

RESPONSIBLE CONTACT: UNIVERSITY LIBRARY DIRECTOR  
POLICY IDENTIFICATION: COPYRIGHT  
EFFECTIVE DATE: 01/05/2009  
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This policy is to provide an overview of the copyright laws as it pertains to the reproduction of library materials in the L. Douglas Wilder Library and Learning Resource Center, in accordance with the Copyright Law of the United States (title 17, U. S. Code).

### Duration of Copyright

#### Works Originally Created on or After January 1, 1978

A work created on or after January 1, 1978, is automatically protected from the moment of its creation. It is ordinarily given a term enduring for the author's life plus an additional 50 years after the author's death.

#### Works Originally Created Before January 1, 1978, But Not Published or Registered by That Date

The duration of copyright in these works will generally be life of the author plus 50 years. The law provides that in no case will the term of copyright for works in this category expire before December 31, 2002. Works published on or before December 31, 2002 will not expire before December 31, 2027.

#### Works Originally Created and Published or Registered Before January 1, 1978

Under the law in effect before 1978, copyright was secured either on the date a work was published or on the date of registration if the work was registered in unpublished form. Copyright endures for a first term of 28 years from the date it was secured. The current copyright law has extended the renewal term from 28 to 47 years for copyrights that were subsisting on January 1, 1978, making these works eligible for a total term of protection of 75 years.

Public Law 102307, enacted on June 26, 1992, amended the 1976 Copyright Act to extend automatically the term of copyrights secured between January 1, 1964, and December 31, 1977, to the further term of 47 years.

## Fair Use

The following is the full text of the Fair Use statute from the U.S. Copyright Act.

Section 107 of the Copyright Act of 1976. Limitations on Exclusive Rights: Fair Use. Notwithstanding the provisions of sections 106 and 106A, the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified in that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright.

In determining whether the use made of a work in any case is a fair use the factors to be considered shall include

- The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes;
- The nature of the copyrighted work;
- The amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- The effect of the use upon the potential market for or value of the copyrighted work.
- The fact that a work is unpublished shall not itself bar a finding of fair use if such finding is made upon consideration of all the above factors.

## Unsupervised Reproductions

Copyright infringement may not be imposed on a library or its employees for unsupervised use of copying equipment located on its premises provided that the equipment displays a notice that making copies may be subject to copyright law. (17 U. S. Code) Wilder Library currently and will continue to display these notices.