

## SVU Copyright Policy

Silicon Valley University is committed to the enforcement and protection of copyrights as both a legal and an ethical imperative. SVU expects all members of the university community to respect the rights of intellectual property ownership by adhering to the United States copyright laws, including updates made to the laws by the Digital Millennium Copyright Act (DMCA) and the Technology, Education, and Copyright Harmonization (TEACH) Act. SVU also expects all members of the University community to be mindful of the limited rights conferred on them by the fair use exemption and other exclusions to the copyright laws.

Works that are subject to copyright protection should only be used with the expressed written permission of the copyright owner or with a documented exception to the copyright law. While the fair use provision (section 107) is probably the most widely used exception to seeking permission for uses of copyrighted works, especially in the university environment, there are other provisions in the copyright law which outlines performance or display exceptions for "face-to-face" classroom settings (section 110).

Since not all educational uses are covered by the fair use provision, reliance on this exception should be limited to those cases that clearly meet the fair use balancing test and/or compliance criteria associated with the TEACH Act. Faculty, students, and other authorized staff should be familiar with these standards and all are encouraged to document a good faith application of these standards to all SVU-related uses. Failure to demonstrate a good faith effort for staying within the bounds of the law may result in disciplinary actions as well as civil and criminal penalties.

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