

Section: Service

Subject: Copyright, Public Performance and Licensing Agreement Compliance

Effective Date: July 21, 2004

Summary: This document outlines the guidelines for public and staff use of materials which are under Federal copyright protection, or commercial license agreements and for the use of library equipment for reproducing and transmitting such materials.

Policy:

- I. The library will comply with all relevant and applicable United States copyright laws, including Title 17 of the US Code and the Digital Millennium Copyright Act.
- II. The library will comply with all legal licensing agreements for on-line databases, software and other library materials it purchases or leases.
- III. Library equipment, including but not limited to photocopiers, microfilm reader-printers, computers, fax machines, DVD players, video players, audio-cassette players and compact disc players, shall not be used by either staff or customers to violate copyright laws or licensing agreements.
- IV. In accordance with Section 108(f)(1) of the Copyright Act, the library will post the following copyright notification on all library reproducing equipment, including but not limited to photocopiers, microfilm reader-printers, fax machines, computers, computer printers, DVD players, video players, audio-cassette players, and compact disc players available for unsupervised customer use:

“Notice: The copyright law of the United States (Title 17, US Code) governs the making of photocopies or other reproductions of copyrighted materials. The person using this equipment is liable for any infringement.”
- V. Nothing in the above provisions forbids library staff or customers from reproducing materials in accordance with the doctrine of Fair Use as outlined in US Code Title 17, Section 107.
- VI. The Olathe Public Library will adhere to the provisions of US Code 17, section 108 (d) (e) and (g) and the guidelines of the National Commission on New Technological Uses of Copyrighted Works (1979) in requesting photocopies of periodical articles through the interlibrary loan system.



ADMINISTRATIVE POLICY MANUAL

Document Number: 30-021-00

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- VII. Many of the audio-visual materials the library purchases do not have public performance rights. The library will not use these materials in ways that violate this purchase agreement. Items without public performance rights are for personal and home use only.