

## A survey of Copyright Policies on Electronic Resources in China's "985" University Libraries

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### **Abstract:**

*The University library is fully committed to continuing its support for teaching, research and private study in the university. The academic library is a resource for the provision of information and scholarly literature in a variety of formats for the benefit of the University community. by organizing and Participating CALIS Electronic Resources Group Purchasing, the scale electronic collection have been formed in the majority of China's 985 universities Since1998.*

*Keeping balance is one of the functions of academic library, and library bears dual functions that the implementation and maintenance of the copyright law and meet the public demand for knowledge and information. The library copyright policy is a declaration for library to show the fact that library respect the copyright and intellectual property, and also is a necessary behavior guide for readers to appropriate use the library resources and services, to avoid breaking, or infringing the intellectual property and copyright laws.*

*With the continuous growth of electronic resources and the extensive application of information technology, the copyright issues become more complex in digital era. Library must face the challenge and should assume various responsibility and obligation in the collections development and management, and the service providing. It is an important duty for library to actively monitor the evolving digital copyright policies and guidelines and will modify its policies, procedures, and guidelines as necessary in the digital age.*

*The library should focus on the following objectives and duties in the formulation and implementation of copyright policies in order to effectively deal with complex copyright issues: legal obligations, informing, education, guiding, reminding and warning. With its architecture and content composition, although no uniform standard, the copyright policy on electronic resources should generally contain the following principal terms and content: copyright policy name; policy purpose and legal basis; the type and range of electronic resources; definition and scope of authorized users; fair use, including usage rights and limitations on use; prohibited irregularities generally and its judgment criteria; legal consequences of violations; penalties ; the right to appeal of users; disclaimer etc.*

*This paper investigates and analyzes the copyright policies on electronic resources in China's "985" University Libraries. The investigation focuses on the visibility and accessibility, the structure and content of the copyright policy. Further, it puts some suggestions for improvement.*

**Keywords:** 985 University library, Copyright policy, Copyright Statements, Electronic Resources

## **1 · Introduction**

The University Library is fully committed to continuing its support for teaching, research and private study in the University by providing integrated and timely access to high quality scholarly resources. For the early realization of building a world-class university's strategic objectives, 985 universities have spent a large amount of funds to purchase electronic resources, especially the foreign language electronic resources in recent ten years. According to incomplete statistics, more than ten universities of 985 universities had more than 10 million yuan RMB for subscribing electronic resources per year in recent three years. by organizing and Participating CALIS Electronic Resources Group Purchasing, the scale electronic collection have been formed in the majority of 985 universities Since 1998. In order to protect intellectual property rights of electronic resources, to ensure the legitimate rights and interests of authorized users, and forbid continuously, systemically downloading the e-resources, 985 universities have formulated the copyright polices of electronic resources.

The library copyright policy is a declaration for library to show the fact that library respect the copyright and intellectual property, and also is a necessary behavior guide for readers to appropriate use the library resources and services, to avoid breaking, or infringing the intellectual property and copyright laws.

With the continuous growth of electronic resources and the extensive application of information technology, the copyright issues become more complex in digital era. Library must face the challenge and should assume various responsibility and obligation in the collections development and management, and the service providing. It is an important duty for library to actively monitor the evolving digital copyright policies and guidelines and will modify its policies, procedures, and guidelines as necessary in the digital age.

Then, what are the purposes and function of the copyright Policy of Library? What are the complete e-resource copyright policy structure and content? What is the present situation of e-resources copyright policy in the Project 985 Universities, including how many 985 university have e-resources copyright policy ? Are these polices easy to find and access on the library website? How about the structure and content of the current copyright policy on electronic resources? What are the advantages and disadvantages of the policies?How to improve them? The above problems will been discussed in this paper.

## **2 · Literature Review**

Several targeted surveys of copyright information on library websites have been conducted in In recent years. Tony Horava (2008) proposed a conceptual model and proactive approach for integrating policy objectives and goals into the development of a copyright webpage, based on key elements of the library's mission in the academic environment. and analyzed copyright webpages in Canadian academic libraries. Janet Bishop(2011) conducted a Qualitative Evaluation of the Dissemination of Intellectual Property Information on ARL. Sharchaf & Rubenstein (2007) conducted an international comparative survey of copyright information on academic library websites of three countries: Israel, Russia, and the US, this analysis clearly indicates that the levels of emphasis are different among the libraries of the three clusters of countries, and there is no consensus at all as to their responsibility over copyright and intellectual property issues. One approach that is common across all three countries is to be passive and reactive. Copyright plays a central role in numerous activities within higher education, and educating a university community about copyright law should be a priority, if only to protect the institution from lawsuits. Utilizing Mintzberg's organizational

model and its discussion of organizational placement and legitimacy as a conceptual framework, Albitz, R.S.(2013) explores the current copyright education structures among the universities that comprise the Consortium on Institutional Cooperation, otherwise known as the CIC or the Big Ten, to determine whether organizational placement, credentials of individuals, and resources devoted to this activity affect the legitimacy of the office and the authority of copyright officers to fulfill their responsibilities. The results suggest that organizational placement, while it plays a role, is not nearly as important as the credentials of the individual in the position in conveying legitimacy. Schlosser's 2009 survey on copyright statements on digital library collections.

Sun Jie and Li Dapeng(2012) compared and evaluated the copyright policies formulated by libraries in Mainland, Hongkong, and Taiwan of China. Results demonstrate that the copyright policies in Hong Kong libraries are more flexible in form, more comprehensive in structure, also have more robust management institutions while copyright policies of libraries in Taiwan enjoy greater advantages in propaganda intensity and execution efficiency. Fu Lihong and Yan Jinshuang (2013) compared and analyzed the advantages and disadvantages of the website policies of 985 University libraries from seven aspects , including the copyright ownership , legal basis , right confirmation , fair use , infringement , remedy measures and disclaimer. Fu Lihong and Zhnag Jiabao(2012) compared and evaluated the copyright policies of academic library websites in Hong Kong. Qin Ke and WangLing(2010) analyzed the Copyright Policies on Electronic Resources of 86 University Libraries in China. And found , the importance of copyright policies has not been paid enough attention to by universities, and the effect of the implementation of copyright policies is not ideal. The format, structure and content presentation of copyright policies on electronic resources of university libraries are unscientific, irrational, incomplete and non-standard.

### **3. Model of Framework of Copyright Policy on Electronic Resource**

In digital information age, library should assumes various responsibility and obligation in protection of intellectual property rights and providing information resources and services. Accordingly, the purpose and function for formulating and Implementing copyright policy by library are also various. It can be found in the academic research and library practice in the world. For example, Tony Horava ( 2008 ) believed that a conceptual approach to design and content allows libraries to articulate high-level mission objectives communicated via the web. And proposed a model representing four spheres of involvement: the library's legal obligations; the university community's diverse interests; the library's educational role; and the library's external involvement. Sharchaf & Rubenstein (2007) found that” the purpose for providing the copyright information on libraries’ Web sites(in Israel, Russia, and the U.S.) varied as well. Three purposes were identified from the content analysis of the copyright pages: inform, educate, or warn users about copyright restrictions.” ARL’s 2010 report on “Fair Use Challenges in Academic and Research Libraries” based on extensive interviews, it documented “various levels of certainty about how to interpret and apply fair use,” the frequent retreat to familiar quantitative “guidelines” and specific exceptions rather than taking advantage of the flexibility of the fair use doctrine, and the need for better guidance and more active and collective risk-taking in exercising fair use. The purpose of the UCLA Library Copyright Policy including: to state the UCLA Library's responsibilities and its policies, procedures, and guidelines governing the reproduction of copyrighted material, with particular respect to the provisions of the Copyright Revision Act of 1976, the Digital

Millennium Copyright Act (DMCA), the Copyright Term Extension Act, and pertinent University of California policies; to state, insofar as is possible, the UCLA Library's responsibilities and its policies, procedures, and guidelines governing the use and reproduction of copyrighted materials available in or converted to digital formats; and to state the library users' responsibilities concerning the reproduction of copyrighted materials."Guidelines for Compliance with the Copyright Laws in the Use of Print, Non-print and Electronic Materials in the ULS"(The University Library of Chinese University of Hong Kong) mentioned " the guidelines below provide Faculty and students with a general indication of the importance of these Ordinances in relation to key areas of ULS use, and contain general advice on how to avoid breaking, or infringing, the intellectual property and copyright laws."

We believe that the library should focus on the following objectives and duties in the formulation and implementation of copyright policies in order to effectively deal with complex copyright issues:

**(1) Legal obligations :** to expound the library's respect for Copyright laws and intellectual property attitude and commitment to fulfill the duty of care; to emphasize the library's respect for copyright law, intellectual property, and regulation, license agreement between the electronic resources publishers/vendors and the library ; to reference and link to organization and policies and regulations, For example "Copyright Law of the People's Republic of China", "Regulation on Protection of the Right to Network Dissemination of Information", "Copyright Revision Act of 1976", "the Digital Millennium Copyright Act (DMCA)", "the Copyright Term Extension Act", "Berne Convention", "WIPO Copyright Treaty and Intellectual properties rights agreement about trade" and so on .

**(2) Informed obligations:** to clearly inform the users to use rights and obligations of resource and service of library under the copyright permission; provide the summary of license agreement information of electronic resources, explain contract terms and related concepts, such as definition and range of authorized users, the conditions and restriction for fair use, especially the special permission offered by electronic resources publishers: electronic course packs, electronic reserves, and document delivery so that the library and its users can obtain greater benefits from copyright exceptions and fair use term to support their teaching , research and studying.

**(3) Educating and guiding:** to provide clear and detailed information and legal guidelines of appropriate Use of Licensed Electronic Resources for users in order to educate and help them understand the right and the responsibility that should be assumed in the range of Copyright Act. including prohibited actions generally and its judgment criteria, what the user can do, or not can do, and how to do?

**(4) Reminding and warning:** to provide the user with a general indication of the importance of these Ordinances in relation to key areas of the use of resource and service of library, to clearly inform users the loss and impact for university and oneself when they violates intellectual property, and the legal liability and economic compensation that they must bear, and remind users how to avoid breaking, or infringing, the intellectual property and copyright laws. And play important role for copyright risk prevention and warning.

With its architecture and content composition, although no uniform standard, the copyright policy on electronic resources should generally contain the following principal terms and

content: copyright policy name; policy purpose and legal basis; the type and range of electronic resources; definition and scope of authorized users ; fair use, including usage rights and limitations on use; prohibited irregularities generally and its judgment criteria; consequences of violations. penalties ( procedures, methods ) ; the right to appeal of users; disclaimer etc.

#### 4. Methodology and Data Collection

The study is conducted by using the websites content survey method. The authors visited the library websites of the thirty-nine 985 Universities one by one and search the columns including “Intellectual Property Statement”, “Copyright Statement/Announcement”, “Copyrigh Statement/Announcement of Electronic Resources”, “Library Rules and Regulations” “Regulation of Electronic Resources Use”, “Management Practices of Electronic Resources Use” and so on. The following information is collected: name of copyright policy, location of release column, and clicks away from the library homepage. All of the full text of copyright policy that be found are downloaded for the purpose of in-depth analysis . Data were gathered between September and October 2013. Based on copyright policy framework model, a further examination is conducted on the structure and content of the electronic resources copyright policy, including purpose and legal basis for policy, conditions and restrictions of Fair use, Prohibited Uses and Excessive Downloading, consequences of violation , penalties and the other core content.

#### 5. Findings and Discussion

##### (1) Number of Copyright Policy on Electronic Resources

Thirty-five out of the thirty-nine library websites of the Project 985 Universities have released the copyright policy on electronic resources under the columns of “Copyright Announcement”, “Statement of Copyright”, “Regulation of Electronic Resources Use” and “ Management Practices of Electronic Resources Use”, Electronic Resource Use and Management etc., which account for 89.7% of the total number (see Table 1). It is found that the Project 985 Universities attach great importance to the protection of intellectual property of electronic resources. Among the 35 universities, five universities issued official documents of copyright policy, including Peking University, Zhejiang University, Wuhan University, Sun Yat-sen University and Huazhong University of Science and Technology. Some university libraries, including Tsinghua University, Southeast University and Northwestern Polytechnical University also provided the English versions of the copyright policy for electronic resources (see Table 2, Table 3).

Table 1: Number of Copyright Polices on Electronic Resources

<i>Copyright Policy on Electronic Resources</i>	<i>Number of Libraries</i>	<i>%</i>
Yes	35	89.7%
No	4	10.3%

Table 2: Copyright Policy on Electronic Resources is Issued by University

<i>Official Document Issued</i>	<i>Number of Libraries</i>	<i>%</i>
Yes	5	14.3%
No	30	85.7%

Table 3: English Version of Copyright policy on Electronic Resources

English Version of Copyright policy	Number of Libraries	%
Yes	3	8.6%
No	32	94.9%

## (2) Visibility and Accessibility

The visibility and accessibility of copyright policy is an important issue. This was examined from two aspects: the first one is the category hierarchy of copyright policy information; the second is the number of clicks it takes from the library homepage to the copyright policy information page.

The findings indicate that the Copyright Announcement is located in the second-level or third-level webpage, which is under the categories of “Electronic Resources” or “Database” in the most of thirty-five 985 University Libraries. Only three universities, Harbin Institute of Technology, Renmin University of China and Tongji University put “Copyright Announcement” in the primary category of the library homepage. The fourteen universities, Tsinghua University, Fudan University, Zhejiang University, Nankai University, Southeast University, Shandong University, Jilin University, Northeastern University, Northwestern Polytechnical University, China Agricultural University, Sichuan University, and Sun Yat-sen University, put “Copyright Announcement” in the secondary category of the library homepage. According to the statistics of category hierarchy, fifteen universities put “Electronic Resources Copyright Announcement” in the secondary category of website. Fifteen universities put them in the third-level category of website (see Table 4).

Table 4: Category Hierarchy of Copyright Policy on Electronic Resources

Level of Category	Number of Libraries	%
First-level	3	8.6%
Second-level	14	40.0%
Third-level	15	42.9%
Fourth-level	2	5.7%
Fifth-level	1	2.9%

The number of clicks from the library homepage to the Copyright Policy page in the Thirty-five Project 985 Universities is listed in Table 4. It can be seen that more than half of the copyright announcement on e-resources pages need one click to get, while fifteen university library are two clicks away from to the library homepage, which accounts for 42.9% of the thirty-five Project 985 Universities. Those that are a single click are immediately available from the homepage, and will therefore offer greater visibility and accessibility of copyright policy information. (see Table 5).

Table 5: Number of clicks from library homepage to copyright policy page

Number of Clicks	Number of Libraries	%
One click	18	51.4%
Two clicks	15	42.9%
Three clicks	1	2.9%
Five clicks	1	2.9%

### (3) Structure and Content of Electronic Resources Copyright Policy

Table 6 provides the structure and the content of electronic resources copyright policy of the thirty-five university libraries. It was found that there are the important and common content , including the purpose of statement, Prohibited Uses and Excessive Downloading, penalties in these electronic resources copyright policies. However, there are only thirteen universities in which the fair use, including usage right, conditions and restrictions are mentioned in the electronic resources copyright policy, among which several universities offer detailed, clear and complete explanation on the terms and restrictions of the fair use (see Table 6, table 9). It is found that the structure and content of the copyright policy on electronic resources is incomplete in the Project 985 Universities.

Table 6: Structure and Content of Electronic Resources Copyright Policy

Structure and Content	<i>Number of Libraries</i>	%
Purpose/legal basis	35	100%
Fair use	13	37.1%
Prohibited Uses and Excessive Downloading	35	100%
Consequences of Violation and Penalties	35	100%

#### A. Purposes of the Copyright Policy

Approximately 80% of the thirty-five Project 985 Universities state that the purposes of the copyright statements are “protect the intellectual property rights of electronic resources”; approximately 65% of the universities are “ensure the legitimate rights and interests of authorized users,” and “uphold the reputation and right of the University”; four universities are “protect the legitimate right of publishers”; three universities mention “avoid intellectual property disputes”; only two universities are “to abide by the electronic resources license agreements between publishers and library”. Furthermore, fifteen universities include three of the aforementioned purposes. It shows that the vast majority of the Project 985 Universities have a strong awareness of intellectual property protection, and have a more fully understanding of the three responsibilities and obligations for commitment(See Table 7) .

Table 7: Purposes of Electronic Resources Copyright Policy

<i>Purposes</i>	<i>Number of Libraries</i>	%
Protect intellectual property rights of electronic resources	28	80.0%
Uphold the reputation or right of the University	23	65.7%
Ensure the legitimate rights and interests of authorized users	23	65.7%
Protect the legitimate right of publishers	4	11.4%
Maintain the normal of library service	7	20.0%
Standard the use of electronic resources	3	8.6%
Compliance to the electronic resources license agreements	2	5.7%
Avoid intellectual property disputes	3	8.6%

#### B. Legal basis of the Copyright Policy

Most universities do not clearly state the legal basis for the copyright statement. Only a few universities states that they observe the “Copyright Act”, “ Copyright Law of the People’s Republic of China “, international intellectual property protection law and the contract signed by the Library and the database provider. Two universities mention “Regulation on Protection of the Right to Network Dissemination of Information”(See Table 8).

Table 8: Legal Basis of Electronic Resources Copyright Policy

<i>Legal Basis</i>	<i>Number of Libraries</i>	<i>%</i>
"Copyright Act"	6	17.1%
"Copyright Law of the People's Republic of China"	4	11.4%
"International intellectual property protection law"	3	8.6%
The Contract between the library and database provider	3	8.6%
"Regulation on Protection of the Right to Network Dissemination of Information"	2	5.7%
International practice	1	2.9%

### C. Definition and Description of Electronic Resources

It be found that the definition and description of electronic resources copyright policy is not clear, standard and complete in the thirty-five university . Eighteen universities point out that the electronic resources refer to “network official publications with the right to use on campus network purchased by the Library”, which account for 51.4% of the thirty-five university. Four Project 985 Universities mention that types of electronic resources include databases, e-journals, e-books and multimedia materials; four universities mention “the digital resources built or contributed by the University for the campus network users”; Shandong University Library proposes the concept that “the library provides information storage space and resource supplier provides information”(see Table 9).

Table 9: Definition and Description of Electronic Resources

<i>Definition and Description of Electronic Resources</i>	<i>Number of Libraries</i>	<i>%</i>
Network official publications with the right to use on campus network purchased by the Library	18	51.4%
The digital resources built or contributed by the University for the campus network users	4	11.4%
Databases, e-journals, e-books and multimedia materials	4	11.4%
Publications of the publishers home and abroad	3	8.6%
The library provides information storage space and resource supplier provides information	1	2.9%

### D · Definition and Description of Authorized Users

The copyright policy should clearly define the authorized users, who can search the electronic resources for personal learning, teaching and research. However, the survey finds small percentage of the libraries of the thirty-five Project 985 Universities give the definition and Description of the authorized users, and of them are not standardized and complete. Only eight universities pointed out that the use of electronic resources is limited to the faculty, staff and students of the university (see Table 10). The authorized users are defined as “real-name faculty, staff and students of the University, and including visiting scholar , overseas student, or teachers taking in-service training, postdoctoral” in Peking University, Fudan University Nanjin University, Sun Yat–Sen University and East China Normal University. While Fudan University also including “the part-time staff employed by the university/schools ”, Only Nanjing University and Sun Yat–Sen University mentioned “walk-in users”. Showing that the definition and Description of authorized users are quite clear and relatively complete in these five university.

The definition of authorized users should be as broad as possible to ensure the legitimate rights and interests of them, the authorized users should include all current students, faculty and staff(include overseas student, visiting scholar, teachers taking in-service training) of the university, and possibly walk-in users.

Table 10: Definition and Description of Authorized Users

<i>Definition of Authorized Users</i>	<i>Number of Libraries</i>	<i>%</i>
Faculty, staff and students	8	22.9%
Visiting scholar	4	11.4%
Overseas student	3	8.6%
Teachers taking in-service training	3	8.6%
Postdoctoral	2	5.7%
Walk-in users	2	5.7%
Part-time staff employed by the university/ schools	1	2.9%

### **E · Conditions and restrictions of fair Use**

Among the thirty-five universities with electronic resources copyright policy, only 20% universities' statements include the fair use conditions and restrictions of electronic resources, The low percentage shows that the Project 985 Universities do not attach enough importance on the fair use of electronic resources, compared to the prohibitions. The terms of fair use in the eight universities all include "use on campus network for the purpose of personal teaching and research". However, only five universities, Peking University, Nanjing University, Lanzhou University, East China Normal University and Sun Yat-sen University, clearly describe the specific actions of use, such as "retrieve, brows, download or print electronic resources by normal speed", "comply with the requirements of contract or the laws home and abroad", "download or print an article, a chapter or an item", and "access full text, abstract, catalogs or other reference information". Some special use permission, such as inter-library loans and document delivery, electronic course packs and electronic reserve, are almost not mentioned in the copyright policy. Only Lanzhou University Library describes the use of electronic course packs. ScienceDirect, SpringerLink, Wiley InterScience, Cambridge Journals Online, Oxford Journals Online, Emerald Management Xtra, IEEE Xplore, Institute of Physics, EBSCOhos, ProQues, JSTOR ect. are allowed to electronic reserve, but no university mentioned it. It shows that the statement of fair use of electronic resources in the copyright policy of the Project 985 Universities is not comprehensive, detailed and clear, which is very bad for libraries and their users Firstly, the libraries and their users cannot take full advantage of the policy of fair use and other copyright exemptions to fully utilize the electronic resources; secondly, it does not conducive to circumvent copyright risks.

Table 11: Conditions and Restrictions of Fair Use

<i>Conditions and Restrictions of Fair Use</i>	<i>Number of Libraries</i>	<i>%</i>
For the purpose of personal teaching and research	7	20.0%
Use only on campus network	7	20.0%
Retrieve, browse, download or print electronic resources	5	14.3%
Comply with requirements of the contract or the laws	3	8.6%
Downloading or printing an article, a chapter or an item	2	5.7%
Access full text, abstract, catalogs or other reference information	2	5.7%

## F · Prohibited Uses and Excessive Downloading

The electronic resources copyright policy of the Project 985 Universities attaches the most attention to “Prohibited Uses and Excessive Downloading”. About 94.3% of the electronic resource copyright policy states clearly that the Prohibited Uses and Excessive Downloading include: “continuously, systemically, centralizedly download, browse and search the databases, exceeding the normal reading speed”, “access or download electronic resources by setting illegal proxy server”, more than 82% of the policies mentioned “use robots, spiders, or other automated programs to download”, “use the licensed materials for illegal profit/commercial purpose” and so on. 74.3% of the policy states that the Prohibited Uses and Excessive Downloading include “provide authorized literature download (in large quantities) or document delivery to unauthorized users (non-university personnel)”. 51.4% of libraries mentioned “provide personal network account to non-university personnel for electronic resources use”. Three universities point out “the readers are obliged to properly keep personal network account and computer (server)”, “Other actions that are against laws, regulations and university rules” and so on (See Table 11).

Table 12: Prohibited Uses and Excessive Downloading

Prohibited Uses and Excessive Downloading	Number of Libraries	%
Continuously, systemically, centralizedly download, browse and search the databases	33	94.3%
Access or download electronic resources by setting illegal proxy server	33	94.3%
Download by using robots, spiders, or other automated programs	30	85.7%
Use the licensed materials for illegal profit /commercial purpose	29	82.9%
Distribute the licensed materials to unauthorized users	26	74.3%
Provide personal network account to non-university personnel for electronic resources use	18	51.4%
Readers are obliged to properly keep personal network account and computer (server)	3	8.6%
Other actions that are against laws, regulations and university rules	3	8.6%

## G · Consequences of Violation and Penalties

Only seven 985 universities explicitly told the consequences of copyright violations that may arise in the policy. Xiamen University, Nanjing University, Zhejiang University, Shandong University, Hunan University and Sichuan University mention that “the database providers may block IP or proxy server”. Xiamen University and Zhejiang University mention that database providers “will resort to the law for serious violations”. Shandong University mentions that “the database provider may require the library to investigate those who are responsible and report the penalty”. Hunan University mentions that “the excessive or malicious download of digital literature will result in artificially large visits and the renewal price of the database will be increased substantially.” The consequences of violations should be clearly set out in the e-resources policy, for example, “Publishers/vendors very quickly notice this behavior and cut off access to that resource for our entire campus! It usually takes a lot of time and negotiation to resume the access to that resource, and all university users lose access to the resource for a certain period of time because of such inconsiderate behaviour.”

Five universities state how to determine violations. For example, Peking University states that “the Library, the computer center and the related school/departments will form a temporary

investigation group to conduct the investigation and determine the violations”. Nanjing University states that “the university network center and the Library will work together to investigate the violators”. Fudan University states that “the Library will work with information office and the related college /departments to conduct the investigation. After the investigation result is approved by the Librarian, the violators will be punished according to the severity of the violations”.

Table 12 shows that approximately 50% of the universities point out clearly that penalties include “Users are fully responsible for any legal consequences arising from infringement of applicable copyright laws”, “the violators will be required the library to take investigation and submit written statements and examination”, “the violators are reported to the university to give disciplinary or administrative action”. some university libraries mention “library will suspend the user's borrowing privilege”, “suspend the use permission of the illegal IP address”, or “suspend the network account” and so on.

Table 13: Penalties in Electronic Resources Copyright Policy

<i>Penalties</i>	<i>Number of Libraries</i>	<i>%</i>
Users are fully responsible for any legal consequences arising from infringement of applicable copyright laws.	18	51.4%
The violators will be required the library to take investigation and submit written statements and examination.	18	51.4%
Criticize in the library homepage, campus network, newspaper, internal communication, campus media	17	48.6%
The violators will be reported to the university to give disciplinary action or administrative action	15	42.9%
Library will suspend the user's borrowing privilege	13	37.1%
Suspend the use permission of the illegal IP address	13	37.1%
Notice the college/department Dean or authority concerned	12	34.3%
Suspend the network account	8	22.9%
Require the user remove the offending downloaded data and literature	7	20.0%
Compensate the economic loss of the university due to the violations	7	20.0%

## 6. Conclusion and Suggestion

The Project 985 Universities attach great importance to the protection of intellectual property of electronic resources. Thirty-five out of the thirty-nine library websites of the Project 985 Universities have released the copyright policy/information on electronic resources, which account for 89.7% of the total number. The visibility and accessibility of those policies is better, and easy to find. The electronic resources copyright policy play better reminding and warning role, in which the terms and information of prohibited actions and excessive downloading, penalties are more detail, clarity and completeness.

There are some shortcomings: the structure and content of electronic resources copyright policy is incomplete. only thirteen universities' policy includes the fair use conditions and restrictions, and not detailed and complete, especially some special terms such as inter-library loans and document delivery, electronic course packs and electronic reserve, are almost not mentioned in the these polices. A description of certain terms and definitions of the policy is not clear, accurate, complete and standardized.

The Suggestion are: Enhance informing,educating and guiding of copyright policy, Perfect the structure and content of electronic resources copyright policy, improve the purpose and basis of policy, the right, conditions and restrictions of fair use, subjoin electronic course packs, electronic teaching reference materials and document delivery etc. Improve the design of the websites of library copyright policy, enhance the navigation function.

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**Appendix. 985 University Library Websities Surveyed(omission)**