

COPYRIGHT and OTHER RESTRICTIONS

REFER TO WHEN:

A researcher inquires whether materials are protected by copyright or other restrictions, or asks if materials can be copied

PURPOSE:

Provide a general overview of restrictions that may prevent a researcher copying materials held in Special Collections

OUTLINE:

Copyright Protection

Copyright law is very complicated so the general rule is to refer all questions regarding copying to a member of staff. However, to give some guidance:

1. Works published before 1923 are generally treated as public domain for all U.S. audiences
2. Works published between 1923 and 1977 could be copyright protected
3. Works created after 1977, and published with notice, are copyright protected for the life of the author plus 70 years, and will therefore be given copyright protection for years to come.

A good rule is to assume works are copyright protected unless you know for sure that they are not. (If you need to know more, or want see how complicated things can soon become, Cornell has a useful [table](#).)

Donor Restrictions

Donors will often impose restrictions on how the materials that they give to Special Collections are used. For manuscript and photograph collections, these restrictions will usually be noted on the finding aid under "Rights". For oral histories, the Index of Oral Histories should identify any restricted materials. For UNC Asheville senior papers, refer to the finding aid for the subject to identify those papers that cannot be copied and/or published.

REMEMBER:

DO NOT ASSUME ANYTHING ABOUT COPYRIGHT OR DONOR RESTRICTIONS, AND DO ASK A MEMBER OF STAFF!!