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## Copyright Law for Librarians and Educators: Creative Strategies and Practical Solutions(2009)

## COPYRIGHT LAW FOR LIBRARIANS AND EDUCATORS: CREATIVE STRATEGIES AND PRACTICAL SOLUTIONS(2009)

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In the era of digital information, copy right issues are changing very fast for the librarians and educators. It is very much essential to stay abreast of copyright law and fair use without information overload while incorporating digital materials into web based instructions. Kenneth D. Crews has spread light over the U.S. Copyright Law in this work thus :

**Part 1:— The Reach of Copyright**

He says that according to US Copyright Act, Section 102 (a) copyright protection vests immediately and automatically upon the creation of "Original works of authorship" that are fixed in any tangible medium of expression. In this chapter he describes over the copyright ability of the world.

In the first chapter Crews tells about the originality and tangibility of work and also describes the words which are not protected under copyright law. Works which are not recorded, speeches, unrecorded titles, slogan etc. are not being protected under the U.S. trade mark laws. The expired copyrights of the works need not follow copyright law requirements.

**Part 2:— Duration and Rights of Ownership**

In this chapter he emphasized that current law no longer requires the formulations of notice or registration for copyright protection. Most of the new works are protected for the life of the author plus 70 years works published before 1978 were required to have a copyright notice in order to gain protection works published between 1923 & 1975 could have protection for up to 95 years. Many foreign works that were in the public domain have had their copyright restored. He explained that the creator of a new work is the copyright owner. Two or more authors working together may be "joint" copyright owner. The copyright owner of a "work made for hire" is the employer. Copyrights may be transferred by means of a written instrument signed by the copyright owner and he examined that institutional policies are important for classifying or sharing rights to new works, but they must conform to legal requirements.

Further, Crew says about the rights of owner like - a copyright owners have exclusive rights to reproduce and distribute the work. He/She can prepare derivative works, can display publicly and also can publicly perform the work. Some works of visual art also have rights. In such Regards Congress



has responded to technological change by granting additional rights with respect to some works. Crew talks about some exceptions to the rights of the owners. "Fair Use" is the most important and best known exception to the rights of the owners. The copyright act includes numerous exceptions to owners rights. Many exceptions are vital to education and librarianship. Congress continues to enact new exceptions,

creating new opportunities to use copyrighted works.

#### Part 3:— Working With Fair Use.

In this Part, it is cleared that fair use is vital source to the growth of knowledge. Fair use is based on a balancing of four factors set fourth is the statute. Fair use can apply to a full range of materials and activities. Fair use has no definite boundaries. He explained the four factors of the fair use viz.. Purpose, Nature, Amount and effected and their application in education and libraries. Further he talks about the fair use guidelines.

#### Part 4:— Focus on Education and Libraries.

He highlights under this issue that the Teach act allows user of copyrighted works in distance learning. Not all copyrighted works can be used in full under the teach act. Fair use continues to be an important means of lawful use of works in distance education. He also talks about the libraries and the special provisions of Section 108. Education and libraries who exercise fair use in "good faith" may avoid some of the most significant liability risks. Responsibilities, Liabilities and doing the right thing in the key factor in fair use of works.

#### Part 5:— Special Features.

Here he talks about some special features of the U.S. copyright law like Teach act allows performance of music in distance learning, Subject to important limitations. Copyright law often has a distinctive application to musical composition and sound recordings. He also talks about features of DMCA (Digital Millennium Copyright Act). He says that section 108 includes distinctive rules applicable to unpublished works. Permission is not required for your work in the public domain or you use within fair use policy. Permission for some works is available under a collective licensing agency.

Therefore the author has tried his best to draw sketch over the US copyright law and fair use of the works including music, sound recording issues. Information professionals will find tools which they can use to take control of their rights and responsibilities as copyright owners and users in this succinct and easy to understand guide.

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