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***Copyright and Trademark Issues  
for Campus Stores***

Bruce Siegal, CLC

Peter Midgley, Brigham Young University

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#ByuCopyright2015

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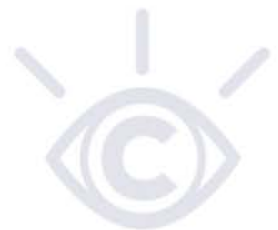


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# Coursepack Cases

- [Basic Books v. Kinko's Graphics](#), 758 F. Supp. 1522 (S.D.N.Y. 1991)
  - Kinko's copied excerpts without permission, compiled them into course "packets," and sold them to college students
  - NOT fair use



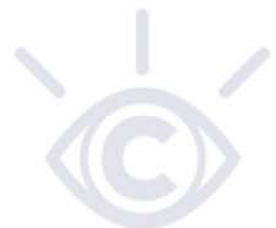
# Coursepack Cases

- [Princeton University Press v. Michigan Document Services](#), 99 F.3d 1381 (6th Cir. 1996)
  - Commercial copyshop reproduced substantial segments of copyrighted works of scholarship, bound the copies into coursepacks, and sold them to students
  - NOT fair use



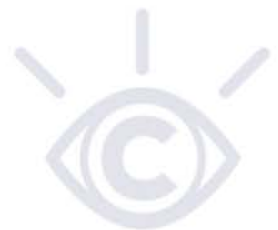
# Coursepack Cases

- [Blackwell Publishing v. Excel Research Group](#),  
661 F. Supp. 2d 786 (E.D. Mich. 2009)
  - Excel accepted selected readings from professors, retained a master copy, and handed the master to students who requested it and who confirmed in writing that they were a student enrolled in the course
  - NOT fair use



# Electronic Reserves Case

- [Cambridge University Press v. Patton](#), 769 F.3d 1232 (11th Cir. 2014)
  - Georgia State University, a nonprofit educational institution, reproduced copyrighted works for electronic reserves
  - FAIR USE



# Electronic Reserves Case

- [Cambridge University Press v. Patton](#), 769 F.3d 1232 (11th Cir. 2014)
  - CAVEAT: “When the GSU bookstore assembles and sells a paper coursepack containing excerpts from copyrighted works, GSU pays permissions fees for use of the excerpts.”
  - Judge Vinson Concurrence: “[T]his case arises out of a university-wide practice to substitute ‘paper coursepacks’ ... that contained *licensed* copyrighted works with ‘digital coursepacks’ that contained *unlicensed* copyrighted works.”

