

# Texas Woman's University

## Library Policy Manual

**Policy Name:** Library Copyright Policy

**Last Library Review:** April 2023

**Next Library Review:** April 2024

### Purpose

The purpose of this policy is to provide basic information about copyright.

**Note:** Access, availability, usage, and occupancy limits may be changed in accordance with University guidelines regarding health and safety.

### Definitions: For the purpose of this policy

**Copyright** – a form of intellectual property law, protects original works of authorship including literary, dramatic, musical, and artistic works, such as poetry, novels, movies, songs, computer software, and architecture. Copyright does not protect facts, ideas, systems, or methods of operation, although it may protect the way these things are expressed. ([Copyright.gov](http://Copyright.gov)).

**Fair use** – a legal doctrine that promotes freedom of expression by permitting the unlicensed use of copyright-protected works in certain circumstances. [Section 107 of the Copyright Act](#) provides the statutory framework for determining whether something is a fair use and identifies certain types of uses—such as criticism, comment, news reporting, teaching, scholarship, and research—as examples of activities that may qualify as fair use. ([Copyright.gov](http://Copyright.gov))

**Public Domain** – a work that is free for use by anyone for any purpose without restriction under copyright law. ([Creativecommons.org](http://Creativecommons.org))

### Policy

The Libraries follow the University's Intellectual Property Policy that refers to copyright.

<https://servicecenter.twu.edu/TDClient/1956/Portal/KB/ArticleDet?ID=79942>

The purpose of copyright law is to give protection, for a limited time, to authors of original works both published and unpublished.

The exclusive rights of a copyright owner, as outlined in the United States Code (title 17) are:

- To reproduce the work in copies or phonorecords;
- To prepare derivative works based upon the work;
- To distribute copies or phonorecords of the work to the public by sale or other transfer of ownership, or by rental, lease, or lending;
- To perform the work publicly, in the case of literary, musical, dramatic, and choreographic

- works, pantomimes, and motion pictures and other audiovisual works;
- To display the work publicly, in the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial, graphic, or sculptural works, including the individual images of a motion picture or other audiovisual work;
  - In the case of sound recordings, to perform the work publicly by means of a digital audio transmission.

It is illegal for anyone to violate any of the rights provided by the copyright law to the owner of copyright. These rights, however, are not unlimited in scope. Sections 107 through 121 of the 1976 Copyright Act establish limitations on these rights. One major limitation is the doctrine of “fair use”. Fair use or section 107 of the Copyright Act allows reproduction and other uses of copyrighted works for purposes such as criticism, comment, news reporting, teaching, scholarship and research. The Fair Use Doctrine is probably the most important exemption to copyright protections for educational settings, allowing many uses of copyrighted works for the purposes of teaching and research.

### **Library Guidelines**

1. Students should follow copyright policy when scanning, copying and printing.
2. Library printers, copiers, and scanners have a copyright notice on them to remind users.
3. Copyright protection exists for works regardless of its format (print, electronic, blog, social media).
4. The Internet is not the public domain.
5. Always cite the source of your information.

### **Review:**

The Library’s Policy Work Group will review this policy with recommendations forwarded through normal administrative channels to the Dean of Libraries.