

## Waseda University Repository Internal Regulations

Waseda University Library

April 12, 2006

(Objectives)

### Article I

The Waseda University Library (hereafter to be referred to as "the Library") shall register, collect, and archive in electronic format any Academic Materials created by the members of Waseda University (hereafter to be referred to as "the University"). The Waseda University Repository (hereafter to be referred to as "the Repository") shall, by allowing public access, contribute to the overall promotion of education, learning, and research activities. Furthermore, as part of its continuing efforts to invest in academic research, the Library shall establish Waseda University Repository Internal Regulations (hereafter to be referred to as "Internal Regulations").

(Academic Materials Eligible for Registration)

### Article II

The Library shall, when the following conditions below have been satisfied by academic information and research documents (hereafter to be referred to as "Academic Materials"), allow the registration of such materials into the Repository.

- (1) Academic Materials which are deemed to be significant.
- (2) Academic Materials created with the involvement of current and former Waseda University faculty, staff, students, and alumni (hereafter to be referred to as "Members").
- (3) Academic Materials created using an electronic format.
- (4) Academic Materials which can be stored on a repository computer server and transmitted via electronic format.

(Persons Eligible for Registration)

### Article III

Persons satisfying each of the following conditions, and were involved in the creation of said Academic Materials, shall be allowed to register with the Repository.

Hereafter, such persons shall be referred to as "Eligible Members."

- (1) Current and former "Members" of the University.
- (2) Persons who have been specially admitted by the Director of the Library.

(Usage Guidelines for Registered Academic Materials)

#### Article IV

The Library shall use Academic Materials registered in the Repository as prescribed below:

- (1) Make copies of registered Academic Materials for archival purposes in repository computer servers which shall be made available for access until such time unspecified.
- (2) When circumstances call for storing in repository computer servers, or transmitting Academic Materials from the server, the Library shall have the right to convert the electronic data format for the purposes of user convenience and archival services.
- (3) Make public the registered Academic Materials archived on the repository computer server, and transmit copies at no charge, via electronic means to a large number of unspecified persons who make requests for such data from both within and outside the University. Furthermore, the Library shall, when sending copies of said Academic Materials via electronic means, respect all applicable copyright laws, as well as provide a notice explaining the purpose and allowable usage of copies under such laws to the recipient of the transmission.

(Registration of Academic Materials with the Repository)

#### Article V

1. Those Eligible Members who intend to have their Academic Materials registered with the Repository must submit an application form called the "Waseda University Repository Registration Application Form" addressed to the Library Director while following the terms and conditions set forth in Article IX.
2. When there are agreements between the University's various organizational divisions/affiliated institutes and the Library regarding the registration of Academic

Materials into the Repository based on the Internal Regulations, the application process described in Article V, Clause 1 may be abbreviated.

3. Contingent on the prior consent of the Eligible Member to the terms and conditions set forth in the Internal Regulations, when said Academic Materials have been sent to the repository computer server following Library procedures, the registration application process described in Article V, Clause 1 shall be deemed to have been completed upon the receipt of the Academic Materials.

4. Regardless of the registration application, when the copyright holder of said Academic Materials is someone other than the Eligible Member who was involved in its creation, the Library shall have the right to proceed with repository registration of said Academic Materials upon obtaining the prior consent of the copyright holder.

(Notification of Registration)

Article VI

1. When recently registered Academic Materials are ready for use according to the terms and conditions of Article IV, the Library shall without delay notify the person (hereafter to be referred to as the "Applicant") who completed the repository registration application as prescribed in the previous Article V.

2. Based on Article V, Clause 2, and any applicable agreements established between the University's various organizational divisions/affiliated institutes, when the repository registration application process is abbreviated, the notice described in Article VI, Clause 1 may also be abbreviated.

3. Based on Article V, Clause 4, and contingent upon the consent of the copyright holder, when Academic Materials created through the involvement of the Member are registered with the Repository, no notification shall be sent from the Library to the Member regarding such facts of registration.

(Registration Rejection)

Article VII

1. The Library shall, when any of the following conditions have been met, reject the

registration of said Academic Materials at the Repository.

- (1) The contents of said Academic Materials infringe on the copyrights of another person.
- (2) The contents of said Academic Materials are deemed to negatively affect the public order and accepted social customs, or from a societal standpoint are considered remarkably inappropriate.

2. When a repository registration application has been rejected according to Article VII, Clause 1 above, the Library shall without delay notify the Applicant regarding any such rejection.

3. Eligible Members whose repository registration applications were rejected according to Article VII, Clause 1, shall have the right to ask for a written explanation from the Library Director regarding any such rejection decision.

(Registration Deletion)

Article VIII

1. When the following conditions have been met, the Library shall temporarily suspend all terms and conditions designated in Article IV, or delete all applicable Academic Materials registered with the Repository; and terminate all usage rights prescribed in Article IV.

- (1) When the contents of said Academic Materials are deemed to infringe on the copyrights of another person.
- (2) When the contents of the Academic Materials are deemed to negatively affect the public order and accepted social customs, or from a societal standpoint are considered remarkably inappropriate.
- (3) When an objection is raised regarding the public release of the contents of said Academic Materials according to the terms and conditions set forth in Article IV, and it has been determined that the objection is justified.

2. Members who have had usage privileges temporarily suspended or registration of said Academic Materials in the Repository deleted according to Article VIII, Clause 1, shall have the right to request a written explanation regarding the matter from the Library Director.

3. Persons who have registered Academic Materials in the Repository (hereafter to be referred to as the "Registrant(s)"), shall have the right to request the deletion of said registration by submitting the proper application, along with the reasons for the request in writing to the Library Director. When it has been determined that the deletion request is valid, the Library shall delete all applicable Academic Materials registered with the Repository and terminate all usage rights prescribed in Article IV.

4. When a request for deletion of registration based on Article VIII, Clause 3 is rejected, the Registrant shall have the right to request a written explanation from the Library Director regarding any such rejection decision.

(Terms Regarding Intellectual Property Rights)

#### Article IX

1. When the Applicant is the sole holder of the copyrights of said Academic Materials to be registered with the Repository, the Applicant shall give consent to usage of said Academic Materials to the Library as prescribed under Article IV with the understanding that no compensation shall be paid.

2. When the Applicant is one of several persons holding copyrights of said Academic Materials to be registered with the Repository, the Applicant shall obtain prior written consent from all such persons as a requirement to repository registration. This document shall contain a waiver of any compensation to be paid regarding usage by the Library as prescribed under Article IV.

3. When the Applicant does not hold the copyrights of said Academic Materials which are to be registered with the Repository, the Applicant shall obtain prior written consent from all copyright holders as a requirement to repository registration. This consent shall waive any compensation to be paid regarding usage by the Library as prescribed under Article IV.

4. When public release of said Academic Materials to be registered with the Repository infringes on the portrait rights or privacy rights of a person other than the Applicant, the Applicant shall obtain the prior written consent of the person as a requirement to repository registration (hereafter, the affected person shall be

referred to as the "Portrait Rights Holder(s)."

5. When old and rare materials are included with the Academic Materials to be registered with the Repository, and belong to a particular holder (hereafter to be referred to as the "Materials Holder"), the Applicant is required to obtain the prior written consent of the Materials Holder as a requirement to repository registration.

6. The copyrights of the current copyright holder of said Academic Materials shall not be affected after registration with the Repository. The Library shall not have the authority to use said Academic Materials beyond the terms and conditions set forth in Article IV.

(Miscellaneous)

#### Article X

Any matters and circumstances which arise and are not prescribed herein the Internal Regulations, shall be resolved through separate discussions between the Applicant or Registrant, and the Library.

2. When a dispute or objection regarding the Internal Regulations arises between the Registrant and the Library, both parties shall work to resolve the matter in good faith through discussions.

Supplementary Provisions:

The terms and conditions set forth herein the Internal Regulations shall be effective as of April 12, 2006.