

New York University Suit. An out-of-court settlement was announced April 13 by New York University, eight of its faculty, and nine publishers in the copyright infringement suit filed last December 14. The publishers--Addison-Wesley, Alfred A. Knopf, Basic Books, Houghton Mifflin, Little, Brown & Co., Macmillan, the National Association of Social Workers, Random House, and Simon & Schuster--had accused the university, the eight faculty, and an off-campus commercial copy center of "engaging in the unauthorized and unlawful reproduction, anthologizing, distribution, and sale of plaintiffs' copyrighted works."

In the settlement, NYU agreed to adopt, announce, and implement a Policy Statement on Photocopying of Copyrighted Materials for Classroom and Research Use, the heart of which is the Guidelines for Classroom Copying in Not-for-Profit Educational Institutions included in the House report accompanying the Copyright Act of 1976. If an NYU faculty member wishes to do copying beyond the scope of the classroom guidelines, he or she must seek permission from the copyright owner. If permission is denied, the faculty member may request a review by the University's general counsel. If copying determined by the NYU general counsel to be permissible gives rise to a suit, the University will defend and indemnify the faculty member, but may not do so otherwise.

The introductory portion of the classroom guidelines is relegated to a footnote in the Policy Statement for NYU, and appears without the House Judiciary Committee correction which makes clear that the guidelines state the minimum "and not the maximum" standards of educational fair use. The House Report (H. Rept. 94-1476) also notes that the classroom guidelines were strongly criticized by the American Association of University Professors and the Association of American Law Schools "as being too restrictive with respect to classroom situations at the university and graduate level."

In a separate out-of-court settlement with the nine publishers announced May 31, Unique Copy Center agreed not to make, sell, or distribute multiple copies of copyrighted works for NYU faculty unless given credible certification that permission has been granted, the copying is within the classroom guidelines, or has been approved by the University's general counsel. Unique is required to maintain copies of the certifications and permissions and to make them available for inspection. The judgment also required payment to the publishers of Unique's profits from the unauthorized copying which prompted the suit.

BOCES Suit. In 1977 Encyclopaedia Britannica Educational Corporation, Learning Corporation of America, and Time-Life Films, Inc., sued the Erie County (N.Y.) Board of Cooperative Educational Services (BOCES) for copyright infringement. The plaintiffs charged that certain films had been illegally taped off the air by BOCES, which maintained a circulating film library available to member schools. On June 21, 1982, Judge John T. Curtin of the U.S. District Court for the Western District of New York ruled that the taping was not a fair use, that BOCES had violated the copyright law, and that the tapes should be erased within 30 days. On March 29, 1983, Judge Curtin awarded damages and costs of \$78,515 to the three companies. He also permanently enjoined BOCES from copying the plaintiffs' copyrighted works.

Of special concern is Judge Curtin's ruling that where licensing agreements are available, the Guidelines for Off-air Recording of Broadcast

(cont'd on p. 263)

using and developing computerized cataloging systems; knowledge and/or experience in use of online computerized technical and bibliographic systems, e.g., OCLC, DIALOG, LEXIS/NEXIS/NYT, NewsNet. The librarian who joins us will be willing to work at all levels of the operation of our library and our program. The duties will in any case be professional but may also, when appropriate, be clerical. We are located in Washington, D.C. The salary will be determined by qualifications. We are an equal opportunity employer and are part of an approved affirmative action program. Respond to: Librarian, 600 Maryland Avenue, S.W., Suite 750, Washington, DC 20024.

("Washington Hotline," cont'd from p. 239)

Programming for Educational Purposes do not apply. The guidelines, which allow off-air taping for very short-term teaching and evaluation purposes, were developed by a negotiating committee of educational users and copyright proprietors appointed by Rep. Robert Kastenmeier, Chairman of the House Subcommittee on Courts, Civil Liberties and the Administration of Justice, and were published in a House Judiciary Committee report (H. Rept. 97-495).

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American National Standards Committee Z39 Standards (mentioned in C&RL News, April 1983, p.109) must be ordered directly from the American National Standards Institute, 1430 Broadway, New York, NY 10018.

JOB LISTING OPTIONS FOR EMPLOYERS

Option	Rates		Extra Charges	Deadlines	
	ACRL Members	Non-members		Applications	Submissions
C&RL News Classified Ads	\$4.00/line	\$5.00/line	\$10 over phone	No sooner than end of month of issue	2nd of month preceding mo. of issue
C&RL News Late Job Notices	\$10.00/line	\$12.00/line	none	No sooner than end of month of issue	2nd-19th of month*
Fast Job Listing Service	1-15 lines \$25	1-15 lines \$30	\$10 over phone	No sooner than 15th of month of issue	2nd of month of issue
	16-25 lines \$30	16-25 lines \$35			
	26-35 lines \$35	26-35 lines \$40			
Telephone JOBLINE	\$30 (All Jobline ads run 2 wks.)	\$35	\$10 over phone; \$5 for non-prepayment	No sooner than 1 day after end of that wk.	1 p.m. each Thursday
C&RL News Display Ad	1/2 page \$255** 3/8 page \$220 1/4 page \$185		none	No sooner than end of month of issue	2nd of month preceding mo. of issue

NOTES: Telephone orders, while not encouraged due to increased risk of copy error, will be accepted. A confirming order should be mailed to ACRL as soon as possible following the call, along with a typewritten copy of the ad. All job announcements will be edited to exclude discriminatory references. All Positions Open ads must include a salary or range. For display ads: page consists of 2 columns, each 2 3/8" x 7 1/2".

*Space guaranteed before the 9th; from 10th-19th, accepted on space available basis.

**Camera-ready copy preferred.