Two sections of the Copyright Revision Act of 1976 are most relevant to libraries. Section 107 outlines “fair use” and Section 108 addresses the “reproduction and distribution” of copyrighted materials by libraries and archives. MCW Libraries internal document delivery service is provided to assist MCW-affiliated patrons in their “scholarly pursuit” of science and medicine. As a result, Medical College of Wisconsin Libraries believes the following policy is in keeping with our mission to be facilitators in the educational process while remaining in the “safe harbor” of U.S. copyright law.

1. MCW Libraries will provide only one copy of an article. Multiple copies of an article will not be made. If the patron uses their copy in excess of Sections 107 or 108, they (the patron) will be held liable for copyright infringement [patrons agree to comply with copyright by filling out and/or signing the request form]. MCW Libraries reserves the right to refuse a copying order if, in its judgment, fulfillment of the order would involve any copyright infringement.

2. The Warning of Copyright must appear on each request form itself regardless of the format (paper or electronic). The notice shall be printed in such a manner as to be clearly legible, comprehensible and readily apparent to the casual reader of the form. As a result, no phone requests will be accepted. [Section 108(e)]

3. The first page of every photocopied item will include a statement of copyright notice. (NOTICE: This material may be protected by copyright law (Title 17, U.S. Code) [Section 108(a)]

4. When a single request comprises a whole issue or supplement, the material will be checked out or the table of contents will be copied for the patron. MCW Libraries will not copy whole works (i.e. volumes, special issues, etc.)

5. When a single requester requests multiple articles from a single volume at one time, MCW Libraries will provide a reasonable number of articles to the requester or will check out the entire volume to the requester.

6. No fees beyond the actual cost of copying will be passed on to patrons for this service as there should be no direct or indirect commercial advantage for MCW Libraries according to Section 108a of copyright law.

These policies were based on the American Libraries Association Model Policy & have been approved by MCW General Counsel MCW Libraries/August 2000/Final/ jcg; revised January 2005;klh