

# Rules and Regulations on Copyright

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Japan Geoscience Union Meeting Rules and Regulations on Copyright

Ver 1.0. Nov. 28, 2008

## **Article 1. Object**

The object of these Rules and Regulations is to set forth treatment of copyrights relating to works issued by Japan Geoscience Union Meeting, the public interest incorporated association (hereinafter referred to as "Union").

## **Article 2. Definitions**

The definitions of the words used herein shall be as follows:

- i. Copyright(s): It shall have the same meaning with the "copyright" set forth in the Copyright Act of Japan and include any and all rights set forth from Articles 21 through 28 of said Act.
- ii. Work(s): It means any and all kinds of works issued via the Union, and shall have the same meaning with "work(s)" set forth in the Copyright Act.
- iii. Author: It means a person who creates a work set forth in Copyright Act.

## **Article 3. Ownership and Assignment of Copyright**

1. A Copyright in and to a Work issued via the Union shall belong to the Union except for any of the followings:
2. If an Author places a Work on a publication of the Union, he/she shall assign to the Union a reproduction right and a right of public transmission (such as distribution via Internet) and grant to the Union a right of distribution. A proprietary right other than the reproduction right and the right of public transmission, and a moral right shall be reserved to the Author in principle.
3. If an Author grants to the Union a right to use such as publication of a Work such as photos or illustrations, he/she may request to reserve the Copyright to him/her. Provided, however, that the Author shall indicate his/her name beneath his/her Work.
4. A Work such as a writing, illustration, or photo for which an Author is not specified in a publication of the Union shall be a corporate Work of the Union, and any and all Copyright shall belong to the Union.
5. Treatment of a Work not falling under these Rules and Regulations shall be decided upon separate consultation between an Author and the Union.
6. When it is decided not to place the Work submitted to the Union on its publication or the like, the Union shall return the Work to the Author.

## **Article 4. Use of Work**

1. If whole or part of the Work is copied or reprinted, fee fixed separately shall be payable upon grant of the Union. Provided, however, that in case of use under any of the following, the grant and the fee shall not be required:
  - i. No grant and fee:
    - a. A case when a Copyright is limited under Article 30 and subsequent Articles of the Copyright

Act.

b. Use for study or education by the Author by him/herself without commercial gain.

ii. Grant required but no fee:

a. Use for study or education by other person than the Author in conformity with the objects of the Union without commercial gain.

2. When whole or part of the Work is transmitted publicly (means publication by Internet. The same shall apply hereinbelow), the fee shall be payable upon grant of the Union. Provided, however, that a person who meets the following conditions shall not be required to obtain the grant or to pay the fee.

i. No grant and fee:

a. Public transmission without commercial gain on a website of the Author;

b. Public transmission without commercial gain on a website for research project relating to the Work; or

c. Use as a database for performance at an organization to which the Author belongs or use at a library.

3. When a Work of the Union is used, the source shall be specified.

#### **Article 5. Author's Responsibility and Infringement of Copyright**

1. An Author shall be responsible for a portion of contents of a Work whose Copyright is held by the Union in which he/she involves. If a third party claims infringement of Copyright, defamation or other dispute arises, the Author shall be fully responsible and take a step.

2. If a third party infringes or is likely to infringe Copyright of a Work of the Union, the Union and the Author shall consult how to take a step and decide it.

#### **Article 6. Exceptional Treatment**

When a business activity co-sponsored by the Union and other academic society or association is performed and how to treat Copyright of a submitted article or the like is decided otherwise, said decision shall prevail over these Rules and Regulations.

#### **Article 7. Treatment of Work Already Issued**

Works whose Copyrights are held by the Union prior to implementation of these Rules and Regulations shall be subject to these Rules and Regulations unless an Author proposes specifically and the Union judges that the proposal is justifiable.

#### **Annex**

1. Publications issued by the Union shall be as follows: • "Japan Geoscience Union Letters"

· Journals of each Section, and publications by each Committee

· Abstracts of JpGU Meeting

· Those which transmitted publicly via website of the Japan Geoscience Union and Japan Geoscience Union Meeting

2. Amendment of these Rules and Regulations shall be approved by the council.

3. Implementation rules of these Rules and Regulations shall be established in another document.

4. These Rules and Regulations shall be implemented on and from December 1, 2009.