



UT System Administration Policy Library – Policy UTS106
**Copyright Notice on Loaned Library
Software**

Responsible Officer: Vice Chancellor and General Counsel

Sponsoring Office: Office of General Counsel

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Errors or changes to: policyoffice@utsystem.edu

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POLICY STATEMENT

To clarify the circumstances under which software may be loaned by a nonprofit library for nonprofit purposes without permission of the copyright owner.

RATIONALE

[Section 109 \(b\)\(2\)\(A\)](#) of the Copyright Act permits "lending" of software by nonprofit libraries for nonprofit purposes without permission of the copyright owner if the library affixes a warning to the software.

SCOPE

All institutions and UT System Administration

WEBSITE ADDRESS FOR THIS POLICY

<http://www.utsystem.edu/policy/policies/uts106.html>

RELATED STATUTES, POLICIES, REQUIREMENTS OR STANDARDS

UT System Administration Policies & Standards	Other Statutes, Policies & Standards
	<ul style="list-style-type: none">• 37 CFR 201.24• Title 17, United State Code— Copyrights

CONTACTS

If you have any questions about UT System Administration policy UTS 106, *Copyright Notice on Loaned Library Software*, please contact the following office(s):

Subject	Office Name	Telephone Number	Email/URL
	Office of General Counsel	512-499-4462	http://www.utsystem.edu/ogc/staff.htm

DEFINITIONS

None

RESPONSIBILITIES

The owner of the software

- Attaches warning (see Appendix) to the software copies or containers in which they are contained.

PROCEDURES

The warning must be securely attached to the software copies or to the containers in which they are permanently kept and must be clearly legible, comprehensible, and readily apparent to a casual user of the computer program.

FORMS AND TOOLS/ONLINE PROCESSES

None

APPENDIX

The following necessary warning has been prescribed by the federal Copyright Office:

The copyright law of the United States (Title 17, *United States Code*) governs the reproduction, distribution, adaptation, public performance, and public display of copyrighted material.

Under certain conditions specified in law, nonprofit libraries are authorized to lend, lease or rent copies of computer programs to patrons on a nonprofit basis and for nonprofit purposes. Any person who makes an unauthorized copy or adaptation of the computer program, redistributes the loan copy, or publicly performs or displays the computer program, except as permitted by Title 17 of the *United States Code*, may be liable for copyright infringement.

This institution reserves the right to refuse to fulfill a loan request if, in its judgment, fulfillment of the request would lead to violation of the copyright law.

Keywords: copyright, software, intellectual property, library, libraries, academic, faculty
