

# REPRODUCING COPYRIGHTED MATERIALS

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## Policy

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It is the policy of the University of Nebraska Medical Center (UNMC) to comply with the United States copyright law (Title 17 of the United States Code (<http://www.copyright.gov/title17/>), Public Law 94-533, 90 Stat. 2541 (<http://www.law.cornell.edu/uscode/text/17/101/>)) governing the making of photocopies or other reproductions of copyrighted material. Understanding this law, including the doctrine of "Fair Use" and its application and limitations in the business/educational setting by faculty members, staff, students, copy centers, and the university may help eliminate the risk of engaging in illegal photocopying. The doctrine of "Fair Use" permits the use of a copyrighted work without the copyright owner's permission in limited situations. Section 107 (<http://www.law.cornell.edu/uscode/text/17/107/>) of the Copyright Act established four basic factors to be examined in determining whether a use constitutes a "fair use" under the copyright law. These four basic factors are:

1. The purpose and character of the use (commercial or non-profit educational)
2. The nature of the copyrighted work
3. The amount and substantiality of the portion of the work used in relation to the copyrighted work as a whole
4. The effect of the use upon the potential market for or value of the copyrighted work

No one factor is determinative of a person's right to use a copyrighted work without permission. Educational use alone is not sufficient to make the use in question a fair one. If a user makes a request for, or later uses, a photocopy for purposes in excess of "fair use", that user may be liable for copyright infringement.

### Business Use

When making copies for business use, the "Fair Use" guidelines must be adhered to.

### Academic Use

In the 1976 Copyright Act (<http://www.law.cornell.edu/uscode/text/17/>), Congress endorsed certain guidelines relating to classroom copying for educational use. These guidelines are generally considered to establish minimum permissible conduct under the Fair Use Doctrine for authorized copying.

## Additional Information

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- Printing and Mail Services (<http://www.unmc.edu/printmail/>).
- Title 17 of the United States Code (<http://www.copyright.gov/title17/>)
- Public Law 94-533, 90 Stat. 2541 (<http://www.law.cornell.edu/uscode/text/17/101/>)
- Copyright Clearance Information (<https://www.unmc.edu/printmail/resource-center/copyright-policy.html>)

- UNMC Procedures on NIH Public Access Policy (<https://www.unmc.edu/vcr/rito/data-management/share/nih-data-management.html>)