



ANDERSON[®]

UNIVERSITY

Copyright Policy

Anderson University (“the University”) is dedicated to fostering an educational environment that supports excellence in the teaching, research, and publication activities of its employees and students, while also honoring the intellectual property rights of others, as both a producer and consumer of protected works.

Individuals Affected by This Policy

This copyright policy is binding for the University, along with employees and students, and any other persons who may be using University resources while developing copyrightable works. Adherence to this policy, including any amendments, is required for employees and students in order to maintain employment, access University resources and facilities, and participate in research and education programs. For students, compliance is also a condition of enrollment.

Use of Copyright Materials

Copyright Law

The University is committed to ensuring that all employees and students comply and uphold the copyright law that affects the University and those individuals associated with it. Employees and students are to adhere to all provisions of [Title 17 of the United States Code, titled “Copyrights,” and other relative federal legislation and guidelines related to the duplication, retention, and use of copyrighted materials](#). Employees and students may not reproduce, distribute, display, perform, digitally transmit, or prepare works based on copyrighted work without permission of the owner/creator, unless permitted by law.

Fair Use and Other Exemptions

The University is dedicated to creating an environment that supports the fair use of copyrighted works for teaching, learning, and research purposes. University members are granted rights under fair use, library and archive reproduction, the first sale doctrine and transfers, the teaching exception, and other legal exemptions and limitations to the exclusive rights of copyright holders. This copyright policy is

not intended to limit the use of works that are otherwise allowed by law. Please see [Thrift Library's Copyright Guide](#) or contact the Anderson University Digital Millennium Copyright Act ([DMCA](#)) Agent, Thrift Library, with any questions or concerns regarding Fair Use.

Publication Guidelines

It is the responsibility of the University to inform employees and students regarding federal copyright law and how it affects the University. The University is committed to educating employees and students about federal copyright law, the rights of copyright owners, the University's legal obligations to comply with relevant laws, and the rights of the University community to use copyrighted works. [Procedures and guidelines for the use of copyrighted materials are published and maintained by Thrift Library](#) in collaboration with the Office of the Provost and University Counsel.

Infringement Liability

The University does not review employee or student publications for potential copyright infringement. Any copyright infringement or legal issues related to these publications are the sole responsibility of the individual employee or student. The University will only take responsibility for infringement claims if it holds a copyright interest in the publication, as outlined in this policy, has not disclaimed such interest, or has explicitly sponsored the publication.

Materials that Fall Under Copyright Works

Individual Works

Individual works are scholarly, pedagogical, or artistic creations made by University employees or students that qualify for copyright protection. The University upholds the established tradition that the copyrights for these works belong to the employee or student creators. Examples of individual works would be textbooks, novels, dissertations, articles, poems, musical compositions, visual works of art, and any other creative works.

Institutional Works

Institutional Works, or "Work Made for Hire," refer to creations made by University employees, including student employees, while performing their duties within the scope of their employment. These works are either commissioned by the University, specifically assigned by the Provost, developed using substantial University resources, or otherwise regulated by contract or other provisions by this

Policy. Institutional Works also encompass creations resulting from the collective efforts of multiple employees or students over an extended period where each individual's contribution is not easily identifiable due to the collaborative nature of the work.

An exception to this would be works created by students specifically for their coursework. These works cannot be recreated or published without the written permission of the student.

- 1. Shop Rights**

If an employee retains copyright ownership of works created within the course and scope of their employment, the University will have a "shop right" - a non-exclusive, non-transferable, royalty-free, and perpetual right to use the work for teaching, research, and public service. Alternatively, if the University holds copyright ownership of institutional works created by employees as Work Made for Hire, the employee creators will retain a "shop right," granting them a non-exclusive, non-transferable, royalty-free, and perpetual right to use the work for their own teaching, research, and public service.

- 2. Disclosure**

This policy requires that all employees and students make the University aware of any use of copyrightable materials in which the University may have ownership. If there is a question about ownership, the creator should submit the work to the University for review. Please contact the DMCA Agent with any questions.

Works Created by Independent Contractors

Independent Contractors retain ownership as the creator, unless otherwise stated in a contract created between the individual and the University. This contract should be a written agreement that includes the specific assignment of copyright that will belong to the University and that requires the Independent Contractor to disclose the work's creation. Any University employee acting outside their regular employment is considered an Independent Contractor. This specific assignment is not considered Work Made for Hire.

Additional Works

The Name of the University

University employees and students should understand the importance of the University's name and reputation. Employees and students are prohibited from using the University's name in a way that could suggest that the University sponsored a work unless these individuals have received prior written approval.

Trademarks and Patents

The University has substantial resources devoted to protecting the Anderson University brand. All marks and patents related to Anderson University are owned by the University.

Information and Trade Secrets

A trade secret is information that may not be copyrightable, is generally not known to the public, and provides advantages to the owner. The modes of operations of the University are considered trade secrets, are considered confidential, and are owned by the University.