

Auburn University Libraries
Policy for E-Reserve Copyright Compliance

Auburn University recognizes and respects intellectual property rights. All library department and Web page authors need to be aware of how intellectual property laws, regulations, and policies apply to the electronic environment while respecting the property of others.

Section 107 of the Copyright Act:

Sec. 107. - Limitations on exclusive rights: Fair use

Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include -

- (1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- (2) the nature of the copyrighted work;
- (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (4) the effect of the use upon the potential market for or value of the copyrighted work.

The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors

Information For Copyright Permission:

[AcqWeb's Directory of Publishers and Vendors](#)

A copyright permission [form letter](#) is available online or can be obtained from the Electronic Reserve Desk in the Systems Dept.

[Books In Print Publisher Information](#) - Available from our list of online databases.

Links/References:

[Auburn University Copyright Regulations](#)

[United States Copyright Office](#)

Copyright Issues and Information

Password Protection

Access to e-reserve materials can be limited by password protecting the course page. **All copyright protected material must be password protected.** The password will be restricted by the instructor to the students currently enrolled in the course. **COURSE PASSWORDS MUST BE CHANGED EACH TERM.**

As a matter both of moral integrity and of adherence to U.S. copyright law, Auburn University Libraries set forth these policies for all to demonstrate our respect for intellectual property and compliance with the law:

I. General Works

1. Materials that are placed on E-Reserve will be posted for no more than one semester. If continued classroom use is required, copyright clearance should be sought to provide the author with the recognition they require.
2. E-reserve materials may include short items, generally no more than one chapter or less than 15% of a book, one journal article from a particular issue or no more than 3 articles from a particular volume, one poem from a collected work. Copyright permission is required for items that do not fall under the above guidelines.
3. All materials placed on e-reserve must have a full bibliographic citation clearly written or typed on the first page. A copy of the copyright statement must also be included. (Some journal articles have the copyright included with the article while other articles only have copyright statements at the beginning of the journal. In both cases, the copyright statement **MUST** be submitted with the article. This also applies for chapters from a book. The copyright statement found at the beginning of the book must be included.)
4. E-reserve is not a substitute for course packs. E-reserve material should be a small portion of the total assigned reading material for a particular course. Amounts that exceed this may be suitable for inclusion in course packs, for which royalties might be paid to copyright holders.
5. Proper permission must be obtained for all student work on E-Reserve. Faculty wanting to post student papers or past test answers (e.g. essays) will first have to obtain written consent from the author before the work will be posted. This includes works that have had the name removed. If copyright permission has been attained, proper attribution must also be made. For students wanting their name withheld, written consent must still be obtained, and the work will be placed anonymously on E-Reserve with a written statement claiming "submitted anonymously."
6. Electronic reserve materials that have been previously listed for a specific course will not be reposted for that course until copyright permission is obtained.

7. All materials will be deleted 30 days after the final of the term ending. Only personal materials or those materials with copyright permission can be left on e-reserve for more than one semester.

II. Video

1. The instructor must supply an original copy or use an original library copy for E-Reserve for video excerpts. All videos obtained by other means should be used in class only.
2. No more than 10% or 3 minutes of a video may be used from the original work, unless copyright approval has been obtained.
3. Electronic reserve materials that require copyright permission will not be posted until permission is obtained.
4. All materials will be deleted 30 days after the final of the term ending. Only personal materials or those materials with copyright permission can be left on e-reserve for more than one term per academic year.

Fair Use Guidelines for Educational Multimedia

III. Music

According to the Music Librarians Association (MLA), Music educators cannot effectively teach the structure of a musical work without providing aural access to the complete work. Attempting to comprehend an entire musical composition through excerpts, or even sections, is no more effective than attempting to comprehend a novel, architectural plan, poem, or painting in the same manner. At best, only a sense of style is conveyed, not, compositional structure.

It is for this reason, Auburn University Libraries feels it would best serve its patrons by following the standards and guidelines set by the MLA. A more detailed listing of those guidelines can be found by following the link below.

[MLA Digital Transmission of Electronic Reserves Guidelines](#)

Submission Guidelines for E-Reserve Materials

- Completed E-Reserve forms and the corresponding materials must be submitted to the E-Reserve desk in the Systems Dept. on the 1st floor of RBD Library.
- Materials should be submitted at least 3 weeks prior to the beginning of a semester. For materials submitted during the semester, please submit materials one week prior to the needed posting date of any material. Requests are processed as quickly as possible in the order they are received.

- Fill out forms **completely** and submit with the reserve materials. A Copyright Compliance Form (when applicable) and a Course Information Form must be submitted for each course. New forms must be submitted every term. Forms are available at the E-reserve desk. Printable forms are available online: [E-reserve Request Forms](#) in both HTML and .pdf file format. The .pdf file can be filled out online.
- You will be notified when the material has been placed on E-Reserve. Please wait for this notification before informing students that the material is available.
- Your original copies will be returned to you by campus mail after the material has been posted to e-reserves.
- Documents longer than 15 pages may be divided into multiple files to facilitate access.

B. Formats:

1. Electronic Files

- Materials may be submitted in the following formats: .pdf (Acrobat), .xls (Excel), .doc (MS Word), .ppt (Power Point), text, .gif, .jpg, and html.
- Materials that are already in an electronic format can be submitted on disk or CD-Rom along with the necessary completed and signed forms to the E-reserve Desk.
- Materials that are already in an electronic format can also be emailed to elersv@auburn.edu. When e-mailing materials, please include a completed copy of the required E-Reserve forms.
- Materials must have a full bibliographic citation clearly written or typed on the first page. A copy of the copyright statement must also be included.

2. Photocopies

- Bring your photocopies with the necessary completed and signed forms to the E-reserve Desk.
- Supply a clean, first generation copy without a black margin.

- Provide copy with the least possible shadow in spine. To reduce shadowing, turn the book so that the copier light runs down the spine instead of across the spine.
- Copies should be made using a single page orientation (portrait or landscape).
- Be sure that all of the text is on the copy.
- Copies should be supplied on 8 ½ x 11 paper. Maximum page size is 8 ½ x 14.

3. Books, Journals

- Bring the book(s) or journal issue(s) to the E-reserve Desk along with the necessary completed and signed forms.
- Allow an extra 1-2 days of processing time if the E-Reserve staff is to photocopy the material before scanning it and placing it on E-Reserve.

4. Links

- Links to web sites can be added to course pages by providing the complete URL.

Please send any questions or concerns regarding E-Reserve to eleresv@auburn.edu or call 4-1794. Thank You for your cooperation.