COPYRIGHT OWNERSHIP & USE POLICY

1. PURPOSE OF THE POLICY

The purpose of this policy is to define ownership and use of copyrightable works created by or for the Utah Library Association ("ULA"). This policy also sets expectations and requirements for individuals participating in ULA events. This policy applies to all ULA personnel, including ULA’s officers, directors, and other representatives ("ULA Representatives") and to individuals participating in ULA events or using ULA resources.

2. MISSION OF UTAH LIBRARY ASSOCIATION

ULA serves as a member organization to provide professional development, educational, and networking opportunities for librarians and information professionals in the State of Utah and to advocate on behalf of all Utah libraries, librarians, and information professionals.

3. COPYRIGHT OVERVIEW

Copyright protects the creators of original literary, dramatic, musical, artistic, and certain other intellectual works (Title 17, *U.S. Code*). The protection extends to both published and unpublished material. "Section 106 of the 1976 Copyright Act generally gives the owner of copyright the exclusive right to do and to authorize others to do the following" (*Copyright Basics*, US Copyright Office):

- To *reproduce* the work
- To *prepare derivative* works
- To *distribute* copies of the work
- To *perform* the work publicly
- To *display* the work publicly
- To *transmit* recordings of a work
4. GENERAL OWNERSHIP RULES FOR ULA WORKS
   A. ULA reserves all copyrights in the works it owns.
   B. ULA’s copyrighted works are controlled though ULA’s Officers and Board of Directors.
   C. To the extent permitted by the US Copyright Act, works created for ULA by ULA Representatives will be owned by ULA as works made for hire under the US Copyright Act. To the extent a work created for ULA by a ULA Representative does not qualify as a work made for hire under the US Copyright Act, the work should be the subject of a written agreement whereby the ULA Representative may be required to assign all rights in the work to ULA.
   D. Works created by third-party independent contractors for ULA may, in some cases, also be works made for hire. Prior to engaging any independent contractors, confirm and secure ULA’s copyright ownership in the contractor’s work product.
   E. Do not allow others to use ULA copyrights without appropriate internal approval. If a third party requests a license or permission to use any ULA copyrights, please contact ULA’s Executive Director.
   F. The appropriate copyright notice should be included on all ULA copyrighted works, whether registered or unregistered. These include websites, apps, software, artwork, advertising, marketing and promotional materials, and product packaging and labels. In general, the copyright notice should comply with the following template: © [year of creation] by Utah Library Association. Please contact ULA’s Executive Director to confirm the correct content and placement of the copyright notice.

5. PROPER USE OF THIRD-PARTY COPYRIGHTS
   A. ULA Representatives and participants in ULA events may sometimes choose to use third-party copyrighted works. It is against ULA policy for any ULA Representative and any others participating in ULA events to copy, scan, digitize, distribute, broadcast, perform, excerpt, modify, translate, or otherwise use any third-party copyrighted works in violation of copyright laws.
   B. Use of third-party copyrighted works generally requires permission or a license.
   C. Do not assume that the use of a third-party copyrighted work will qualify as fair use. ULA suggests using permission free or openly licensed content. For more information about the fair use doctrine see https://www.copyright.gov/fair-use/more-info.html.
   D. ULA Representatives and individuals participating in ULA events are solely responsible for obtaining all permissions and other clearances necessary prior to
their use of copyrighted content for any ULA purpose, including without limitation presentations at ULA events.

E. Do not assume that materials that are available on the internet or social media may be copied, distributed, or otherwise used without permission of the copyright owner, regardless of the ability to access, copy, or download such materials. The use of content posted on the internet or social media is also subject to the website or app provider’s applicable terms of use. Do not circumvent or otherwise impair or remove any electronic or digital copyright protection measures.

F. Providing information regarding the source, author, or owner of a work does not eliminate the need to obtain permission or a license for use of the work.

G. Registration with the US Copyright Office is not required for copyright protection. Use of a © symbol or copyright notice may be optional for copyright protection of a work. Do not assume that materials without a © symbol or a copyright notice are available for use without permission of the copyright owner. If you are unsure whether a work is protected by copyright, assume that the work is copyrighted and obtain permission or a license prior to use.

H. If a work was created for ULA by a third-party contractor, confirm with ULA’s Executive Director that the contractor has entered into a third-party contractor agreement with ULA.

I. In the event that ULA purchases or licenses the use of certain third-party copyrighted works, ULA Representatives must comply with all terms and conditions of any applicable agreements concerning the use of those third-party copyrighted works. Confirm through ULA’s Executive Director whether the proposed use complies with these agreements.

J. Copyright best practices are available here: https://ula.org/copyright-resources/

6. PARTICIPATION IN ULA EVENTS

A. ULA event participants shall not copy, scan, digitize, distribute, broadcast, perform, modify, translate, or otherwise use any third-party copyrighted works in violation of copyright laws.

B. ULA event participants are solely responsible for obtaining all permissions and other clearances necessary prior to their use of copyrighted content in association with ULA events. Any person using copyrighted content in association with a ULA event is also responsible for obtaining all permissions and other clearances necessary to allow ULA’s use of the content in association with the ULA event, including without limitation ULA’s reproduction and distribution of presentation slides and ULA’s recording of the event and the rebroadcast and distribution of the event recording.
C. By presenting material at a ULA event, the presenter represents that the material does not infringe upon or violate any copyright, trademark, trade secret, or other intellectual property of others. All presenters are responsible for their own use of copyrighted content and all other material contained in the presentation.

D. Any recordings of ULA educational events, including the annual conference, fall forum, or any webinars ULA hosts shall be the property of ULA. If the ULA event will be recorded by an independent contractor, a ULA Representative should confirm and secure ULA’s copyright ownership in the contractor’s work product.

E. Presentation materials shall not include any material that is obscene, libelous, in violation of any right of privacy or publicity, or harmful, or that would subject ULA to liability to any third party or is otherwise contrary to law.

F. All statements in presentation material asserted as facts must be true and based on the presenter’s investigation and generally accepted research practices to confirm their accuracy.

G. By participating in a ULA event, presenters grant to ULA the right to use their name, image, likeness, and biographical information in association with the event.

H. ULA makes audio or audiovisual recordings of some ULA events for later use and distribution. By participating in a ULA event, participants consent to appearing in any audio or audiovisual recording of the event and to ULA’s use and distribution of event recordings.

7. WHO TO CONTACT ABOUT THIS POLICY

A. ULA Copyright Education Roundtable http://ula.org/copyright-resources/