

# COPYRIGHT POLICY

The use of intellectual property, such as materials protected by copyright, is affected by the ownership rights in those materials. In our educational environment and as members of the BYU community, we recognize the value of those rights as expressed in the copyright laws of the United States. Because of advances in technology and ease to copy, transmit, distribute, adapt, display, or perform copyrighted works, individuals must increasingly be aware of various copyright implications when using a wide range of materials. Copyright violations related to printed materials, materials in digital format, audio and video recordings, music, Internet transmissions, computer programs and databases, or any other types of materials create potential legal liability for the University and the individuals involved.

All members of the BYU community—faculty, staff, students, volunteers, and patrons—are expected to make a good faith effort to respect the rights of copyright owners. To support BYU’s mission to create, discover, and disseminate knowledge and to further BYU’s primary purpose of teaching and research, BYU supports the responsible, good faith exercise of the following principles:

1. Most materials (regardless of form, format, or copyright notice) are protected by copyright. If one cannot determine that a particular work is not protected by copyright, then one should assume that it is protected.
2. A good faith attempt to secure permission is needed from the copyright owner before copying, transmitting, distributing, adapting, displaying, or performing copyrighted works. Permission, however, may not be needed if the proposed use falls within certain exceptions. For example:
  - Some uses may be permitted under the “fair use” doctrine (codified in [17 U.S.C. §107](#)) in certain circumstances and for specific purposes if the weighing of several factors favors a reasoned conclusion for fair use. These factors include (i) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes; (ii) the nature of the copyrighted work; (iii) the amount and substantiality of the portion taken in relation to the copyrighted material as a whole; and (iv) the effect of the use upon the potential market for or value of the copyrighted material.
  - Educators and students may perform or display (not copy) a copyrighted work in the course of face-to-face teaching at a nonprofit educational institution in a classroom or other place normally devoted to instruction (codified in [17 U.S.C. §110](#)).
  - Certain library reproduction rights (codified in [17 U.S.C. §108](#)).
3. Members of the BYU community should be honest and show respect for others, especially in decisions and choices requiring subjective judgments, as is often the case in copyright decisions.

Members of the BYU community who disregard this Copyright Policy may violate the Honor Code and the terms of their employment (i.e., they may jeopardize their employment); may place themselves at risk for possible legal action; and may incur personal liability.

To assist the university community with copyright issues, BYU provides an experienced and trained staff to offer help and guidance to the faculty and students in resolving copyright questions. The role and mission of the BYU Copyright Licensing Office is to (1) inform and educate the BYU community about the application of copyright principles; (2) help the BYU community obtain permission for the use of copyrighted material or document a good faith effort to comply with copyright requirements; and (3) develop and distribute to the BYU community [Copyright Resource Materials](#). For assistance with copyright matters, faculty and students are encouraged to consult with the BYU Copyright Licensing Office staff at 3760 HBLL, (801) 422-9339 (<http://copyright.byu.edu>); or the Office of General Counsel, A-357 ASB (801) 422-6727. Questions regarding general intellectual property ownership may be referred to the Office of Technology Transfer, 3760 HBLL, (801) 422-6266 (<http://ipsinfo.byu.edu/ippolicy.htm>).