

Guidelines for Creating a Copyright Compliance Policy

Practical steps for businesses to comply with copyright law

Getting started

Your decision to invest in an Annual Copyright License from Copyright Clearance Center is proof of your organization's desire to comply with copyright law. To further assist you in achieving that goal, we have developed the following guidelines for drafting and implementing a copyright compliance policy for your organization. We've also provided a sample policy that you can tailor for your own use. Please feel free to use these sample guidelines in creating a copyright compliance policy for your organization.

Before creating your policy

1. Solicit specific advice for your business from copyright experts, including corporate librarians and legal counsel, with special expertise in both interpreting policy and understanding your company's use of copyrighted works.
2. Solicit input from representatives from other company departments: human resources, sales, marketing, research and general management to understand the ways copyrighted materials are used within each department, internally and externally.
3. Ask for guidance from your CCC account manager by phone at 978-750-8400 or email licensing@copyright.com.

Once the policy is defined

1. Convey the policy to company employees through email, the company intranet, company-wide meetings, etc.

2. Incorporate the policy into new employee welcome kits, existing employee manuals or other guidebooks.
3. Post the policy near photocopy machines, on your company bulletin boards and intranet site and in other prominent places.
4. Issue periodic reminders.

EXAMPLES OF COPYRIGHTED WORKS:

Literary works – blogs, books, cartoons, emails, letters, magazines, memos, newspapers, newsletters, trade journals, training materials and other written material, in paper or digital format.

Computer software – on disc, downloaded or in other formats.

Pictorial, graphics and sculptures – three-dimensional artworks and other creations, as well as two-dimensional cartoon characters, graphical images, maps and photographs, in paper or digital format.

Architectural works – buildings and the like.

Sound recordings and accompanying words – recorded or performed on cassette tapes, compact discs, phonographic records, podcasts or other media.

Audiovisual works – motion pictures, multimedia presentations, demonstrations and slideshows, in analog or digital format.

Dramatic works and accompanying music – plays and screenplays, regardless of the medium in which performed or displayed.

Pantomimes and choreographic works – dance and mime performances.

A Sample Copyright Compliance Policy

A. Statement of Corporate Values

We at [Company Name] recognize and respect intellectual property rights and are committed to fulfilling our moral and legal obligations with respect to our use of copyright-protected works. [This statement may be tailored to fit with or complement your existing statements of principles, such as respect for the individual, community service, human rights, etc.]

B. Statement of Corporate Obligations Regarding Copyright

As a matter of moral integrity and adherence to U.S. copyright law, [Company Name] sets forth these policies for all employees:

1. No employee of [Company Name] may reproduce any copyrighted work in print, video or digital form in violation of the law. Works are considered protected even if they are not registered with the U.S. Copyright Office and even if they do not carry the copyright symbol (©). Copyrighted works include, but are not limited to: printed articles from publications, TV and radio programs, videotapes, music performances, photographs, training materials, manuals, documentation, software programs, databases and World Wide Web pages. In general, the laws that apply to printed materials also apply to visual and digital formats such as diskettes, CD-ROMs and Internet pages.
2. [Company Name] holds an Annual Copyright License from Copyright Clearance Center, which enables employees of [Company Name] in the United States to lawfully reproduce and distribute content, in print or electronic format, as needed within the company. Under the license [Company Name] employees can photocopy excerpts from newspapers, magazines, journals and other copyright-protected works licensed by Copyright Clearance Center, as often as needed. Employees can also e-mail articles of interest to other employees, share articles by posting them on our company intranet sites and scan content when a digital original is not available. Please note that the license applies only to the text-based works in Copyright Clearance Center's online catalog and that the rights provided are for use internally at [Company Name] only. To search the online catalog and verify coverage, go to www.copyright.com and click on "Find Title."
3. To obtain permission to reproduce text copyrighted works in print and digital formats outside of [Company Name] not covered by our license or other prior agreements, employees should request permissions online at www.copyright.com or contact the Rights and Licensing Department of the copyright holder. Questions on specific procedures should be directed to the [Title], who serves as our copyright officer.
4. [Company Name] designates [Title] as the copyright officer to administer our company's copyright policy. [Title] at [Company Name] can help you determine whether a work is covered by our Copyright Clearance Center license and how to handle any special copyright issues. Questions concerning copyright procedures, including fair use, should be addressed to [Title].

C. Instructions for Handling Copyright Infringement

[Company Name] expects its employees to be responsible consumers of copyrighted materials. We also encourage employees to educate their peers on copyright compliance. If any employee witnesses a potential copyright infringement, please bring the matter to the attention of the individual as well as to our [Title], who serves as our copyright compliance officer. Employees who illegally duplicate copyrighted works may be subject to disciplinary action up to and including termination.

Resources for permission to use copyrighted works

TEXT COPYRIGHT RESOURCES

Association of American Publishers, Inc., www.publishers.org

Copyright Clearance Center, Inc., www.copyright.com

International Federation of Reproduction Rights Organisations, www.ifro.org

National Writers Union, www.nwu.org

U.S. Copyright Office, www.copyright.gov

NON-TEXTUAL COPYRIGHTED WORKS

Music

- American Society of Composers, Authors and Publishers, www.ascap.com
- Broadcast Music, Inc., www.bmi.com
- Recording Industry Association of America, www.riaa.com

Photography/Design

- American Society of Media Photographers, www.asmp.org
- Graphic Artists Guild, www.gag.org

Software

- The Business Software Alliance, www.bsa.org
- Software & Information Industry Association, www.sii.net

Movies

- Motion Picture Association, www.mpa.org
- Motion Picture Licensing Corporation, www.mplc.com

General

- U.S. Copyright Office, www.copyright.gov

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