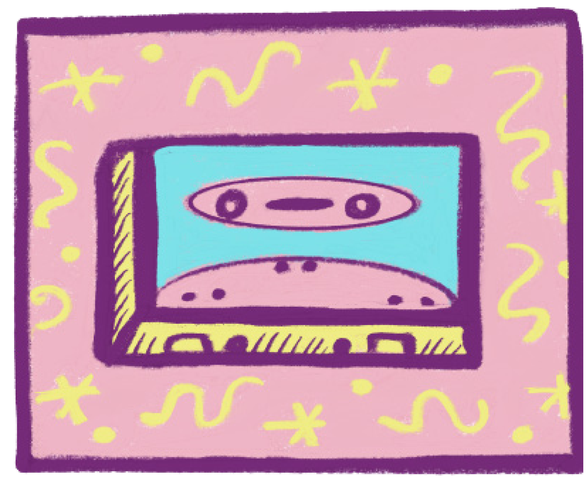
Libraries, You Got Rights!

§107 Fair Use

Determining fair use is particular to the context; fair use may apply to classroom teaching, scholarship, research, preservation, accessibility, and other library functions.

§108 Preservation, Replacement, Interlibrary Loan, and Copies for Users

Libraries, archives, and their employees may make copies of works for preservation purposes and may copy and distribute materials to support scholarship and interlibrary loan.

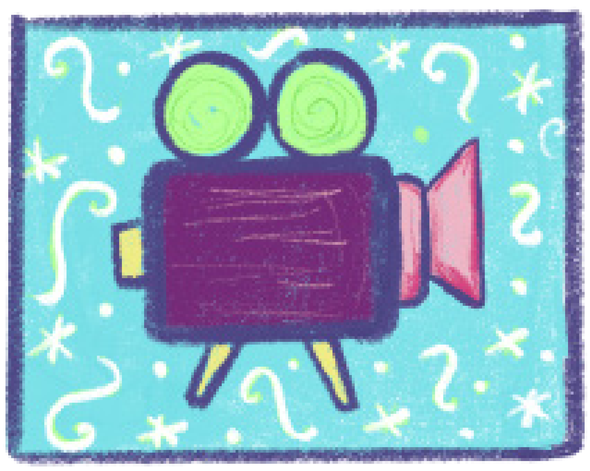


§109 First Sale Doctrine

Owners of copies may sell or otherwise dispose of the possession of that copy or phonorecord. Libraries rely on this "first sale" doctrine to lend books and other materials.

§110(1) Classroom Performances and Displays

Performance or display of a work by instructor or pupils in the course of face-to-face teaching is not infringement.



§110(2) TEACH Act

Digital transmissions of works for educational purposes is not infringement in some circumstances.

§121 Reproduction for People with Print Disabilities

Libraries, nonprofit educational institutions, and users may copy and distribute accessible works to blind people and people with print disabilities without publisher permission.

§121A Import/Export Works in Accessible Formats

Libraries and other authorized entities or users may import and export works in accessible formats.

§407 Deposit of Copies for Library of Congress

Copyright owners must deposit two complete copies of the best edition of a work in the US Copyright Office for the use of the Library of Congress.

§408 Copyright Registration

Copyright owners may obtain registration of the copyright claim by depositing the material with the Copyright Office.

§504 Remedies for Infringement for Employees of Libraries and Archives

Courts may not assess statutory damages if an alleged infringer is an employee or agent of a library or archive who believed that their use of the copyrighted work was a fair use under Section 107.

§1201(d) Preview Content Before Purchase

A nonprofit library, archive, or educational institution may circumvent digital locks to determine whether to acquire a copy of the work.

§1203(c)(5)(b) Civil Remedies for Libraries, Archives, or Educational Institutions

A court may not issue damages if it finds a nonprofit library, archive, or educational institution was not aware and had no reason to believe its acts constituted a violation.

ENGELBERG CENTER on Innovation Law & Policy
NYU School of Law

CC BY

This work was created by Milo Santamaria for Library Futures and is adapted from "Library Rights under the US Copyright Act" by the Association of Research Libraries. It is licensed under a Creative Commons Attribution 4.0 International License. Learn more at https://www.arl.org/know-your-copyrights/.

LIBRARY FUTURES