

UNIVERSITY OF MINNESOTA

University Libraries' Copyright Standards Internal Document Delivery Services

General Information

The University Libraries provides document delivery services to current students, staff and faculty of the University of Minnesota-Twin Cities. The primary purpose is to support the teaching, research, and service missions of the University by providing access to material owned in the University Libraries' collections.

Materials may be copied and distributed through internal document delivery when they are:

1. in the public domain; or
2. used with permission from the copyright holder; or
3. used under the provisions of a contract or license agreement, noting that agreements may differ from, and often take precedence over, what is allowed under copyright law; or
4. used under the provisions of Library Copying, U.S. Copyright Act, 17 U.S.C. Section 108 or, to the extent possible for University-related instructional or scholarly purposes, under Fair Use, 17 U.S.C. Section 107, as outlined in the *classroom Guidelines*, or as determined using a case-by-case four-factor analysis

The Libraries retains the right to refuse document delivery requests on the basis of law-related or administrative concerns.

The following standards will be applied when copying copyrighted materials for internal document delivery services under the provisions of Library Copying (Section 108) and, when appropriate, Fair Use (Section 107).

User Responsibilities

- Users should request copies of copyrighted works only to serve personal study, scholarship, or research needs.
- Users should request only the amount of material needed.
- Copies of copyrighted materials made available through internal document delivery services become the property of the user and should not be reproduced for further distribution under most circumstances.*

Library Responsibilities

- The library will not make and distribute copies of copyrighted works if it has notice that the copy will be used for anything other than private study, scholarship, or research purposes.

- Copying activities will be conducted without any purpose of direct or indirect commercial advantage.
- Library staff will determine appropriate limits on materials to be copied and distributed, and will not knowingly provide to a patron more than a) a single copy of any item, under most circumstances;* and b) one article or other contribution to a copyrighted collection or periodical issue, or a small part of any other copyrighted work, under most circumstances.* The library will consult the patron in making these determinations when necessary.
- The library, under most circumstances,* will not copy musical works; pictorial, graphic, or sculptural works; or motion pictures or audiovisual works, with the exception of audiovisual works dealing with news and pictures and graphics published as illustrations, diagrams, or similar adjuncts to works that can be copied (e.g. if an article can be copied, then the illustration or diagram in the article can also be copied).
- In response to a request to copy an entire work or substantial part of a work, the library will conduct a reasonable investigation to conclude that a copy cannot be obtained at a fair market price.
- Copies made will display a notice stating that the work may be protected by copyright and, when available, the notice of copyright that appears on the original work.
- A Notice of Copyright will also be posted where requests are received and displayed on all request forms.

These standards were reviewed by the University of Minnesota's Office of the General Counsel and approved by the University Libraries' Leadership Council in February 2004.

* Exceptions may include qualifying uses for University-related instructional or scholarly purposes, under Fair Use, 17 U.S.C. Section 107.