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Academic Library Services and Fair Use

Allyson Mower, MA, MLIS

Head of Scholarly Communication & Copyright
Marriott Library, allyson.mower@utah.edu

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Library Services

1. Media Streaming

1. Electronic Course
Reserves

Regulations Library »

[Home](#) / [Research](#) / Policy 7-013: Copyright Policy: Copying of Copyrighted Works

Policy 7-013: Copyright Policy: Copying of Copyrighted Works

I. Purpose and Scope

To declare the university's Policy regarding compliance with U.S. Copyright Law.

This Policy applies to all University personnel (including faculty, staff, and other employees), all students, and all academic and administrative units of the University

II. Definitions

These definitions apply for the limited purposes of this Policy and any associated University Regulations. Terms used in this Policy which also are used within Title 17, United States Code (see 17 U.S.C., Section 101), are intended to have the same meaning for purposes of this Policy as they have within that Code.

- A. Audiovisual works -- are works that consist of a series of related images which are intrinsically intended to be shown by the use of machines or devices such as projectors, viewers, or electronic equipment, together with accompanying sounds, if any, regardless of the nature of the material objects, such as films or tapes, in which the works are embodied.
- B. Copies -- are material objects, other than phonorecords, in which a work is fixed by any method now known or later developed, and from which the work can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. The term "copies" includes the material object, other than a phonorecord, in which the work is first fixed.



Policy: 7-013 Rev: 3

Date: January 14, 2014

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- *as of 09/15/08

Past Versions

- [Policy 7-013 Rev 2](#)

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Core Exclusive Rights

- reproduce a work
- prepare derivative works
- distribute copies of a work
- perform a work publicly
- display a work publicly



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Fair Use

- not an infringement to use works for
 - criticism/comment/news reporting
 - teaching (including multiple copies for classroom use)
 - scholarship/research
- four things to consider
 - purpose and character of the use
 - nature of the work (fact v. fiction)
 - amount used
 - effect on potential market for or value of the work



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Copyright Market Research

The Copyright Office Online Catalog will not be available between 9:00pm and 9:30pm EDT on Tuesday, October 1, 2002, for system maintenance. We apologize for any inconvenience to our users.

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Public Catalog

Copyright Catalog (1978 to present)

[Basic Search](#)[Other Search Options](#)

Search for:

Search by:

Title (omit initial article A, An, The, El, La, Das etc.)
Name (Crichton Michael; Walt Disney Company)
Keyword
Registration Number (for VAu 598-675 type vau000598675)
Document Number (for V2606 P87 type v2606p087)
Command Keyword

Scroll down for
Search Hints

25 records per page

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<http://cocatalog.loc.gov/>



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Websites for understanding how a work can be bought and sold

- Amazon
- GOBI
- canistream.it



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Websites for negotiating and paying permission

- Copyright Clearance Center copyright.com
- Directly from a publisher, producer or vendor
- Or directly from an author or creator



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Training on copyright market research resulted in more nuanced library workflow

1. Workflow for journal articles: If we own the subscription, we are fine to link to these articles. Saving the PDF and linking to it in our R: Drive is the same.
2. If we don't own the subscription, use the following options;
 - a. Use the Non-Fairuse Response template to describe the option of using Print and Mail services for a course pack if there are a number of articles needed.
 - b. Go through CCC and pay permissions with acquisitions budget for Reserve for one article.
3. Workflow for Book Chapters:
 - a. Check the Library catalog: If E-book, post to Course Reserve list, or pull book for scanning one chapter.
 - b. Check Gobi for E-book purchase: If one exists, purchase and you are done, and you can skip the rest. If no Ebook, continue rest of steps.
 - c. Copyright Clearance Center: If book is in the CCC, you will typically see "Pay per use" option, directing you to contact rights holder directly.

Media Purchase Suggestions (633)
Open (4)
Awaiting Customer
In Progress (1)
For Reserve
Contacting Faculty
Contacting Vendor (10)
Purchase Investigation (4)
Fair Use Evaluation
Prepare for Streaming (1)
Sent to Acquisitions (4)
Freely Available (112)
Purchased (No Streaming/TLT) (273)
Media Streaming Subscription (155)
Purchased (Streaming Rights) (393)
Ready for Coral
Swank (368)
Streamed (Fair Use) (609)
Unavailable
Denied



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Knowing What Professors Want

Services	<h2>Suggest A Purchase/Media Streaming Request</h2>
Academic Advising in the Library	Please use this form for one of the following reasons: 1. Recommending books, subscriptions, or other materials that you think the Marriott Library should purchase, OR 2. Requesting video or audio from the Marriott Library collection be made available through our streaming service
ARC (Automated Retrieval Center)	To suggest purchases for the Colleges of Law or Medicine, please visit their respective library websites or use the following links: S.J. Quinney Law Library Spencer S. Eccles Health Sciences Library
Borrowing and Renewals	Please note that the Suggest A Purchase form is provided as a service to students, staff, and faculty members only. In order to verify that you are a student, staff, or faculty member we require that you provide your uNID when you fill out the form. If you are a patron who is not currently affiliated with the University, you can still suggest a purchase by sending us an email . All suggestions received through this email will be reviewed, but we cannot guarantee they will be purchased, and we cannot notify you if the item arrives because our holds and notifications system is designed only to support requests that are from affiliated users who have a uNID. Alternatively, you may come to the library and speak with one of our librarians if you feel that we ought to have certain materials, and they will be able to help you with your inquiry. If you experience any trouble using this form, please contact us at 801.581.8077 for assistance.
Classes & Workshops	What We Buy: The library is able to buy most of the reasonably-priced books and audio-visual materials relevant to lower campus curriculum and research which are suggested by the University community. Journals and databases are ongoing commitments and we weigh requests for new subscriptions against the desire from other readers that existing subscriptions be continued. Materials outside Marriott Library's mission include popular fiction, how-to books, and other items not directly supporting University curriculum and research. The Marriott Library does accept suggestions for its small Browsing Collection, but your public library is often a better source. You can also get books and other materials through Interlibrary Loan , or use the Espresso Book Machine to print a variety of books on demand.
Classroom Information	Check the Status of Your Media Requests
Copy and Print	Please ensure all fields marked with an asterisk (*) are filled out.
Course Reserves - Faculty	<h3>Suggestion Form</h3>
Course Reserves - Students	Name*: <input type="text"/>
Digital Scholarship Lab	Email*: <input type="text"/>
Education Services	Phone*: <input type="text"/>
E-Publications	uNID*: <input type="text"/>
Espresso Book Machine	University Affiliation: <input type="radio"/> Faculty/Instructor <input type="radio"/> Staff <input type="radio"/> Student
Exhibitions	<small>Incorrect information above may result in processing delays or an inability for the library to process your request. Please ensure your contact information is valid before proceeding. We will use this information to notify you when your item arrives or to contact you in the event that we need more information during the evaluation process.</small>
Faculty Center	What Type of Material Are You Suggesting? <input type="button" value="Book (eBook/Print)"/> <input type="button" value="Database/Journal/Subscription"/> <input type="button" value="Media (Film/Audio)"/> <input type="button" value="Other"/>
Faculty and Instructor Resources	<small>Note: The Library cannot purchase single journal articles through this service. Requests for single journal articles should be submitted to the interlibrary loan department.</small>
Family Reading Room	
Gould Auditorium	
Graduate Student Resources	
Guest Passes	
Interlibrary Loan & Document Delivery	
BorrowItNow	
iTunes U	
Knowledge Commons	
Labs	
Library Store	
Media Streaming	
Mom's Café	
Pull Service	
Research Consultation	
Schedule a Room	

Fair Use Checklist: Purpose of the Use

Favoring Fair Use

- ☐ Teaching including multiple copies for classroom use
- ☐ Research & Scholarship
- ☐ Nonprofit educational institution
- ☐ Criticism, comment, news reporting
- ☐ Transformative changes the work for new utility
- ☐ Parody

Opposing Fair Use

- ☐ Commercial Activity
- ☐ Profiting from the use
- ☐ Entertainment
- ☐ Bad faith behavior
- ☐ Using a work intended as instructional media

Nature of the Work

Favoring Fair Use

- ☐ Published Work
- ☐ Factual or nonfiction based

Opposing Fair Use

- ☐ Unpublished Work
- ☐ Highly creative work fiction, art, music, film, play

Amount to be Used

Favoring Fair Use

- ☐ Small Quantity
- ☐ Portion used is not central or significant to the entire work
- ☐ Amount is appropriate for favored educational purpose

Opposing Fair Use

- ☐ All or large portion of work is used
- ☐ Portion is central or heart of the work



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Conclusion

- Educate professors
- Leverage your library's expertise in
 - the publishing marketplace
 - information technology
 - materials budget



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Thank you.

allyson.mower@utah.edu

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