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To Students

Professor Xxxxx Yyyyy

Instructor, Liberal Arts and General Education Course “Xxxxx”

**Respecting Copyrights on Lecture Materials and Audio/Video Recordings in Zoom**

 As you have been informed through the guidance, this is an on-demand course in which course takers read lecture materials uploaded in advance on PandA and pursue their coursework. At times, real-time and bidirectional class sessions will be delivered using Zoom or other services. Summarized below is information that course takers should know regarding copyrights on uploaded lecture materials and audio and video recordings of lectures in Zoom. It is illegal to use such materials outside the class. For example, without permission, you are not allowed to share these materials on SNS or otherwise redistribute them. Such acts may lead to a lawsuit. Accordingly, you are advised to read through the following information before the course begins. **The information given below is absolutely relevant not only to this course, but also to your learning and research activities on campus, and even to your life after college.**

■ Lecture materials to be uploaded in this course to PandA

1. PDF text created for the course by the instructor

2. Articles written by the instructor and previously released in a newspaper or economic magazine

3. An online version of the interview article describing the instructor’s career as researcher published in the university’s public relations magazine

4. YouTube videos of lectures released by teachers working at other universities and made available to the public

5. Treatises released on J-STAGE or KURENAI on an open access basis

■ Use of materials as described above as copyrighted works is subject to the Copyright Act, which protects the authors’ rights. The act is an important system designed to prevent infringements of the authors’ rights committed by third parties, such as modifying or distributing a work without permission. The Copyright Act also sets forth cases in which the authors’ rights are intentionally restricted, such as the use of copyrighted works for educational purposes.

 The course allows the course takers to use copyrighted works, such as those described above, to achieve the course objectives. However, this never means that you are allowed to redistribute these copyrighted materials without the permission of the author.

Who holds the copyright to each material? To what extent is its use permitted?

 Course takers are advised to recognize two points: who holds the copyright and to what extent its use is permitted.

1. PDF text created for the course by the instructor

 The instructor has the copyright. In general, such materials have been unpublished. Consequently, without permission of the instructor, it is illegal to redistribute such material by sharing it on SNS or uploading it to a third-party website (even if done innocently).

 In some cases the material may contain research content that the instructor plans to send to an academic journal in the future. Academic journals are required to guarantee novelty of content. Therefore, content already open to the public would not be accepted as a treatise. The author will be unable to send a journal any information that has already been made available to the general public, even if against the author’s intent. Please understand that **in this course, information is exclusively delivered to the course takers.**

2. Articles written by the instructor and previously released in a newspaper or economic magazine

 The newspaper company or the magazine publisher holds the copyright. For use of works for educational purposes, the Copyright Act sets forth limitations of copyright. The instructor uploads such articles to PandA in accordance with the Copyright Act. **Redistribution or uploading of any of these materials outside the class by course takers is prohibited.**

3. An online version of the interview article describing the instructor’s career as a researcher published in the university’s public relations magazine

4. YouTube videos of lectures released by teachers working at other universities and made available to the public

5. Treatises released on J-STAGE or KURENAI on an open access basis

 For the three categories above, the creators of the respective works hold the copyright. However, these works have already been published. Consequently, **course takers are allowed to share links on SNS or post URLs on a third-party website; although, making profit by the material resale or other means is prohibited.**

■ What if you make an audio or video recording of a lecture delivered in Zoom?

 In this course, course takers are allowed to make audio or video recordings for learning purposes. However, it is prohibited to redistribute the recording data without permission.

 If you desire to make an audio or video recording for learning purposes in another course, obtain permission beforehand from the instructor of the course.

■ What is the difference between redistribution and quotation?

 An action that conforms to the rules set out below is considered as quotation and not redistribution. This action is stipulated in Article 32 of the Copyright Act.

 If you desire to quote a part of some work in your report or treatise, you are allowed to do so only if the work has already been published and you abide by the applicable rules on quotation. The following webpage “Use of Copyrighted Works” (https://www.bunka.go.jp/seisaku/chosakuken/seidokaisetsu/gaiyo/chosakubutsu\_jiyu.html) on the Agency for Cultural Affairs website concisely explains Article 32 of the Copyright Act.

Quotation (Article 32)

[1] It is permissible to quote and thereby exploit a work that has been made public. In such a case, the work must be quoted consistent with fair practices and within a scope that is justified for the purpose of news reporting, critique, study, or other place in which the work is quoted. (Note 5)

[2] It is permissible for public relations materials, research or statistical materials, reports, and other similar works, which have been prepared by a national or local government agency, incorporated administrative agency, or local incorporated administrative agency with the goal of making them widely known to the general public, and have been made public under the authorship of such agency, to be reprinted as explanatory materials in a newspaper, magazine, or other printed publication; provided, however, that this does not apply if it is expressly indicated that this is prohibited.

(Note 5) Points to Note on Quotation

 To copy a part of a work created by another person in your work, i.e., to quote, you are generally required to observe the following requirements.

 (1) It is inevitable to quote a copyrighted work of a third party.

 (2) Your work must be distinguished from the quotation by, for example, placing the quotation between quotation marks.

 (3) It must be clear which is the main and which is the subordinate between your work and the quoted work. (Your work must be the main.)

 (4) The source must be clearly indicated. (Article 48)

 (Reference: Decision of the Supreme Court dated March 28, 1980 “Parody Case”)

 For quotations in your report or paper, you are required to adhere to the rules above.