



CALIFORNIA STATE UNIVERSITY, LONG BEACH

Subject: Copyright and Fair Use	
Department: Information Security Management and Compliance	Reference No.:
Division: Administration and Finance	Issue Date: November 2007
References: <ul style="list-style-type: none"> • U.S. Copyright Law • CSU Executive Order 999 	Revision Date: N/A
Web Links: <ul style="list-style-type: none"> • http://daf.csulb.edu/offices/vp/information_security • http://daf.csulb.edu/offices/vp/information_security/copyright/infringement_claims.html • http://www.calstate.edu/gc/Docs/Fair_Use.doc 	Expiration Date: N/A

I. POLICY

It is the policy of California State University, Long Beach to comply with the Copyright Act of 1976 and all subsequent amendments including, but not limited to, the digital Millennium Copyright Act of 1998 and the Teach Act of 2002.

Federal copyright law applies to all forms of intellectual works, which include, but are not limited to, text in any format, graphics, art, photographs, music and software. No copyrighted material may be copied, reproduced, republished, uploaded, posted, transmitted, or distributed in any way, without explicit permission of the owner of the material, except as provided by the fair use provisions of the digital Millennium Copyright Act. Use of any university electronic communications systems or services to circumvent legitimate copyright protections is prohibited.

Prohibited electronic use of copyrighted materials includes, but is not limited to:

1. Reproduction of copyrighted materials, trademarks, or other protected materials without express written permission from the material's owner.
2. Usage of materials that enjoy protected status under current intellectual property laws in their own publications.
3. Distribution or duplication of copyrighted software without appropriate licensing agreements or use of software in a manner inconsistent with its license.
4. Distribution or reproduction, in any digital form, of copyrighted music, video, or other multimedia content without the express written permission of the material's rightful owner.

The "fair use" provisions of copyright law allow for the limited reproduction and distribution of published works without permission for such purposes as criticism, news reporting, teaching (including multiple copies for classroom use), scholarship, or research. The CSU document, "Fundamentals of Copyright and Fair Use" provides additional information on the Fair Use exception to copyright law.

Copyright infringements are a Violation of Title 5 of the California Code of Regulations.

II. RESPONSIBILITIES

The University has a legal duty to ensure that official websites, official email, and other official communication and expressions do not violate copyright law. Official web sites and communications include those that are funded or otherwise sponsored by the University for a university purpose, or which are created by an employee, who is acting within the course and scope of employment.

Individual users/account holders/web content authors are responsible for assuring that their usage of CSULB electronic communication systems and services are in compliance with the copyright law, CSU and CSULB policies on copyrighted materials.

University employees, who in the course and scope of employment, edit or publish other's content are not responsible for assuring compliance with governing law or policy and are not liable for copyright violations.

The University's Designated Agent is responsible for receipt, investigation and response to notices of copyright infringement.

III. RESPONSE TO POLICY VIOLATIONS

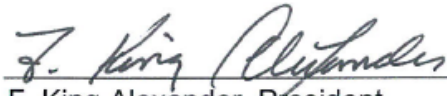
When there is reason to believe that a violation of this policy has occurred, an investigation shall be conducted. User access to electronic communications systems and services may be temporarily suspended while an investigation is being conducted.

If the investigation involves faculty or staff members and warrants University action, an explanation of the causal events shall be reported to the appropriate Vice President. In cases involving students, the Office of Judicial Affairs and the Dean of Students Office shall be notified. Investigating officials shall examine charges of violations with due respect for individual privacy, the security of other users, and the rights of due process.

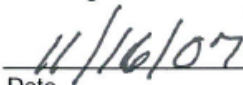
Violations of University policy may result in sanctions, including but not limited to, limitation or revocation of access rights and/or reimbursement to the University for any expenses incurred related to the violation, including costs associated with the detection and investigation of the violation, as well as from the violation itself. Violations of applicable statutes may result in criminal prosecution.

FURTHER INFORMATION

Information Security Management and Compliance
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F. King Alexander, President



Date