

 <p>Grossmont Healthcare District's <b>Health &amp; Wellness Library</b> An East County community resource</p>	Policy No: LIB-05	Page 1 of 2
	Title: LIBRARY COPYRIGHT POLICY	
Policies and Procedures Manual	Last Board Approval Date:	

**NOTICE: The copyright law of the United States (Title 17, U.S. Code) governs the making of photocopies or other reproductions of copyrighted material. The person using the Library's equipment is responsible for any infringement.**

**COPYRIGHT AND FAIR USE POSITION STATEMENT:** Grossmont Healthcare District's Health and Wellness Library supports the Medical Library Association's position that the rights of users to copy materials for their own education and research are guaranteed under the fair-use clause of the copyright law. The following is a synopsis of that position:

Fair use: Congress codified fair use in Section 107 of the Copyright Act of 1976, which allows reasonable use of a work without permission for specified purposes, including scholarship, teaching, and research.

Factors constituting fair use: To promote the advancement of knowledge, the copyright law seeks to balance the rights of the author or owner of a work and the rights of users. Four factors determine what constitutes fair use:

1. *The purpose and character of the use, including whether it is for commercial or non-profit educational purposes.* The Medical Library Association (MLA) supports the provision of the statute which justifies certain uses, including photocopying, for the purposes of scholarship and research. Students or scientists may copy articles for their own use and librarians are permitted to make one copy of an article for a user upon a signed request adjoining the copyright statement.
2. *The nature of the copyrighted work.* Legal consideration of this factor sometimes takes into account whether a work is published or non-published, and whether it is fact-based vs. non-fact-based. In the health sciences, librarians deal primarily with published, copyrighted materials (e.g., books and journals) which may be copied to support scholarship, teaching, research, and patient care.
3. *The amount and substantiality of the portion to be copied as it relates to the work as a whole.* This factor typically does not allow a user or a librarian to copy a whole book or an entire issue of a journal, and a library typically may not make multiple copies, except for certain classroom uses.



4. *The effect of the use on the potential market or value of the work.* The statute provides for consideration of how the use of a work affects the market for the work. Authors of fiction, drama, poetry, or popular nonfiction write so that their works will be read and bring the author a profit. Authors of scientific papers, however, do not receive income from their articles. They publish to inform their colleagues, announce discoveries, and often build their reputations by the quality and acceptance of their ideas and claims.