

## Copyright Information Sheet Library Reserves

The copyright law grants owners of copyright (publishers, authors, photographers, etc.) the intellectual property rights that control how others may distribute, reproduce, perform, or display works copyrighted in their name. Owning a copy of a book or periodical article does not automatically give the possessor the rights to copy and distribute it.

While many written works will clearly state copyright ownership, the presence of copyright information on a work is not necessary for copyright protection. Works created on or after January 1, 1978 are protected by copyright from the date of creation until *seventy* years after the author's death. For anonymous works or works created as part of instruction, such as tests or answer keys, the copyright extends for *120* years. For works created prior to January 1, 1978, there is a twenty-eight year copyright with a possible renewal to 67 years.

The classroom and reserve use of copyrighted materials is allowed in situations where brevity, spontaneity, and the lack of a cumulative effect can be shown. In other words, a work may be used if it is brief (e.g., a chapter of a book), topical (an article from a recent journal, or a reading included at the last moment), and does not take the place of purchasing the work in question. Other uses of copyrighted materials require advanced permission by the copyright holder. Multiple copies of a work and the use of copies for more than one class or for more than one semester without the permission from the copyright holder may constitute copyright infringement. The statutory damages for infringement on copyright can reach as high as \$10,000 per instance of infringement.

The University Libraries will accept materials as listed in the Reserve Guidelines. Any multiple copies over the number considered "fair use" by the libraries and copies submitted for more than one semester must be accompanied by written letters of permission by the copyright holder.

### WHEN PUBLISHER'S PERMISSION IS REQUIRED FOR RESERVE

Situation	Written permission required?
Single copy, one semester	No
Multi-copies, one semester	No (if within Reserve Guidelines); If more copies are needed - yes
Single copy, multiple semesters	Yes
Multi-copies, multiple semesters	Yes
Course packets, anthologies	Yes - all copyright holders with works in the packet

You may obtain copyright permission in several ways. If you would like to create a course packet, the University Bookstore will assist you in obtaining copyright permission for the items in the packet. You may also obtain permission by directly contacting the copyright owner. Often the owner is named in a formal notice on the original work; however, if the information is not available, contact the author or publisher. The Copyright Clearance Center (CCC - <http://www.copyright.com>) will also act as an agent in obtaining copyright permission. Additional information on copyright is available at <http://lcweb.loc.gov/copyright/>.

Attached is a sample letter that you may adapt when requesting permission to use copyrighted materials. By confirming the copyright ownership in advance, you may save yourself valuable time. You may also wish to supply a fax number in order to speed up the process. Precisely describe the use of the material so that the request encompasses all of your possible needs. Many times a copyright owner will give permission for the use of materials in a library setting free of charge; however, please be aware that permission may not be granted or may be granted for a fee.

Sample  
Permission Request Letter

[Date]

[Name & Address of copyright owner]

Dear [title, name]:

[If you called first - This letter will confirm our recent telephone conversation.] I am [describe your position] at the University of Arkansas, Fayetteville. I would like to request permission to [ explain your intended use in detail, e.g.,place an item on library reserve] for [course information, e.g., course name, when course is offered, number of semesters needed]. The materials are intended for nonprofit educational use, and I would be grateful if you could authorize their use without a fee. Each copy will bear a notice of the copyright in the name of [copyright owner].

[Insert full citation of the work including author, title, copyright date, page numbers].

[Insert number of copies you intend to make]

[Describe in detail how the copies will be used and distributed]

Please indicate your approval of this permission by signing the letter where indicated below and returning it to me as soon as possible. Your signing of this letter will also confirm that you own the copyright to the above described material.

Thank you for your prompt consideration of this request.

Sincerely,

[your name and signature]

PERMISSION GRANTED FOR THE USE REQUESTED ABOVE:

[Type name of addressee or company]

By:

Title:

Date: