



**SIMON FRASER UNIVERSITY**  
**Policies and Procedures**

**Date**  
October 1, 1992

**Number**  
R 30.01

**Revision Date**

**Revision No.**

## **Copyright Policy**

**This policy has been superseded by R30.03 effective July 22, 2004. R30.01 and R30.02 will remain in effect for intellectual property created on or before July 21, 2004.**

### **1. Purpose**

**1.1** The University has an obligation to disseminate the products of scholarly activity in a manner that will bring benefit to the institution, to the individuals affiliated with it, and to the public.

**1.2** The University recognizes the need to maintain a Copyright Policy in order to facilitate the public use of research findings whilst still respecting the principles of copyright.

**1.3** Moreover, the University recognizes the non-material, creative investment made by originators of copyright products and acknowledges its responsibility to provide safeguards for the equitable disposition and protection of proprietary rights.

**1.4** Where a funding sponsor has established a proprietary interest in products subject to copyright protection, the University has a responsibility to assist the originator of such products to fulfill the terms of grants or contracts.

### **2. Policy Applicability**

**2.1** The terms of this Policy shall apply to all University employees and to any other individuals affiliated with the University who use facilities, resources or funds administered by the University.

**2.2** An individual who produces materials subject to copyright shall, for the purpose of this policy, be called the "originator".

**2.3** The printed, graphic or recorded materials subject to the terms of this policy (collectively called "products") include, but are not limited to, books, periodicals, dramatic and musical compositions, audio and visual tapes, films, photographs, pictorial illustrations, and computer software.

### **3. Ownership**

**31**

### **3.2 Copyright Vested with the University**

**3.2.1** Copyright in University-sponsored products, such as information brochures, commissioned studies or descriptive handbooks, whose production has been initiated at the request of the University for purposes not directly related to teaching within the University, shall be vested solely in the University.

**3.2.2** Products prepared for correspondence courses shall be purchased outright by the University and the copyright shall be vested solely in the University. Production of other types of teaching or research related materials may be initiated at the request of the University and in such cases, copyright shall be vested solely in the University. Consequently, where copyright vests solely in the University no royalty or residual



**7. Warranties and Indemnities**

**7.1** Originators of products where copyright is vested solely in the University shall covenant and agree that:

- a. the products are original and do not violate any existing copyright; and
- b. the products contain nothing libelous.

**7.2** Originators of products where copyright is vested solely in the University shall provide the University with a list of any material incorporated in such products for which consent, fees or licenses are required.

**7.3** The University shall be responsible for obtaining all requisite clearance in respect of any such products or material included in a list provided under subsection 7.2.

**7.4** The Originator of products where copyright is vested solely in the University agrees to indemnify the University against any loss to the University which results from a breach of warranty contained in subsection 7.1.

**8. Termination of the Originator's Affiliation with the University**

Where an Originator terminates his or her association with the University the Originator's rights and obligations under this policy shall continue unless otherwise provided in a separate agreement.