
5.60 COPYRIGHT

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1. Procedure

a. NDU Library serves as the source for locating copies of item needed for copyright permissions. Items are located and verified based on bibliographic lists submitted by faculty.

b. NDU Library will provide a good copy of the requested item to the copyright POC (in the college/institute).

c. The copyright POC will then submit the copy to Information Management Directorate (IMD) IMD will review the item and submit to Defense Printing Service.

d. The copyright POC (colleges/institute/directorates) will contact the copyright holders to obtain permission to reproduce material.

e. Replies from copyright holders will be received by the activity copyright POC and forwarded to RMD for payment.

2. Cost.

a. Each NDU activity will budget for its own copyright expenses.

b. Defense Printing Service upon receipt of an item will notify the activity and RMD of the cost. IMD will charge this cost against the printing account of the project sponsor.

c. RMD will make payment directly to the copyright holder and charge against the account of the project sponsor.

d. RMD will accumulate completed copyright clearances with accounting data and related papers and file as the official NDU record of completed copyright transactions. These files will be maintained in RMD for 2 years and then transferred to MDW Record Holding Area.

3. Fair Use.

a. Single Copying for Faculty - A single copy may be made of any of the following by or for a faculty member at his/her individual request for his/her scholarly research or use in teaching or preparation for a class:

(1) A chapter from a book,

(2) An article from a newspaper or periodical,

(3) A chart, picture, graph, diagram from a book, periodical or newspaper.

b. Multiple Copies for Classroom Use - Multiple copies (not to exceed in any event more than one copy per student in a course) may be made by or for the teacher giving the course for classroom use or distribution provided that:

(1) The copying meets the tests of brevity and spontaneity as defined below,

(2) Meets the cumulative effect test as defined below,

(3) Each copy includes a notice of copyright.

c. Definitions.

(1) Brevity - either a complete article, story or essay of less than 2,500 words or from any prose work not more than 1,000 words or 10% of the work, whichever is less, but a minimum of 500 words. An illustration that represents one chart, graph, picture drawing per book or periodical issue.

(2) Spontaneity - the copying is at the instance and inspiration of the individual faculty member. The decision to use the work and the moment of its use for maximum teaching effectiveness are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

(3) Cumulative Effect - The copying of material is for only one course in the school in which the copies are made.

d. For complete information on copyright each college has a Copyright POC. Please contact your college's POC for complete information.

APPLICABLE REGULATION: U.S. Code, Title 17, Copyright Law of the United States of America; AR 25-400-2, Modern Army Record Keeping System; NDU Reg 25-31, Procedures for Printing Course Materials Including Copyright Information

NDU PROPONENT: Library Director