

The NCSU Libraries Newsletter

NC STATE UNIVERSITY

<http://www.lib.ncsu.edu/whatsnew/>

VOLUME 30, NUMBER 7 • FEBRUARY 2003 • NORTH CAROLINA STATE UNIVERSITY • TERRELL ARMISTEAD CROW, EDITOR

The TEACH Act Toolkit

The Technology, Education, and Copyright Harmonization Act (TEACH) was recently signed into law on November 2, 2002. This act updates copyright law in the area of digital distance education and, if numerous requirements are met, facilitates the use of copyrighted materials in digital distance education efforts without having to obtain prior permission from the copyright owner. It is an effort to simulate the face-to-face instruction exception in copyright law. However, TEACH imposes certain requirements on the use of copyrighted materials in distance education. TEACH is more restrictive than the law allowing face-to-face instructional use of copyrighted materials. Those users of copyrighted material who fall outside the scope of the TEACH exemption should

seek permission or evaluate their proposed use under the fair use exemption of the copyright law.

The Scholarly Communication Center of the NCSU Libraries, in partnership with the NC State University Office of Legal Affairs and DELTA, has created the "TEACH Toolkit, An Online Resource for Understanding Copyright and Distance Education." This Web site is intended to assist campus faculty, administrators, staff, and students to understand and implement TEACH in their online courses and contains summaries, guidelines, a glossary, checklists, best practices, and more. Because it is the only site of its kind and scope, the TEACH Toolkit has been extremely well received since it went online in late-January. Check it out at <http://www.lib.ncsu.edu/sccl/legislative/teachkit>. ♦

Special Collections Exhibit Opens February 17

The NCSU Libraries will unveil a new exhibit in the main lobby and mezzanine area of the D. H. Hill Library on Monday, February 17, entitled "Retrospective 2002: Recent Acquisitions in Special Collections." The exhibit, which runs through March 20, highlights recent additions to some of the main collecting areas in the Special Collections Department, including forestry, agriculture, tobacco, entomology, textiles, and design. Several of the titles are not held by any other institution in the United States, and many are considered seminal works in their field. For instance, curators for the Libraries' rare book collection acquired a very scarce text on forestry law

from 1692, *De Arboribus controversis resolutionem liber singularis*; an early antismoking tract from 1653 penned by university administrator Jacob Tappe; and three eighteenth-century copies of Duhamel du Monceau's important contributions to the history of agriculture. Serving as a "poster boy" for the exhibit is the constructivist poet and artist Vladimir Mayakovsky, whose portrait constitutes a quintessential example of Russian avant-garde design and typography. An image of Mayakovsky's eye, featured throughout the exhibit, will be used as a graphic device intended to convey the notion of a "retrospective," according to co-curators Linda McCormick and Anna Dahlstein. ♦

Contributors: Anna Dahlstein (NCSU Libraries Fellow), Peggy Hoon (Scholarly Communication), Mary Kate Keith (Friends of the Library), and Bob Sotak (Collection Management).

Nature Publishing Group Copyright Policy



The Nature Publishing Group (NPG), which publishes journals such as *Nature*, *Nature Genetics*, and *Oncogene*, now allows authors to retain copyright to their articles in return for granting to the publisher “the exclusive license to publish the paper in all media throughout the world, to translate it into other languages, and to adapt it or license it to others.” The grant of an *exclusive* license means the NPG is the only entity that can exercise these rights. This policy applies to all NPG journals, and it is also applied retrospectively. The NPG will not renegotiate contracts signed in the past, but it is extending the rights discussed below in the new license agreement to previous authors.

The new agreement allows authors to post their articles to personal or institutional Web sites, but it does not include posting to an open archival Web site. Posting the article to a Web site should include a link to the respective NPG journal Web site. Authors must also agree to the inclusion of links in their articles to third-party material. Articles can be reprinted in a collection only if it is in book form and is a collection of the author’s works. Inclusion in a collection of articles by multiple authors would still require permission from the NPG. Authors must acknowledge when reproducing the article or parts of it elsewhere that it was originally published in an NPG journal.

This new policy has some positive attributes, but it would have been preferable if authors were allowed to grant a nonexclusive license to the NPG. An exclusive license gives the NPG significant control over current and future uses of the article and limits the rights of the author. As part of the exclusive license, NPG retains the right “to publish, reproduce, distribute, display and store the Contribution in all forms, formats and media now known or hereafter developed.” The exclusive rights also extend to translations, adaptations, summaries, extracts, and derivative works.

Faculty are encouraged to explore and understand the ramifications of various strategies for managing the copyright to their scholarly output and to support new publishing models, such as BioMed Central (<http://www.biomedcentral.com/>), which allow authors to retain copyright and provide open access to their works. Faculty can view examples of ways to modify their agreements with publishers to retain some rights to their works for teaching and research purposes at <http://www.lib.ncsu.edu/scc/language.html>.

In addition to the *Nature* journals, the NPG also publishes several society-sponsored journals such as *Heredity*, *British Journal of Cancer*, and *EMBO Reports*. A copy of the new license agreement can be accessed from <http://npg.nature.com/authornews>. ♦

Upcoming Friends of the Library Events

MARCH BOOK SALE SCHEDULED

The Friends of the Library will its annual book sale from March 26 through 28, 2003. For the first time, the sale will be held in a tent located on the Brickyard in front of the D. H. Hill Library.

Thousands of books are available, as well as vintage albums, CDs, and audio books. Subject categories include a variety of scientific textbooks, fiction, history, health and self-help, children’s books, and foreign languages.

The sale begins on Wednesday, March 26, with a preview sale open only to Friends’ members. The general public may shop on Thursday, March 27, from 9:00 A.M. until 6:00 P.M.; and Friday, March 28, from 9:00 A.M. until 2:30 P.M.

For the duration of the sale, shoppers may enter their names in a drawing for two complimentary tickets to the Friends’ annual Spring Dinner, which will be held on April 30, 2003. The guest speaker at the Spring Dinner is Lee Smith, one of North

Carolina’s premiere writers. She will discuss her latest best-selling novel, *The Last Girls*.

For additional information, please call the Friends of the Library at ext. 5-2841 or visit its Web site at <http://www.lib.ncsu.edu/friends/>.

SPRING DINNER 2003 FEATURES LEE SMITH

Lee Smith, the acclaimed writer and former faculty member with NC State’s Department of English, will be the guest speaker at the Friends of the Library’s annual Spring Dinner. The dinner will be held in the McKimmon Center on Wednesday, April 30, 2003. Advance ticket purchases are required for the evening’s program. For event and ticket information, please call the Friends at ext. 5-2841 or go to URL <http://www.lib.ncsu.edu/friends/>. ♦