Digital Collections Center Copyright Policy

The Digital Collections Center provides digitization services for the Furman community, and will digitize materials on request in compliance with copyright law. Furman University recognizes the value and importance of intellectual property as protected by copyright and complies with the intent and provisions of copyright law as set forth in U.S. Code Title 17, and Furman University Copyright Policy 189.2.

The copyright status of items/collections must be evaluated prior to digitization. Evaluation of copyright is the responsibility of the faculty member and/or department requesting digitization. Resources, tools, and advice for evaluating copyright will be supplied by the University Copyright Resource Office and Digital Collections Center as needed.

In Copyright Items

There are two categories of in copyright digitization requests:

Digitization for research, personal, and restricted online access:
1. Items will be digitized per the Fair Use provisions taking into account:
   a) Nature of the work
   b) Nature of the copyright
   c) Amount of the original work copied
   d) Effect of the copies on the original’s market value
2. Requests for converting VHS to digital formats will comply with the VHS Digital Conversion Policy.
3. Copies of the digitized materials will be provided to the requestor and also maintained in a digital archive accessible only to the Digital Collections Center staff.
4. Items made available online (through Moodle, Box, or other restricted online access) must comply with Fair Use provisions and other copyright exemptions.

Digitization for public online access:
1. Copyright clearance and/or written permission from the copyright owner must be obtained prior to making items available online. This permission must specifically grant online access by the general public.
2. The faculty member / department requesting the digitization will be financially responsible for securing copyright permissions.
3. Items may not be transferred to other libraries, institutions, or persons unless specifically granted by the copyright holder(s).
4. The copyright status of each item will be clearly labeled in the online metadata.
5. Providing online access will confer no commercial advantages to Furman University unless specifically granted by the copyright holder(s).
No Copyright Items

Items that are in the Public Domain in the United States may be made freely accessible online to the general public. To determine if an item is in the Public Domain, see the Copyright Workform created by the ALA Office for Information Technology.

1. The faculty member / department requesting digitization and upload of materials online may not claim copyright on Public Domain materials.

2. The copyright status of each item will be clearly labeled in the online metadata.

Undetermined

When the copyright status of an item is unclear, it is for one of the following reasons:

No Known Copyright

It is reasonably believed that the Item is not restricted by copyright or related rights, but a conclusive determination could not be made.

1. For items made available online, the copyright status of each item will be clearly labeled in the online metadata record.

Copyright Not Evaluated

The copyright and related rights status of this Item has not been evaluated.

1. As noted above, items will not be digitized until the copyright status has been evaluated.