**San Joaquin Delta College Faculty and Staff reproduction sign off form**

Reproduction and or resale of course materials must be either accompanied by permission to copying/resale from the copyright holder or certified by signing below, that the materials you are submitting for copying/resale qualifies as fair use. Fair use must be determined by Section 107 of the United States Copyright Act, which states:

Notwithstanding the provisions of sections [106](http://www.law.cornell.edu/uscode/text/17/106) and [106A](http://www.law.cornell.edu/uscode/text/17/106A), the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright. In determining whether the use made of a work in any particular case is a fair use the factors to be considered shall include—

(1) the **purpose and character of the use**, including whether such use is of a **commercial** nature or is for **nonprofit educational** purposes;

(2) the **nature of** **the** copyrighted **work** (factual vs. fiction or fantasy);

(3) **the amount and substantiality** of the portion used in relation to the copyrighted work as a whole (See Case Law and Classroom Guidelines); and

(4) the **effect** of the use **upon the potential market** for or value of the copyrighted work.

Here is a helpful web site to help determine whether your use if fair:

<http://librarycopyright.net/resources/fairuse/> American Library Association’s “Fair Use Evaluator”

To claim fair use on the materials your submitting for reproduction/resale and you do not have written permission granted by the copyright holder, you must sign the following statement:

**I have determined, to the best of my ability, that all materials I have submitted to the San Joaquin Delta Community College Publication Center for the semester of**\_\_\_\_\_\_\_ **qualifies as educational Fair Use. I understand that I could be held personally liable should legal action be taken by the copyright holder.**

**Signature** (required) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  **Date** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

A Faculty and Staff reproduction sign off form must be completed each semester for each class that the materials will be used by the professor.

Please print

**Professor’s name: First** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Last** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Professor’s E-mail:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**Course Number:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Please bring this completed form to the Publication Center before entering your order into DPC.

10/23/2012