

MYOFASCIAL RELEASE TREATMENT SEMINARS COPYRIGHT COMPLIANCE POLICY

The purpose of the Myofascial Release Treatment Seminars Copyright Compliance Policy is to provide a summary of U.S. copyright law as it relates to the use of text-based copyright-protected works in the Myofascial Release Treatment Seminars, and to provide guidelines and procedures for obtaining copyright permission to use these works.

U.S. copyright law contains many gray areas, and the goal of this policy is to provide Myofascial Release Treatment Seminars faculty, employees, and others with a standard approach for addressing complex copyright issues. This policy covers issues such as course materials.

WHAT IS COPYRIGHT?

Copyright is an area of law that provides creators and distributors of creative works with an incentive to share their works by granting them the right to be compensated when others use those works in certain ways. Specific rights are granted to the creators of creative works in the U.S. Copyright Act (title 17, U.S. Code). If you are not a copyright holder for a particular work, as determined by the law, you must ordinarily obtain copyright permission prior to reusing or reproducing that work. However, there are some specific exceptions in the Copyright Act for certain academic uses.

WHAT IS PROTECTED BY COPYRIGHT?

The rights granted by the Copyright Act are intended to benefit "authors" of "original works of authorship", including literary, dramatic, musical, architectural, cartographic, choreographic, pantomimic, pictorial, graphic, sculptural and audiovisual creations. This means that virtually any creative work that you may come across—including books, magazines, journals, newsletters, maps, charts, photographs, graphic materials, and other printed materials; unpublished materials, such as analysts' and consultants' reports; and non-print materials, including electronic content, computer programs and other software, sound recordings, motion pictures, video files, sculptures, and other artistic works—is almost certainly protected by copyright. Among the exclusive rights granted to those "authors" are the rights to reproduce, distribute, publicly perform and publicly display their works.

These rights provide copyright holders control over the use of their creations and an ability to benefit, monetarily and otherwise, from the use of their works. Copyright also protects the right to "make a derivative work," such as a movie from a book; the right to include a work in a collective work, such as publishing an article in a book or journal; and the rights of attribution and integrity for "authors" of certain works of visual art. Copyright law does not protect ideas, data or facts.

In the U.S., the general rule of copyright duration for a work created on or after January 1, 1978 is the author's life plus 70 years after the author's death. This is often referred to

as "life-plus-70". Works created by companies or other types of organizations generally have a copyright term of 95 years.

FAIR USE

A provision for fair use is found in the Copyright Act at Section 107. Under the fair use provision, a reproduction of someone else's copyright-protected work is likely to be considered fair if it is used for one of the following purposes: 1) criticism, 2) comment, 3) news reporting, 4) teaching, 5) scholarship and research. If the reproduction is for one of these purposes, a determination as to whether the reproduction is fair use must be made based upon four factors:

1. The purpose and character of use (principally, whether for commercial or nonprofit educational use);
2. The nature of the copyright-protected work;
3. The amount and substantiality of the portion used; and
4. The effect of the use being evaluated upon the potential market for or value of the copyright-protected work.

Fair use is an ambiguous concept and the law does not state exactly what uses of a copyrighted work will be considered fair uses under the law and may therefore be used without obtaining permission.

To avoid confusion and minimize the risk of copyright infringement, Myofascial Release Treatment Seminars interprets the following situations as fair use:

- Quotation of short passages in a scholarly or technical work for illustration or clarification of the author's observations.
- Reproduction of material for classroom use where the reproduction is unexpected and spontaneous.
- A summary of an address or article, which may include quotations of short passages of the copyright-protected work.

If the use does not meet the above criteria and the work is protected by copyright, permission to use the work should be obtained from the copyright holder or its agent.

TYPES OF USE

Course Materials

All articles, chapters and other individual works in any print or electronic materials require copyright permission if Myofascial Release Treatment Seminars are not the owners of the copyrighted material. Many copyright holders provide time-sensitive permission because their own rights may be time-sensitive and could be transferred to different copyright holders at any time.

Copyright and Foreign Works

The U.S. is a member of the leading international copyright treaty, the Berne Convention. As such, if Myofascial Release Treatment Seminars uses a copyright-protected work from another country, the protections provided to works by U.S. copyright law automatically apply to the use of that work as well (assuming the use takes place in the U.S.). Copyright Clearance Center has many reciprocal licenses to allow use of materials from other countries.

HOW TO OBTAIN COPYRIGHT PERMISSION

Permission to use copyright-protected materials, when required, should be obtained prior to using those materials. It is best to obtain permission in writing (including e-mail) and to ensure that Myofascial Release Treatment Seminars has a copy of each permission form or letter. The time to obtain permission may vary and, where possible, it is recommended to start the permissions procedure as early as possible prior to using the materials.

Fact Finding Questions

Once you have identified the materials you want to use and determined that copyright permission is required, you must locate the copyright holder. If the copyright holder is not listed on the work, you must locate the appropriate person or entity with authority to grant permission.

The Copyright Office of the Library of Congress (www.loc.gov) may be of assistance in locating a copyright owner if the work is registered. Note, however, that copyright is automatically granted to all works upon their being written down and that registration with the Copyright Office is not required.

REPORTING SUSPECTED INFRINGEMENTS

If you suspect that anyone at Myofascial Release Treatment Seminars is using any copyright-protected material without the permission of the copyright holder, immediately report this to Sandra C. Levensgood at 610-644-0136.

The Myofascial Release Treatment Seminars Copyright Compliance Policy has been most recently updated on February 4, 2015