



MISSISSIPPI STATE
UNIVERSITY™

OP 01.20: USE OF COPYRIGHTED WORKS FOR EDUCATION AND RESEARCH

As a land-grant institution devoted to the creation, discovery, and dissemination of knowledge to serve the public, Mississippi State University (MSU) is committed to complying with all applicable laws regarding intellectual property. That commitment includes full exercise of the rights accorded to users of copyrighted works under federal copyright law (17 U.S.C.).

MSU facilitates the exercise in good faith of full fair use rights, as set forth in 17 U.S.C. §107, by faculty and staff in furtherance of their teaching, research, and service activities. To that end, the University will:

1. Inform and educate its faculty and staff about copyright in general and the application of fair use specifically using the four factors defined in 17 U.S.C. §107.
2. Develop and make available to the University community effective resources about copyright, and guidelines to assist in making a fair use decision when using copyrighted works for educational purposes
3. Avoid adopting or supporting policies, agreements, or licenses that in the opinion of the University would restrict fair use rights.

Individual instructors and researchers are responsible for learning about copyright and making informed fair use evaluations. As per copyright law, the primary responsibility for making appropriate decisions about fair use of copyrighted material rests with the user of that content.

If faculty and staff act in good faith and are consistent with University duties in the course and scope of their employment, MSU will offer protection in the event of an infringement allegation.

This policy explicitly applies to all faculty and staff of Mississippi State University. Related copyright policies include:

- OP 91.203 1976 Copyright Act as Related to Musical Performances
- OP 30.03 Management of Copyrighted Site Licensed Computer Software
- OP 76.01 Intellectual Property
- Computer Software <http://www.its.msstate.edu/Services/Software/index.php>

MSU Libraries offers consultations with subject librarians who are lay experts in copyright issues related to higher education. Requests for consultations may be made on the MSU Libraries website (<https://www.library.msstate.edu/>). Information and resources about copyright, fair use, and related topics may also be found in the library's Copyright and Fair Use Guide

<https://guides.library.msstate.edu/copyright>).

REVIEW

This OP will be reviewed every four years, or sooner if needed, by the Dean of Libraries.

REVIEWED:

/s/ Elisabeth Pankl 10/01/2022
Dean of Libraries Date

/s/ David Shaw 10/06/2022
Provost and Executive Vice President Date

/s/ Tracey N. Baham 10/07/2022
Assistant Vice President, Institutional Strategy & Effectiveness Date

/s/ Joan Lucas 11/02/2022
General Counsel Date

APPROVED:

/s/ Mark E. Keenum 11/28/2022
President Date