Final Draft 11/18/04

SEATTLE UNIVERSITY COPYRIGHT POLICY

A. **Effective Date**. The effective date of this policy is November 1, 2004.

B. **Basic Statement of Copyright Policy**. It is the policy of Seattle University to comply with the copyright laws of the United States. Before copying or using copyrighted materials, each member of the University is expected to review and follow the requirements included in this policy and in the related University policies listed in Exhibit 1. Each member of the University is also expected to consult the Seattle University Copyright Guidelines ("Guidelines") and the recommended resources provided in Appendix 1 to the Guidelines before copying or using copyrighted materials. In all cases of doubt, the University counsel should be consulted.

C. **Policy Update Schedule**. This policy and the Guidelines reflect the laws as of November 1, 2004. The policy and Guidelines may be updated from time to time when significant changes occur in the copyright laws.

D. **Policy Implementation**. This policy and the Guidelines are intended to be posted prominently on the Univdistributed electronically to all m

embers of the University community once per academic year. Forms for ordering copies for distribution or retention using the University's Reprographic Services (or other dedicated copy centers) will include a representation by the individual that the requested copying conforms to this policy and the Guidelines.

E. **Posted Notices**. The University will post notices reflecting this policy at libraries and near computer and photocopying equipment that may be used for reproducing copyrighted materials. The proper form of notice is as set forth in the Guidelines.

F. **Scope of Policy**. The specific guidance provided in the Copyright Policy includes:

1. Basic statement of copyright policy;
2. Copyright clearance;
3. Guidance for using materials for academic purposes with and without permission pursuant to the fair use doctrine, other statutes, case law and regulatory law; and
4. Defenses to infringement claims.

This policy reflects only an overview of copyright laws and rules and is intended to direct members of the University community to recognized sources of current and accurate copyright law and guidelines. Each section provides an overview of the policy, rules, laws and regulations with which members of the University community are required to comply. Copyright law often develops more rapidly than the official written

policy can be updated. Therefore, the University also recommends consulting, first, the Guidelines and, second, Appendix 1 to the Guidelines. The Guidelines provide references, laws and rules applicable by type of media and type of educational activity. Appendix 1 provides recommended copyright resources specific to academia. Seattle University's Lemieux Library and Law Library may provide print and online resources that complement the information provided in this Policy, its links, and its companion Guidelines. In all cases of doubt, the University counsel should be consulted.

G.   **Obligations of Members of the University Community.**

1.   **Supplemental Departmental Procedures.** Wherever necessary or useful, academic units, libraries, and other University departments should develop their own supplemental procedures, consistent with this policy and other relevant University policies, for handling copyright compliance, particularly the obligations identified in this Section G.

2.   **Copyright Clearance**

(a)
(b)
(c)
(d)
(e)
(f)

the request form and retained by the copy facility or service provider. If a member of the University community makes a good faith written determination that a use is lawful under this policy and the Guidelines, the University will support that determination.

      3.   **Proper Use of Copyrighted Works**. Members of the University community should use copyrighted works properly, as summarized in this section.

            a.

            b.

                  (1)
                  (2)

                  (3)

            c.

            d.

      4.

H.

      1.

EXHIBIT 1:

SEATTLE UNIVERSITY
INTELLECTUAL PROPERTY POLICIES

This Copyright Policy incorporates the following Univer