

Photocopying, Scanning Guidelines and Intellectual Property

There has been some debate in our community on whether AUP follows the American Copyright Law or the French Intellectual Property Law, two very different models. As AUP¹ started consolidating as an academic institution in France it became more and more evident that we are required to follow the local intellectual property laws and guidelines².

The AUP Library encourages each member of our community to respect different levels of the French Intellectual Property. Below you are the different aspects of the activities concerning the faculty and Library activities.

AUP has a signed contract with the [Centre Français d'Exploitation du Droit de Copie \(CFC\)](#), an institution that requires an annual report of all copied and scanned material. The CFC helps all academic institutions in France to comply with the *droit d'auteur* and acts as a copyright clearinghouse. This means for faculty and staff that they need to report copied and scanned titles used for academic and pedagogical purposes. This includes any material scanned and uploaded in Blackboard (even if the content is uploaded temporarily in the cloud). For further information look at ARC's Blackboard policies (section COPYRIGHT AND BLACKBOARD). Every year AUP, especially the Bookstore, reports to the CFC all reproductions of texts (photocopies and scanned material) used for course packets³.

Works that are subject to royalties⁴:

- No more than 10% of a book may be copied.
- No more than 30% of a newspaper or journal may be copied.
- Photocopying or scanning an entire publication is forbidden even if placed in the cloud or in a closed system.
- For out of print books, authorization to copy the entire work may be obtained from the *Centre Français d'Exploitation du Droit de Copie* (CFC). The CFC gets in touch with the copyright holder (*ayant droits*)
- It is illegal to photocopy any user manual accompanying a software.
- Authorization to print and reproduce pages from a website, blog, etc. must be obtained from the copyright holder.
- Photocopied or scanned material must be accompanied by a bibliographical reference (author, title, publisher, etc.).

Works Excluded from the Restrictions above:

1 AUP is an *établissement d'éducation supérieur libre* is part of the French higher educational spectrum and registered under the *Rectorat de l'Académie de Paris*

2 The advantage of the American model is that it allows universities for fair use. This notion does not exist in the French and European systems. The French Intellectual Property model aims for giving each author the royalties they deserve.

3 General Services and Academic Affairs are working currently on a centralized system.

4 See also Annex (last page)

- Unprotected works (laws, decrees, government reports, etc.)
- Works belonging to the public domain (A book enters the public domain 70 years after the death of its author or last-surviving co-author. A periodical enters the public domain 70 years after its date of publication.)
- Protected works which may be copied for free:
 - Free newspapers, catalogs, brochures, etc.
 - Some advertisements
 - Tables of contents, bibliographical references; summaries of books and short biographies appearing on the cover
- Some webpages
- Pages written entirely by you for a class, such as title pages, original exercises and study guides, etc.

Librarians, although not legal experts in the field, have received some training on French intellectual property and have some experience. They can help you understand some of the local laws.

The complete official CFC guidelines may be obtained from their website:
<http://www.cfcopies.com/copie-pedagogique/etablissement-superieur/autres-etablisements>

Films and intellectual property:

The Library makes all possible efforts to get the films required by members of the community, especially when they are for teaching purposes.

The Library tries to obtain the films with the most possible viewing rights, to make the viewing easy for faculty and to respect the local intellectual property law. The local film providers for libraries will provide the films with public viewing rights when the film has been distributed and commercialized in France. When the films have not been distributed and commercialized in France the Library will purchase elsewhere, always trying to obtain the most rights possible.

The AUP Library has developed a [system of four colors](#) to guide the users with the viewing rights obtained for each film and the uses for each one of them.

It is important that the Library holds a copy of the films that support your teaching activity. The Library strongly discourages the use of your personal copies for teaching or any campus activity. That is why we recommend you to [send your requests](#) for films ahead in advance.

For further information on the use of the academic film collection see our [web site](#) or look at the signs posted next to the academic film collection.

To request a films use our web [form](#)

Citation and Plagiarism in class

The AUP Library helps support the teaching and learning process on campus. The team of librarians is committed to teaching information literacy inside or outside the classroom,

which includes citation and plagiarism. One-time sessions may be organized at the faculty's requests along the academic year.

AUP Master's Thesis

Graduate students who choose to follow the thesis track take a methodology class, where the Library either has a one-shot session or invites students to visit and read thoroughly the [University Standards of Thesis Presentation](#).

The thesis director revises the content of the work, while a librarian may assist the students with complying with the standards of presentation.

It is the author's choice to register the work under Creative Commons or to sign the intellectual property sheet to protect their intellectual rights. The page in question is part of each thesis introductory pages. There is also an authenticity page where the author expresses that the content on the thesis is his/her own work. The University has consulted with a French intellectual property lawyer and translated the intellectual property page to English.

Students submit their thesis to thesis@aup.edu.

Once all final signed and approved theses are available, as part of the library collection, either in print or as PDF's through the Library web [page](#). Students may request a certain level of confidentiality and only the director and the Program can grant that (for further information write to library@aup.edu). The Library will not make confidential works available to the public.

Annex

Summary of acceptable French copyrights by type of work outside of any library database

	Online		Paper
Literary Works	The excerpt must not exceed 5 consecutive pages. The total quantity of excerpts must not exceed 20% of the total page count		The excerpt must not exceed 10% of the work
Textbooks & Manuals	The excerpt must not exceed 4 consecutive pages. The total quantity of excerpts must not exceed 5% of the book, per class and per year		The excerpt must not exceed 10% of the book
Out-of-Print Books			Authorization for full reproduction must be requested from the CFC
Written Press Ex: daily newspapers, magazines, etc.	The excerpt must not exceed the full length of any individual article. The total quantity of excerpts must not exceed 2 articles or 10% of the page count of the given publication		The excerpt must not exceed 30% of the periodical publication
Visual Arts Ex: Painting, photography, image	Full reproduction of a piece is authorized, limited to 20 pieces if the coursework is made available online. Acceptable format is 400 x 400, 72 DPI		The excerpt must not exceed 10% of the book if the work is included in a publication
Film & Audiovisual Works Ex: film, documentary, report, broadcast, series, etc.	The excerpt must be of a length inferior to 1/10 th of the full length of the work, with a maximum duration of 6 minutes. The total duration of all excerpts must be less than 15% of the total length of the work		
Musical Works	The excerpt must be of a length inferior to 1/10 th of the full length of the work, with a maximum duration of 30 seconds. The total duration of all excerpts must be less		

	than 15% of the total length of the work		
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<http://www.education.gouv.fr/cid48874/menj0900756x.html>