

RUDOLF STEINER COLLEGE COPYRIGHT POLICY

Rudolf Steiner College expects that all members of the College community observe the provisions of United States copyright law. Those who disregard this policy do so at their own risk and assume all liability. This document provides guidelines for materials protected by copyright laws.

OVERVIEW OF COPYRIGHT LEGISLATION

Copyright laws were designed to promote the progress of science and the arts by securing for authors and creators the benefits of their original works. Publication is not necessary for copyright protection.

Copyright Act of 1976

Section 106 of the Copyright Act of 1976 assigns the copyright owner the exclusive rights to:

1. reproduce copies of the work;
2. prepare derivative works based on the copyrighted work;
3. sell, rent, lease, lend, or otherwise distribute copies;
4. publicly perform or show the work
5. publicly display the work

Works that are no longer, or have never been, protected by copyright are in the “public domain”, and may be copied, republished, or otherwise used.

Copyrighted works may be legally used in a limited way by educators under exemptions (§ 107-120) commonly referred to as “fair use.”

Digital Millennium Copyright Act

The Digital Millennium Copyright Act (DMCA) of 1998 addresses issues that relate to education. It establishes limits on copyright infringement liability for online service providers with colleges and universities included in this definition. It also allows libraries and archives to accommodate digital technologies for preservation of materials.

Sonny Bono Copyright Term Extension Act of 1998

This newer law extends copyright protection until seventy years after an individual authors death, and copyrights 75 to 95 years for works of corporate authorship. It also included an additional twenty years of protection for works produced before 1978.

PUBLIC DOMAIN

Works with Expired Copyrights

The copyrights issued prior to 1923 have expired and material may be copied without restriction.

Works published between 1923 and 1963 are protected for 28 years and can be renewed for 67 years, if they were published with a notice.

Works published between 1964 and 1977 are protected for 28 years, and the copyright has been automatically extended for 67 years.

It should be assumed all works dated 1923 or later are covered by a valid copyright, unless information to the contrary is obtained from the owner or the U.S. Copyright Office.

Unpublished Works

Unpublished works produced after January 1, 1978, such as theses and dissertations, are protected by the standard copyright. If such a work was not copyrighted, but was created before January 1, 1978, it is protected for the life of the author plus 70 years.

Government Publications

U.S. Federal Government publications are not protected by copyright and may be freely copied, however works not published, but only sponsored by the Federal Government may be protected by copyright. It varies from state to state whether or not state government publications are copyrighted.

COPYRIGHTS, PUBLISHING, AND INTELLECTUAL PROPERTY

Copyright ownership of manuscripts, textbooks, non-print materials, etc., produced by the individual effort of a faculty member engaged in scholarship research and discovery, as well as any associated royalties, accrue to the benefit of the author, in accordance with the established custom of colleges and universities. These created and written works are often identified as “traditional intellectual property”. Modern forms also include such items as web pages, multi-media presentations, computer programs and databases. Any incremental costs occurred in the preparation of the material should be reimbursed to the College.

Intellectual property created for administrative purposes is considered work for hire and owned by the College and may include non-scholarly data bases, web pages, computer programs, and policy documents.

If material is produced under a specific written contract, assigned project agreement, or grant, copyright ownership will be determined according to the terms of that arrangement. Assigned project refers to a College project covered by a written assignment under which the assignee is allocated time to carry out the work.