SCRC Copyright & Reproduction Information

For Faculty & Instructors [1]

A primary objective of Special Collections Research Center (SCRC) is to make the materials it holds and maintains as widely available as possible for purposes of advancing scholarship. At the same time, SCRC respects the interest of creators in their intellectual property. This copyright policy is intended to ensure maximum access to materials held by SCRC while respecting the rights afforded creators under U.S. copyright laws. To this end, SCRC:

- Wherever possible **acquires through deed of gift copyright interests** in the materials owned by SCRC.
- Recognizes and makes clear to researchers that **physical ownership does not guarantee ownership of copyright**. Even when SCRC has received copyright interests in a collection through a deed of gift, this copyright ownership may not extend to all of the materials in the collection. SCRC makes this clear in its instructions to researchers, in its Copy Request form[2] and its Permission form, and through stamps and watermarks it places on copies of its materials.
- **Provides copies for researchers for purposes of “fair use”** as defined by U.S. Copyright Law, Title 17, section 107. Researchers must request copies using an SCRC Copy Request Form[2]. A separate request form is required for each collection from which a researcher requests copies. Copies will be made by SCRC employees and will be marked to show SCRC ownership. SCRC reserves the right to refuse to copy materials if it judges that doing so will violate copyright law. SCRC will limit the amount copied from any collection and total copies for any researcher.
- **May allow the use of digital cameras to make “fair use” copies.** Conditions for use of such copies as specified in this policy and SCRC forms apply also to copies made with digital cameras. Researchers granted special permission to use digital cameras must fill out applicable copyright forms in person and log the images they take. When taking pictures of SCRC materials they must include an overlay which shows SCRC ownership.
- Makes clear in its rules for researchers and duplication request forms that **receiving copies made for fair use purposes and payment made for such copies do not constitute permission to publish, exhibit, or use in any way inconsistent with “fair use.”** Permission to use in excess of “fair use” must be requested from SCRC using an SCRC Permission Form. The decision to grant such permission will be made by the Director of SCRC. Researchers may not tamper with the stamps and watermarks SCRC places on copies of its materials. When a clean copy is needed for publication or
display, SCRC will provide one for a fee and in accordance with its policies. Researchers may not deposit copies of SCRC materials in any other archives or institution.

- **Gives only one-time, non-exclusive rights to use material** as specified in all Permissions Forms when granting permission to use. SCRC also requires that when SCRC material is used, either by permission or in accordance with “fair use,” SCRC be credited using the citation format specified in its rules for researchers and forms.

- Makes clear that receiving permission to use material from SCRC does not necessarily satisfy the requirements of copyright law. Researchers must obtain permission from both SCRC and holders of copyright to publish, exhibit or use copied material in any way other than for “fair use.”

- Will try to determine copyright status of materials it holds when it can reasonably so do within the framework of its overall mission of preserving and making these materials accessible to researchers. But the burden for determining copyright status and obtaining appropriate permissions for purposes of publishing or other uses beyond “fair use” falls entirely on the researcher. By signing the Permission To Use form, the researcher defends, indemnifies, and holds harmless Morris Library, Southern Illinois University Carbondale, and the Southern Illinois University system, its officers, employees, and agents, against all claims, demands, costs, and expenses, including attorneys' fees incurred by copyright infringement or any other legal or regulatory course of action, arising from the use of Morris Library reproductions.

**Copying for Historical Preservation**

Another primary objective of SCRC is the preservation for history of the materials it owns. In the course of its preservation work, SCRC will often make copies of its materials. Such copying is done in accordance with U. S. Copyright Law, Title 17, Section 108.

**Publicity and Exhibits of SCRC Collections**

From time to time SCRC will create brochures and exhibits and undertake other activities to publicize its collections. In doing so, it will use materials from the collections. When SCRC does not own copyright in these materials, it will obtain permission to use them from the copyright holders if it deems the use of materials exceeds “fair use” under copyright law.

**Links to Help Determine Copyright**

[Copyright Term and the Public Domain in the United States (Cornell University)](http://www.law.cornell.edu/copyright/publicdomain)

[WATCH: Writers Artists and Their Copyright Holders (University of Texas at Austin and University of Reading, United Kingdom)](http://www.law.utexas.edu)
Source URL (retrieved on Feb 22 2018 - 6:42pm): http://www.lib.siu.edu/scrc-copyright

Links: