be asked to sign a Certificate of Originality. The material will be accepted and sold on consignment.
- c. **Copyright Clearance.** The faculty member knows that all or part of the materials contains copyrighted materials. The faculty member provides the University Store with the bibliographical citations. Store personnel will work to acquire the necessary copyright approvals. (This process may require some time depending on the agreements entered into by the holder of the copyright. The additional cost for copyright clearance will be added to the final cost of each book.) After all copyright clearances are obtained; the materials will be accepted and sold on consignment.
- d. **Public Domain.** The faculty member demonstrates that the material is in the public domain. Materials are in the public domain if the copyright has expired, or if the author of the materials has designated them for free use. The University Store will accept the materials and they will be sold on consignment.

C. The University Store has no involvement in the copyright clearance of materials that will not be offered for sale at the University Store.

In the area of copyright law there are many questions concerning fair use and other legal doctrines that are far outside the scope and knowledge of the staff of the store. All questions concerning this issue that cannot be resolved by the store will be referred to the Assistant Vice President for Graduate Studies and Research.

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