



Photo by Mark Pynes

Kinko's, a photocopying service near campus, refuses to copy any material they may feel violate copyright laws.

Photocopying: just what constitutes fair use?

The monk looks up reverently. "It's a miracle," he marvels. The Xerox machine has made his life easier.

College students may not look with the same awe on the name of Xerox — it is such a common phenomenon, with photocopiers gracing the library, the EMU and assorted offices around campus.

But students not only use duplications for research papers and term projects, many University classes also use Xerox packets from various print shops close to campus.

And that could be illegal. U.S. copyright laws are vague, according to Journalism Prof. Marc Abrams.

"The law is not hard and fast," he says. "You know when you're stealing a car or jewels, but you may not know when you are stealing profits and ideas."

copied portion is a small part of the entire work. Commonly used formulas are 10 percent of the work or less in the case of a book, or an entire article of less than 2,500 words, according to guidelines adopted by 38 educational institutions.

Abrams estimates about 90 percent of the faculty does not have a clear understanding of copyright laws.

"I suspect there are a large number of violations on every college campus," Abrams says. "The real problem is not deliberate violations. A large percentage of professors are unaware. The real problem is accidents and unintentional appropriation of someone else's property."

But those "accidents" may lead to lawsuits.

Recently, a case was filed by a group of publishers against New York University, nine of its faculty members and a nearby copying shop. According to the Jan. 5 issue of the Chronicle of Higher Education, the suit

seeks a permanent injunction against further illegal photocopying and an unspecified award for damages to the copyright owners.

Abrams says the case could have far-reaching consequences for all universities, although it is difficult to determine how the courts will resolve the case.

But University officials are not worried. Provost Dick Hill says he has not had any problems with the law and only a few inquiries for information.

Professors contacted by the Emerald all seemed to have a fairly clear idea of their rights and liabilities and all felt they are within the law. Most of them say they mainly use journal articles or one or two chapters from a book.

Are the packets useful enough to outweigh the potential liabilities?

Most professors seem to think so.

Photocopying saves the students money by allowing

them to simply buy one chapter rather than the entire text. It is also easier for most students than putting the book on reserve in the library.

"I use packets because in introduction to political science in particular there is no text that is adequate and which is generally recognized by book representatives and professors," says John Orbell, a political science professor. "The choice of a text that is inadequate would be irresponsible."

Journalism Prof. Lauren Kessler also looks at copyright laws as protection for each other. "Most professors also write, and they would not like to think the professor is xeroxing their book," she says. "Professors have a selfish stake in the copyright law."

However, History Prof. John Nicols admits he feels some qualms about the 280-page anthology he uses.

"I'm very concerned," says Nicols, who has written a letter

to Penguin Publishers expressing his worries and asking them for possible remedies. "It's legitimate that the people who do the work should get the royalties."

He suggests working out some sort of percentage of sales based on the number of pages used from the work.

Nicols says he uses anthologies because he can base them around a theme he wishes to portray through the class, and textbooks are not written that way.

"It's like driving on I-5 at 65 miles an hour," says Nicols. He says he knows it may be wrong, but he does it anyway. "I'd like to be within the law on an issue like that. It's difficult to talk about laws in ancient societies and then break copyright laws."

Kinko's Copies, one of the most widely used printing services near the campus, has consulted a copyright attorney to make sure they operate within

the law. Co-owner Jamie Douglas was assured by the attorney that the store is legal.

Kinko's, which has eight self-service copiers and three big production machines, has each professor fill out a release to assure the printing shop that the professors are acting within the law. Douglas also says they will refuse to copy anything they feel may not be legitimate, which she says may occur about twice a term.

"We have worked too hard to lose what we have over a foolish violation of the law," Douglas says.

Kinko's gives all employees a set of guidelines which read: "Kinkos is not in business to infringe copyrights, nor to turn away proper requests for copying by its customers. Balancing these interests in a manner fair to all concerned is a necessary part of our business."

By Sandy Johnstone

EMU presses for print shop alternatives

Faced with increasing deficits, the EMU Print Shop appears headed for a change.

The print shop has been a discussion topic at EMU Board meetings for the last three months. At the beginning of the year, it appeared to have rosy prospects.

Bob Schutz, former EMU business manager, projected the print shop would break even at the end of this year after having recorded a deficit last year.

But at a Tuesday EMU budget committee meeting, Jan Hosmer, the new business manager, reported the print shop had a deficit of \$8,700 for the last six months of 1982.

That's \$3,200 more than the deficit for a similar period the year before, Hosmer says.

The deficit is increasing because volume is down, Hosmer says. Campus departments apparently are doing their own printing, and more

copying is done off campus, she says.

The EMU is investigating alternatives to centralize more printing for efficiency and lower costs, Hosmer says.

The EMU Print Shop recorded a deficit of \$8,700 in the last six months of 1982.

One proposal is to have the printing department — the University Press — take over the shop. That department is studying whether to lease the shop space, says Wayne Merritt, print department superintendent.

EMU Director Adell McMillan says such a move may cut costs.

"The students wouldn't notice much of a change," she said at the Tuesday meeting. "The print shop employees

would still handle all the orders, but having the University Press handle the printing would reduce costs."

The EMU should hear within two weeks whether the print-

ing department will propose leasing the print shop, McMillan says.

William McLaughlin, director of business affairs, would review any offer from the printing department, McMillan says. If McLaughlin deems the proposal viable, he'll send it to the EMU Board for approval, she says.

The EMU also is considering eliminating the print shop and leasing the space to a private business. EMU and

ASUO employees who do most of printing at the shop would go to the University Press instead, says Jeff Nudelman, EMU board member.

Although Merritt says the printing department could handle the increased volume, McMillan says the extra walking distance would be inconvenient, wasting time and labor for small amounts of copying.

But Nudelman says the decreased deficits more than make up for the extra walking distance.

"If it comes down to a matter of dollars and cents, I'd rather walk two blocks to save

\$8,700," he says. Nudelman says high quality and low cost are his only considerations.

"I don't care who it is as long as it becomes a money-maker," he says. At the December board meeting, Nudelman said Kinko's Copies has expressed interest in leasing the space.

Kinko's owner Dave Gibson says his business could serve the University community better from a campus location.

And Gibson says he would consider a revenue-sharing plan with the EMU if Kinko's moved on campus.

Students are conducting a marketing survey on the print shop, and the EMU Board will take up the print shop discussion at its February meeting.

Meanwhile, a print shop budget has been prepared for next year, McMillan says.

By Rich Burr



Photo by Mark Pynes

The University Press is studying a proposal to take over the EMU Print Shop, and that would mean that print shop employee Karl Newman would become an employee of the University Press.

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Selection Process: Will begin the week of February 21-25, and should be completed by March 11th

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