

Section 6: Intellectual Property

Introduction

Section 6.0 Intellectual Property covers the EGSC intellectual property policy, including the general policies and procedures concerning copyrighted material.

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The copyright law limits what instructors may copy, under what conditions, and for what purposes. Authors and producers have specific rights under the law that cannot be denied. However, the copyright law was also designed to allow educators and students to reproduce copyrighted materials under certain limitations for educational purposes. An understanding of the fair use concept is important in determining what may or may not be copied. Section 107 of the copyright law states that:

fair use of copyrighted work, including such use by reproduction in copies . . . or by any other means specified by that section (Section 106) for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research is not an infringement of copyright.

Furthermore, Section 107 lists the four criteria for evaluating fair use of copyrighted materials in an educational setting:

- the purpose and character of the use, including whether such is of a commercial nature or is of nonprofit educational purposes,
- the nature of the copyrighted work,
- the amount or 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.

For additional information on patents and copyrights, see the *Policy Manual of the Board of Regents*, Section 603.