

Draft Policy for Systemwide Review

Policy Title: University of California Policy on Copyright and Fair Use

Responsible Officer:	Provost and Executive Vice President – Academic Affairs
Responsible Office:	Academic Planning, Programs & Coordination
Origination Date:	April 29, 1986
Date of this Revision	TBD, 2014
Scope:	Faculty, academic appointees, staff, and students.

I. POLICY SUMMARY

It is the policy of the University to encourage the wide dissemination of information and knowledge for its teaching, research, and public service mission, while also complying with copyright law.

II. DEFINITIONS

N/A

III. POLICY TEXT

Faculty, staff, and students of the University of California may wish to use materials created by other people for the purposes of teaching, learning, research, or public service. The University encourages the appropriate use of such material within the restrictions and permissions of the United States Copyright Law.

Copyright is a property right guaranteed in the United States Constitution to creators of original works. Content creators are granted certain exclusive rights with respect to their work, including the right to reproduce, modify, distribute, perform, display, and publicly perform their work in all media. Because these rights are exclusive, content creators may also prohibit others from using their work without permission. The University strongly believes that the right of content

creators to control the use of their work is vital in maintaining a free flow of ideas in our society.

However, copyright law also provides a limited right to reproduce, modify, distribute, display, and publicly perform works created by others for certain purposes including, for example, criticism, comment, news reporting, teaching, scholarship, or research, among others. This right is known as fair use. The University also strongly believes that the right of content consumers to access copyrighted works under fair use to further disseminate knowledge is paramount for the promotion of academic freedom, creative expression, education and instruction, and ultimately, the full participation by all members of society in furthering the pursuit of knowledge.

The University has a societal obligation to promote the wide dissemination of information and knowledge to and among its students and faculty, as well as the public at large, as part of its overall educational and research mission. The University encourages both respect for the copyrights of content creators as well as the thoughtful invocation of fair use principles by content consumers within the bounds set forth in U.S. copyright law to support those goals.

Whether a particular use of copyrighted content constitutes fair use is outside the purview of this policy statement. General copyright advice is available at <http://copyright.universityofcalifornia.edu>, and the University encourages all members of the University community to review that information and to contact their campus counsel office or the Office of General Counsel when further advice may be needed.

IV. RESPONSIBILITIES

N/A

V. PROCEDURES

See the UC Copyright Website: <http://copyright.universityofcalifornia.edu>

The University encourages all members of the University community to review the information on the website, and to contact their campus counsel office or the Office of General Counsel when further advice is needed.

VI. ADDITIONAL CONTACTS

Subject	Contact	Phone	Email
UC Copyright Policies	Joanne Miller	(510) 587-6141	joanne.miller@ucop.edu

Academic Copyright	Katie Fortney	(510) 987-9371	katie.fortney@ucop.edu
Copyright	Angus MacDonald	(510) 987-9737	angus.macdonald@ucop.edu

VII. RELATED INFORMATION

Related Policies:

UC Copyright Ownership Policy

(<http://policy.ucop.edu/doc/2100003/CopyrightOwnership>)

Ownership of Course Materials Policy

(<http://policy.ucop.edu/doc/2100004/CourseMaterials>)

Digital Millennium Copyright Act (<http://policy.ucop.edu/doc/7000472/DMCA>)

UC Open Access Policy (<http://osc.universityofcalifornia.edu/open-access-policy/>)

VIII. FREQUENTLY ASKED QUESTIONS

N/A

IX. REVISION HISTORY

This policy was originally issued in 1986 with pages of attached guidelines.

This revised version was issued in _____, with guidelines available on the UC Copyright Website.