



Digital Reproduction and Usage Policy – Audio Recordings

This document establishes the policy and fees in effect at the Special Collections Department, University of Memphis Libraries (UML).

This policy covers the following:

UML Permission Fee: This is charged if the reproduction will be used for commercial for-profit purposes. This fee is waived if the project meets the conditions for non-profit or scholarly endeavor.

All researchers wishing to reproduce UML audio for use in consumer merchandise, programming, or other media with paid advertising and/or other fundraising materials, or for any other commercial purpose must apply for written permission. A form is provided for this purpose. This process ensures that three elements are considered: copyright, citation and credit, and fees.

General Conditions on Reproduction and Permission

1. Permission is for one-time (including future subsequent distribution, exploitation, or publication in connection with the project), non-exclusive use only within the project described. Requestor may not alter, manipulate, enhance, or otherwise change the digital asset in any manner without obtaining prior written permission of the University of Memphis Libraries (UML). Requestor may not may further use without UML's prior written approval and compliance with any additional conditions.
2. This permission extends only to such rights as UML may have to authorize reproduction and does not purport to include any rights that persons other than UML may have under copyright law of the United States or the laws of other countries in which the requestor's works may be published or distributed. Certain recordings may be protected by copyright, trademark, privacy, or publicity rights, or other interests not owned by UML. It is the requestor's responsibility to determine whether any such rights exist, and to obtain all necessary permissions to use the image for the purposes set forth herein.
3. Requestor agrees to indemnify and hold harmless UML, its board, agents, and employees, from all third-party claims, actions, judgments, and expenses (including reasonable outside attorney fees) arising from requestor's use of the material provided pursuant to this request.

4. Requestor shall: acknowledge the donor and/or creator as specified below; give credit to the University of Memphis Libraries (UML) as specified below; and comply with all additional conditions specified below by UML.

Credit shall be provided to the Special Collections Department, University of Memphis Libraries as the source of the audio recording.

5. If fees are assessed, requestor must pay all fees in advance of delivery.
6. Any advertising or promotion by Requestor that uses the digital asset outside of the context of the project must be approved in advance by UML. Requestor shall not use, reproduce, or refer to the name or logo of UML for publicity, advertising, or promotion purposes.

As a condition of the permission, UML may request a copy of the finished product for its files. Please notify UML upon publication.

When collection items are reproduced online, University of Memphis Libraries requests a link back to its website: <http://www.memphis.edu/libraries/special-collections/>



USAGE FEE GUIDELINES

FEES: Fees are for one-time, non-exclusive use only within the project described on the application.

Special media use (commercial motion picture, television, on-line media, etc.)	\$125
Commercial product	Permission is discretionary and subject to licenses which may be negotiated by the University of Memphis Libraries.
Advertising	Permission is discretionary and subject to review by University of Memphis Libraries. Fees are separately negotiable.
Other uses	Permission is discretionary.

WAIVER FOR SCHOLARLY OR NON-PROFIT USES: Applicants may request a waiver of fees for the use of audio for non-profit or scholarly purposes. Approval of the waiver is at the discretion of University of Memphis Libraries (UML). See “Digital Reproduction and Usage Policy” for details.

PERMISSION TO REPRODUCE: Terms and conditions for reproduction are specified in writing by UML staff. Payment of the UML usage and reproduction fee is due on receipt of invoice. Fees are non-refundable. When paid, the receipted invoice together with the counter-signed permission form constitutes official authorization.



APPLICATION FOR PERMISSION TO
REPRODUCE AND USE AUDIO

Patron Name:

Institutional Affiliation:

Address:

Phone:

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Requests permission to publish University of Memphis Libraries' audio in the following:

Media production

Website

Other (Please State):

Title:

URL:

Author:

Publisher/Producer:

Date of publication/release/broadcast:

Scholarly/ non-profit usage waiver requests: Yes No

Audio file(s) requested (Please include description):



APPLICATION FOR PERMISSION TO
REPRODUCE AND USE AUDIO

I agree to abide by the terms set forth in the UML “Digital Reproduction and Usage Policy”

Patron signature

Date

Permission with a scholarly publication waiver is granted

Permission is granted on receipt of a signed copy of this form and a fee of \$

Please credit audio with the following format:

[Collection name], Special Collections Department, University of Memphis Libraries

University of Memphis signature

Date

Special Collections Department
University of Memphis Libraries
126 Ned R. McWherter Library
Memphis, TN. 38152-3250

lib_sc@memphis.edu

Additional audio requested: