

## 【Meiji Gakuin University】

### Guideline for reproduction and transmission of learning materials at online lecture (FY2021) as of 19 Dec 2020

Following points require attention for online lectures by Copyright Act. Since Meiji Gakuin University has decided to pay a prescribed amount of remuneration to Society for the Administration of Remuneration for Public Transmission for School Lessons (SARTRAS), faculty members may use the following copyright items in public domain free of charge without any permissions.

- Sending by email any copyright items of any third party to students for preparation/review
- Transmitting any copyright items of any third party to students at on-demand online lectures
- Using any copyright items of any third party at a live streaming online lecture without any students physically attending at the place where it is ongoing
- Upload any copyright items of any third party to MANABA server or OneDrive
- Download the items above by students is also available. Please note, however, that it is prohibited by Copyright Act that a student forwards such items or uploads them on the website.

#### 1. How to reproduce and transmit learning materials

##### (1) Samples of reproduction and transmission

Followings are the samples of reproduction and transmission.

- Distribution (Transmission) of a reproduction (PDF) of a part of research paper (treatise) in a book
- Citation of chart, graph, or other written materials to slides
- Viewing and listening a part of movie or TV program
- Others

##### (2) Precautions

- Citation shall comply with an appropriate manner, with explicitly showing source of reference.
- Reproduction without consent is valid “only to the extent necessary for the lecture”. Thus, only reproduction of the part of a material used at a lecture is acceptable, and only the same number of reproduction as that of students is permissible.
- Reproduction and transmission shall not unreasonably prejudice the interests of the copyright owner.
- Please note that reproduction and distribution (transmission) of any part of any textbook (reference book) to be used at a lecture, which is by its nature designated to be used for education, may collide with the market where it originally belongs to, unreasonably prejudice the interests

of the copyright owner, and therefore are highly likely to be invalid even under the amended Copyright Act.

- Please instruct the students to buy a textbook (paper or electric version) to use at a lecture even after the lecture commences so that the interests of the copyright owner is validly secured.

In the case a faculty member is a copyright holder of a publication, there is no issue with regard to Copyright Act and other publishing rights. You can use it at your disposal in almost all cases.

\* Reference : Copyright Act

Article 35 (Reproduction, etc. in schools and other educational institutions)

- (1) A person in charge of teaching or a person taking classes at a school or other educational institution (except one founded for commercial purposes) may reproduce a work that has been made public, transmit to the public such a work (it is permissible to make such a work available for transmission, if it is to be transmitted to the public via automatic public transmission; the same applies in next paragraph), or publicly communicate such a work being transmitted to the public through a receiver, if and to the extent that it is found to be necessary for the purpose of use in the course of classes; provided, however that this does not apply if the reproduction or transmission would unreasonably prejudice the interests of the copyright owner in light of the nature and purpose of the work, as well as the number of copies and the circumstances of its reproduction, transmission or communication.
- (2) In the case of transmitting a work to the public pursuant to the preceding paragraph, a person establishing such an educational institution in the preceding paragraph must pay the copyright owner a substantial amount of compensation.
- (3) The preceding paragraph shall not apply if, in the course of classes at an educational institution referred to in the paragraph (1), the original or copies of a work that has been made public are offered or presented to persons who directly attend a class and thus exploited, or if such a work is exploited through a stage performance, musical performance, on-screen presentation, or recitation for such persons pursuant to the provisions of Article 38, paragraph (1), provided that such a work that has been made public is transmitted to the public for any persons who are taking that class simultaneously at a place other than that where the class is being held.