



J. Willard Marriott Library

THE UNIVERSITY OF UTAH

Copyright Policy and Its Implementation at the U of U



What Do Libraries Do?

1. Model respect for copyright
2. Encourage respect for copyright
3. Model firm assertion of fair use rights
4. Encourage firm assertion of fair use rights
5. Help answer copyright questions and resolve issues
6. Work with campus legal office as needed



Your OGC Is Your Friend

- Expertise
- Alignment
- Backup
- Confidence (on the campus' part)



University of Utah Copyright Policy

UU Policy 7-013

<https://regulations.utah.edu/research/7-013.php>



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




[Policy: 7-013](#)


Date: Jan



D. Fair use -- is a reasonable noninfringing use, including reproduction, of copyrighted material for such Purposes as criticism, comment, news reporting, teaching, scholarship or research, as determined from consideration of all relevant circumstances, including (1) the Purpose or character of the use, e.g., for commercial Purposes or for nonprofit educational Purposes, (2) the nature of the copyrighted work, (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole, and (4) the effect of the use upon the potential market for or value of the copyrighted work.



C. Copying for Academic Use



The reproduction or phonorecording of copyrighted works for academic purposes, such as criticism, comment, teaching, scholarship, or research, is permitted, if fair use standards for permissible copying are observed: The factors to determine and document whether a use is fair include:

1. Purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
2. Nature of the copyrighted work; Amount and substantiality of the portion used in relation to the copyrighted work as a whole; Effect of the use upon the potential market for or value of the copyrighted work.

D. Digital Content and Transmission for Teaching

1. Digital content which includes any copyrighted work may be digitally transmitted (shared) among course instructors and students enrolled in a particular course offered by the University, under the following conditions:
 - a. The use of the copyright work constitutes a fair use,
 - b. Access to the digital content is limited only to those students enrolled in the course for which the content has been obtained and only during the semester or other pertinent time period the course is offered; and
 - c. access to the digital content is controlled by password protection or an equivalent security measure.

E. Copying by University Libraries

1. General reserve desks may circulate single reproduction copies of library-owned copyrighted materials, provided that in the preparation of such circulating copies, library personnel do not exceed the standards for permissible copying under the law of fair use.
2. With respect to interlibrary loans, university libraries as borrowing libraries shall keep and retain records of filled loan requests for three full years following the end of the calendar year in which the requests were made in order to insure that during said period of three years:
 - a. The library did not request and receive more than five articles from any copyrighted periodical title published within the five years immediately prior to the date of a request; and
 - b. the library did not request and receive more than five copies of or from any given copyrighted work, including a collection of copyrighted works, during the entire period such material was protected by copyright.
3. University libraries as lending libraries may make isolated and unrelated reproductions of a single copy of the same copyrighted materials on separate occasions as long as the libraries and their personnel are not aware of and have no reason to believe they are engaging in related or concerted reproduction of multiple copies.
4. University libraries shall refuse:
 - a. to fill an interlibrary loan request where prior contractual obligations prohibit copying of such copyrighted material;
 - b. to honor a request from a borrowing library which has not verified on its order form that the request conforms to the copyright law and guidelines.
5. For the purpose of preserving and maintaining library collections, university libraries are permitted to make: