

1 Suggested changes are either ~~struck out~~ or additions **bolded**:

2  
3 COPYRIGHT POLICY (APPROVED 11/05)

4  
5 ~~It is Albany County Public Library's intent~~**ds** to comply with Title 17 of the United States  
6 code, titled "copyrights," and other federal legislation related to the duplication,  
7 retention, and use of copyrighted materials. A notice of copyright restrictions will be  
8 prominently placed on the photocopier ~~and any other library equipment, such as~~  
9 ~~cassette recorders and overhead projectors, which are capable of duplicating or~~  
10 ~~reproducing copyrighted materials.~~ Interlibrary loan requests will be accepted subject  
11 to copyright restrictions (~~see also "Interlibrary Loan"~~). Staff will refuse any request that  
12 would violate copyright restrictions.

13  
14 Section 107 of The Copyright Act of 1976, Limitations on Exclusive rights; fair use, allows  
15 for fair use of copyrighted material:

16 Notwithstanding the provisions of sections 106 and 106A, the fair use of a  
17 copyrighted work, including such use by reproduction in copies or phonorecords or  
18 by any other means specified by that section, for purposes such as criticism,  
19 comment, news reporting, teaching (including multiple copies for classroom use),  
20 scholarship, or research, is not an infringement of copyright. In determining whether  
21 the use made of a work in any particular case is a fair use the factors to be  
22 considered shall include:

- 23
- 24 • the purpose and character of the use, including whether such use is of a  
25 commercial nature or is for nonprofit educational purposes;
  - 26 • the nature of the copyrighted work;
  - 27 • the amount and substantiality of the portion used in relation to the  
28 copyrighted work as a whole; and
  - 29 • the effect of the use upon the potential market for or value of the  
30 copyrighted work. The fact that a work is unpublished shall not itself bar a  
31 finding of fair use if such finding is made upon consideration of all the above  
32 factors.

33 ~~The library is not responsible for patron violation of copyright or for misuse of the~~  
34 ~~photocopier.~~

35  
36 Library staff will follow copyright law and licensing agreements in selecting and using  
37 materials for public performance. Purchasing performance rights gives the library legal  
38 permission to show many materials, but these rights do not extend to patrons using  
39 materials outside the library. Original or copyright-free art will be used to produce library  
40 publicity items or for creating displays and decorations.

41 **The design, data, images and photographs featured on the library's web site and its**  
42 **sister sites are copyright 2010 by the Board of Directors of the Albany County Public**  
43 **Library.**

44 **The copyright law of the United States (Title 17, U.S. Code) governs the making of**  
45 **photocopies or any other reproductions of copyrighted materials.**

46 Albany County Public Library is not responsible for the improper or illegal use of any  
47 copies of materials from its collections. It is the user's responsibility to guard against the  
48 infringement of rights that may be held by others and for clearing reproduction rights  
49 and copyright restrictions. Albany County Public Library does not claim to control the  
50 copyright for all materials in its collections. Library staff will provide any information  
51 available for specific items that it has available to the user in this regard if a specific  
52 request is made. The library provides such information as a service to aid users in  
53 determining the appropriate use of an item, but that determination ultimately rests with  
54 the user. It is the user's obligation to determine and satisfy copyright or other use  
55 restrictions when publishing or otherwise distributing materials from the library's  
56 collections. Users are reminded that these materials are provided by the Albany County  
57 Public Library for non-profit educational, personal or scholarly purposes and that  
58 transmission or reproduction of protected items beyond that allowed by fair use  
59 requires the written permission of the copyright holders.

60 Issues pertaining to privacy and publicity may arise when a researcher contemplates  
61 the use of materials found in library collections. Because two or more people are often  
62 involved (photographer and subject) and because of the ease with which images can  
63 be reused, photographs represent a type of document in which issues of privacy and  
64 publicity emerge with some frequency. Privacy and publicity rights are, of course,  
65 distinct from copyright. In addition, while it is true that famous people or public figures  
66 who seek recognition have already surrendered some privacy, they may have the right  
67 to control the commercial use of their images (likeness, voice, signature, etc.). This  
68 principal recognizes that a celebrity's image can be an asset in trade. Users are solely  
69 responsible for determining the existence of such rights and for obtaining any  
70 permissions and paying any associated fees which may be necessary for the proposed  
71 use.

72 The Albany County Public Library is eager to hear from any copyright owners who are  
73 not properly identified so that appropriate information may be provided in the future. It  
74 is our policy to respond to notices of alleged infringement that comply with the Digital  
75 Millennium Copyright Act in an appropriate manner under such Act and other  
76 applicable intellectual property laws, including the removal or disabling or access to  
77 material claimed to be subject of infringing activity. Pursuant to 17 United States Code  
78 512(c)(2) (Digital Millennium Copyright Act of 1998), the Albany County Public Library is  
79 the designated agent for notice of alleged copyright infringement appearing on our  
80 site. Direct any notices of infringement to:

81 County Librarian  
82 Albany County Public Library  
83 310 S 8<sup>th</sup> St  
84 Laramie WY 82070  
85 307-721-5565  
86 [ssimpson@albanycountylibrary.org](mailto:ssimpson@albanycountylibrary.org)

87  
88  
89

90  
91  
92  
93  
94

~~COPY MACHINE POLICY  
(REVIEWED 11/05)~~

~~The Albany County Public Library provides a copy machine for the convenience of its patrons. The Library is not responsible for misuse of the machine by the patron.~~