

RESOLUTION NO. 02-99
ESTABLISHING MASON COUNTY COPYRIGHT POLICY

WHEREAS, RCW 36.32.120, states "...the legislative authorities of the several counties shall:...Have the care of the county property and the management of the county funds and business and in the name of the county prosecute and defend all actions for and against the county,..."

WHEREAS, it is Mason County's policy to strictly comply with copyright law with respect to the copying of documents, the Board of Mason County Commissioners have determined that Mason County is in need of a written copyright policy;

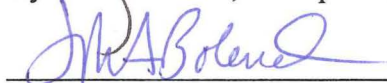
NOW THEREFORE, the Mason County Board of County Commissioners does hereby approve the Mason County Copyright Policy (see Attachment A which is hereby incorporated as part of this resolution).

APPROVED this 5th day of January, 1999.

BOARD OF COUNTY COMMISSIONERS



Cynthia D. Olsen, Chairperson

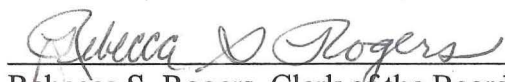


John A. Bolender, Commissioner



Mary Jo Cady, Commissioner

ATTEST:



Rebecca S. Rogers, Clerk of the Board

APPROVED AS TO FORM:



Michael Clift, Chief Deputy Prosecutor

I. COUNTY RESOLUTION REGARDING COPYRIGHT OWNERSHIP

(A) Mason County's policy is to strictly comply with copyright law with respect to the copying of documents. Current Federal Copyright Law (Title 17 U.S. Code) governs the making of photocopies and/or other reproductions of copyrighted materials by individuals or county departments.

Under recent copyright law amendments, a copyright owner no longer has to necessarily include a copyright notice on his or her work for it to be protected by a copyright. Any original work of authorship, whether published or unpublished, created in tangible form, may automatically be afforded copyright protection and all County personnel should be aware of these protections.

(B) Title 17 U.S. §§ 106, 107 and 108 of the copyright law dictate the rights of copyright owners under what circumstances a photocopy of a copyrighted work may legally be made. Mason County strongly believes that the federal copyright law must be upheld. Compliance with this law is the responsibility of each employee, volunteer, or elected official of Mason County, and we do not condone the unauthorized reproduction of copyrighted materials.

In the interests of avoiding any inadvertent infringement, appropriate copyright notice signs shall be posted near each Mason County photocopy machine both attended and unattended, at any location where the County may receive infringing materials from the public or other governmental entities, and shall be placed upon any materials of the type to be at risk for inadvertent infringement (See Sections II, III, and IV respectively below).

(C) Any department routings are required to consist of originals or tables of contents. Individual County department resource libraries will not be permitted to share resources, either among themselves or within their networks through unauthorized duplication (including facsimile) of copyrighted materials, and supervisors should not ask or expect County personnel to do so. All Mason County employees or volunteers are advised to consult with their supervisor prior to undertaking any activity which may involve that individual, their department, or Mason County in a possible copyright violation.

(D) All matters regarding the County's copyright policy which require further clarification or determination shall be referred to department supervisors, who's responsibility it will be to apprise the County's risk manager.

II. COPIER COPYRIGHT NOTICE

The following notice shall be posted at all copiers:

The Copyright Law of the United States (Title U.S. Code) Governs the Making of Photocopies or Other Reproductions of Copyrighted Material. Compliance with the law is the responsibility of each employee, volunteer, or elected official of Mason County, and Mason County does not condone the unauthorized reproduction of copyrighted materials.

Any individual using this equipment in violation of this policy is liable for any infringement.

III. NOTICE TO THIRD PARTIES SUBMITTING PERMIT APPLICATIONS

The following notice shall be posted at any location where third parties or the general public submit applications or documents to Mason County departments:

Notice:

(a) The Copyright Law of the United States (Title 17 U.S. Code) Governs the Making of Photocopies or Other Reproductions of Copyrighted Material. Mason County's policy is to Comply with Copyright Law with Respect to the Copying of Documents and/or Ownership of Copyright.

(b) Mason County will not accept any Photocopies, Reproductions, Tracings, Facsimiles, Derivative Works or the like, submitted to it (including but not limited to Maps, Diagrams, Written Directions, Schematics, Plans) that are or maybe protected by the Copyright Laws of the United States. This includes Published and Unpublished Works. If Such Materials are submitted with any Permit Applications, they will not be accepted.

(c) If any infringing materials are accepted or filed with any Department on the basis of fraud or false representation, the submitter shall be liable for any Copyright Infringement and agrees to indemnify Mason County for any costs incurred in responding to or defending any subsequent lawsuit.

Penalties for copyright infringement, even a single photocopy, can include actual or significant statutory damages, excluding attorney fees and costs.

(d) Mason County will accept photocopies or reproductions only where the submitter can present a signed license granted by the copyright owner in that particular work. In regard to the filing of materials with Mason County, such a license shall only be effective for that particular submittal; a license must be provided for each separately submitted photocopy document.

(e) Mason County or its personnel are unable to provide copies of maps or similar materials to assist in your application so please do not ask them to do so.

(f) Any individual submitting a photocopy or reproduction with their application is liable for any infringement.

IV. NOTICES TO BE PLACED ON COPYRIGHTED MATERIALS

The following notice shall be placed on any materials of the type determined by the risk manager or department heads typically at risk of being photocopied:

This material is the property of Mason County but it is held under copyright. Do not photocopy or make any other reproductions of the materials inside this work. Any individual doing so is liable for any infringement and further risks termination for violation of the County code.