

Special Collections & University Archives

Duplication Policies

To assist scholars and patrons in their research, Binghamton University Libraries' Special Collections will reproduce select collection materials in compliance with donor stipulations and satisfy fair use guidelines of United States copyright law (Title 17, U.S. Code).

What we can reproduce

Materials in our collections are often rare, fragile and/or irreplaceable. Photoduplication of these items requires careful handling to prevent damage from physical misuse, exposure to light, etc. Reproductions are performed by Special Collections and library staff, trained in the use of scanners and cameras that are designed to minimize potential damage.

Orders that are large, complex, or have vague location information require time-intensive research and data collection by library staff. Reproduction requests are priced accordingly. Our duplication policies are a result of our attempts to balance the needs of our researchers with our responsibility to be good stewards of our collections.

Special Collections reserves the right to refuse reproduction of its holdings and to impose such conditions as it may deem advisable in its sole and absolute discretion in the best interests of the Libraries.

The Duplication Process

Duplication is carried out by Special Collections staff members. When duplication satisfies Fair Use guidelines for copyrighted material, Special Collections reserves the right to select the reproduction process based on the physical condition, size, type, and quantity of material and availability of staff resources. Hand-held copiers and scanners of any kind are not permitted when handling Special Collections materials.

Patrons must allow for turn-around time as large or complicated orders may take longer. These more complex jobs may also be subject to additional fee(s).

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Special Collections' agreement to reproduce an item does not imply an authorization to publish this item in a commercial or other non-commercial source. In almost all cases Special Collections owns the physical object and is not the copyright owner.

As such the Libraries does not assume responsibility for literary property, copyright, or any other legal issues involved in the publication and reproduction of items in its collections. In the case of both textual and visual materials (including photographs and works of art), it is the patron's

responsibility to obtain permission to publish texts and facsimiles from the owners of the copyright.

Because of this the Libraries follow the minimum guidelines established for educational fair use in reproducing an item. In applying these standards, Special Collections can copy up to 10% of a copyrighted work. Special Collections will not copy an item for the purpose of public performance, nor an entire collection or work, significant portions of a work, or multiple copies of a single work.

United States copyright law specifies that reproductions are not to be “used for any purpose other than private study, scholarship, or research.” In accordance with this law reproductions made for patrons, regardless of format or subject matter, are provided for individual scholarly use.

Reproductions cannot be further recreated, copied, posted, sold or otherwise distributed, as this infringes on copyright law. If a patron makes a request for, or later uses, a reproduction for purposes in excess of “fair use,” that user may be liable for copyright infringement. Special Collections reserves the right to refuse any order if, in its judgment, fulfillment of the order would infringe upon copyright law.

Applications to publish facsimile reproductions of items from the collections of Special Collections must be made via the *Permission to Publish* form available upon request.

Requesting Duplications and Reproduction Copies

Duplication Request forms are reviewed by a member of our professional staff. Special Collections reserves the right to refuse to duplicate materials on the basis of copyright violation, privacy, or condition. Billing is done by the Libraries’ Accounting Office.

ALL requests for University Archives materials must use the University Archives *Duplication Request* form. The University Archivist, Yvonne Deligato, can assist with requests and can be reached at (607) 777-6459 and deligato@binghamton.edu. Payment for reproductions is required in advance.

NOTE: PAYMENT IS REQUIRED BEFORE REPRODUCTIONS WILL BE PROVIDED TO PATRON OR BEFORE PUBLISHING IS ALLOWED.

JRG 08/30/16