

WPC Photocopy Copyright Checklist

1. I have exhausted all alternatives:

Database availability Internet availability Library availability

2. I have requested and received permission from the copyright holder, as is noted on the master copy. (If "yes," skip the remainder of the checklist.)

Yes No

3. I have distributed copies of this article/chapter to students in previous semesters.

Yes No

4. The purpose of using this article/chapter is educational.

Yes No

5. The nature of this work is Creative/Fiction.

Yes No Mixture of non-fiction & fiction

6. A brief amount of the total work is being copied: (total work does not refer to an anthology, but the individual work)

Yes No

7. This copy will decrease or replace the purchase of originals.

Yes No

Copyright/Fair Use Analysis

1. If another source of the information is available, the alternative source should be used.

2. If the answer is "yes," it is permissible to make the copies. The copies MUST have a statement indicating the copyright date, the copyright owner and that permission was granted.

3. If the answer is "yes," refer the request to the Copyright Compliance Officer. It may be advisable to get permission before making copies.

4. If the answer is "yes," it weighs in favor of Fair Use.

5. If the answer is "yes," it weighs against Fair Use. If the answer is "no" or "mixture of non-fiction and fiction," it weighs in favor of Fair Use.

6. Unfortunately, there is no magic number of words or pages to determine brevity. In the case of poetry and short stories, it is unlikely that anyone will be copying less than the whole work. The phrase "total work" refers to the individual work of an author or authors, not to the entirety of an anthology of different works by different authors. UNDER NO CIRCUMSTANCES is copying an entire book acceptable, unless express permission from the copyright holder has been obtained. (Simply being "out of print" does not constitute being in public domain and free to copy.)

7. It is inappropriate to replace textbooks or consumable workbooks with photocopies. If the answer to this is "yes," refer the request to the Copyright Compliance Officer for further analysis.

In Summary:

If the answers are 4 Yes, 5 No/Mixture, 6 Yes, 7 No ----- Make the copies

If three of the four answers match those listed above ----- Make the copies

If only one or two of the four answers match those listed above ----- We are on the borderline,
Refer request to the Copyright Compliance Officer.

THIS POLICY, QUESTIONS AND ANSWERS APPLY TO THE WARNER PACIFIC COLLEGE EDUCATIONAL COMMUNITY ONLY. NO LEGAL LIABILITY IS ASSUMED BY PROVISION OF THIS INFORMATION.