

Essex County College College Regulation

REG 2-8 DUPLICATION OF COPYRIGHTED MATERIAL

Purpose:

To establish guidelines to ensure that the College is in compliance with federal copyright laws and the licensing agreements governing the use of copyrighted computer software.

Definition(s):**Application:**

1. Copyright is a form of protection provided by the laws of the United States to the authors of "original works of authorship" including literary dramatic, musical, artistic and certain other intellectual works. This protection is available to both published and unpublished works. The copyright act generally gives the owner of the copyright the exclusive right to do and to authorize others to reproduce copyrighted work or prepare derivative works. It is illegal for anyone to violate any of the rights provided by the Act to the owner of the copyright.
2. The responsibility for securing written authorization for reproduction of copyrighted works or the preparation of derivative works is the obligation of the individual requesting duplication production. Compliance with software usage license agreements is the responsibility of the individual in single station usage, or the appropriate administrator for office wide or laboratory usage of computer software.
4. The responsibility for securing copyright owner permission applies equally to materials duplicated on self-use equipment made available by the College and to service facilities of Auxiliary Services, Learning Resources, and Media Production and Technology or on computers owned by the College. A copyright warning will be displayed near each self-use device. The College shall be required to maintain software license agreements for all software in use.
5. Where reproduction services are provided by the College, such services shall be provided only if:
 - (a) The individual making the request has secured the permission of the copyright owner and presents a copy of such permission attached to the service request, or
 - (b) The requestor certifies in writing on the appropriate request form that he or she has secured the permission of the copyright owner, or
 - (c) The requestor certifies that his/her use/reproduction of the copyrighted material falls within the specified exemptions from copyright liability within the prevailing Copyright Statutes, and the requestor assumes personal, legal and financial responsibility for any copyright infringement which may result from his/her use/reproduction, whether innocent or intentional, thus holding the College harmless for any of its acts in compliance with the request.
6. All requests for reproduction of copyrighted materials shall be made personally by the individual requesting the service and must be approved in writing by the requestor's department administrative head.

Responsible Official(s):	Reference: <i>17 U.S.C. 101 et seq.</i>
Regulation History: App. 11/93, Rev. 10/01, 7/11, 3/17	Attachment(s):