

**Carlos Albizu University**  
**Carlos Albizu Miranda, Library**  
**Copyright@ Policy**

## **Applicability**

The Institutional Politics on Rights of Author applies to the educational personnel and no educational of the University Carlos Albizu (of here from now on in the text will refer to the name of the institution like UCA) that labored so much to complete time as part time, to the administrative personnel and to the students of the Institution

## **Objectives**

The Institutional Politics on Rights of Author has like aim give to know the scope of the Federal law, his provisions and the legal responsibility of all the university community.

## **Copyright of Author:**

The Library observes the disposals of the Law of Rights of Author that applies to institutions of upper education and libraries. These documents are the following: [Digital Millenium Copyright Act](#), [Fair use](#), [Reproductions of Copyrighted Works by Educators and Librarians](#). The Library will follow closely the events related with the just use to guarantee that the services of library are in compliance with the Law of Rights of Author of USA. The politics of the Library to provide access to materials protected by rights of author through his service of electronic reservation derives of the had in the legal use of Copyright Act of 1976 (Title 17 of the Code of the United States). The article 107 of the Law of Copyright allows on purpose the utilization of materials with rights of author for the education (including multiple copies for use in class), the scholarships and the investigation. Said copy with educational ends does not require the payment of a canon or the permission of the owners of rights of author, whenever the circumstances of the use are of just use as the determined by an examination of four factors that specify in the article 107 like the just use (fair use).

## **Fair Use**

However the provisions of articles 106 [exclusive rights on copyrighted works] and 106A [rights of certain authors to attribution and] integrity, fair use of a work copyrighted, including its use by reproduction in copies or phonograph's or by any other means specified in that section, for purposes such as criticism, comment, information, news, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. The use is just a concept that recognizes that certain uses of protected works do not require authorization by the author. Sets that use must be minimal and should not interfere with the exclusive rights of the author and should acknowledge the author of the work. The usage right is a legal doctrine that allows the public to (or college students) to make limited use of works copyrighted without permission.

### **Factors to help determine fair use:**

The following is the text of section 107 that lists the factors to help determine fair use:

1. The purpose and character of the use, including whether such use is of 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,
4. The effect of the use upon the potential market for, or value of, the copyrighted work

### **The text of section 107 then adds the following:**

1. The distinction between fair use and infringement may be unclear and not easily defined.
2. There is no specific number of words, lines, or notes that may safely be taken without permission.
3. Acknowledging the source of the copyrighted material does not substitute for obtaining permission.

### **Examples of fair use:**

1. Appointments of extracts for illustrative purposes, comments or criticisms.
2. Events of short excerpts of a work or technical school for illustrative purposes
3. Newspaper articles that illustrate the theme of the class to discuss on a single occasion.
4. News
5. To use small portions (maximum of nine copies per course).

## 6. Summary of an article that includes quotes or short lengths

### **Use of materials in the library**

The library will provide access to library resources, archives, audiovisual material which will be used only in the designated area of the library or the classroom, will facilitate the process of inter-library loans.

Use of reserve: faculty members can locate on reserve personal books that are not available in the collections and articles if they meet the fair use.

### **Materials on the Internet**

The papers published on the Internet do not lose their rights of author and subject to intellectual property protection so prior to use we must ensure that we do not violate the protection. There are sites on the Internet that allow reproduction of materials and permitted uses and thus open it on their pages.

### **Copyright protection: distance courses:**

In distance education only may show excerpts or limited dramatic works, music and audiovisual works portions. The law does not permit the reproduction or duplication of contents:

- Reservations Electronics' (electronics' on paper) or loan inters librarians (ILL).
- Access and reproduction of electronic books in collections from other institutions.
- Delivery of business documents.
- Books of text or other digital content supplied under license from the author or Publisher, unless not mediate license content by suppliers of sources.
- Conversion of analog materials to digital format, except when material is used solely for transmissions authorized, and when there is a digital version of a work that is not available or protected by technological measures.

### **Ownership works of students and faculty:**

The personal docent and students at UCA will be holders of works created in the normal course of academic activities and study, unless otherwise agreed. However, UCA will headline when these works are the product of the exercise of administrative and academic functions specifically commissioned and officially assigned by the institution, according to the provisions and scope of the existing concept of work to order, unless otherwise agreed.

## **Copies in Reservations for Teachers:**

The text of the article 107 allows the copy to teachers following the parameters established by the Federal Office of copyright in its Circular 21 (Reproductions of copyrighted works by educators and Librarians ) that, citing allows during the semester that the course:

### **I. Single Copying for Teachers**

A single copy may be made of any of the following by or for a teacher at his or her individual request for his or her scholarly research or use in teaching or preparation to teach a class:

- a. A chapter from a book
- b. An article from a periodical or newspaper
- c. A short story, short essay or short poem, whether or not from a collective work
- d. A chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper

### **II. Multiple Copies for Classroom Use**

Multiple copies (not to exceed in any event more than one copy per pupil in a course) may be made by or for the teacher giving the course for classroom use or discussion; provided that:

- a. The copying meets the tests of brevity and spontaneity defined below
- b. Meets the cumulative effect test as defined below
- c. Each copy includes a notice of copyright

For definitions and the rest of the policy please see circular: [Reproductions of Copyrighted Works by Educators and Librarians](#)

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