



Mary Livermore Library
The University of North Carolina at Pembroke
PO Box 1510
Pembroke, NC 28372-1510
Reference: 910.521.6656
Circulation: 910.521.6516
Fax: 910.521.6547
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COMPUTER SOFTWARE POLICY STATEMENT

The [Copyright Act of 1976](#) and the [1980 Computer Software Amendments to the Copyright Act](#) do not give educators crystal clear guidelines as to when computer software may be copied. There has also been no definitive judicial guidance.

Interpretations of the law have been made by several experts and the following is a summary of those interpretations.

YOU CAN:

1. Make an archival or backup copy of a software program that you own. The backup copy is to be used only if the original fails. You cannot use the backup copy on a second computer simultaneously with the master copy.
2. Adapt the program to your use by adding to the content or adapting it to another language. You cannot sell, distribute, or transfer the adapted version of that program.
3. Loan the computer software on a nonprofit basis and for nonprofit purposes.

YOU CANNOT:

1. Make multiple backup copies.
2. Make one copy for home and one copy for the University.
3. Make a copy for a friend (unless it is [Public Domain](#)).
4. Transmit through a network outside of the University.

FAIR USE AND SOFTWARE

A review of the literature indicates that copying computer software for short-term, emergency use may or may not be allowed; users should copy software with caution.

LICENSING AGREEMENTS

Some software programs have a licensing statement that you agree to the conditions for using the program as therein stated. This licensing agreement is a

contract that overrides **Fair Use** rights. Occasionally the conditions may seem prohibitive. There have been no judicial guidelines as to whether these licensing statements are legally binding. Until there are some legal guidelines, we urge educators to be cautious when using any programs with this type of statement.

Adapted from the copyright policy of Southeastern Louisiana University, available at <http://www.southeastern.edu/library/directory/reserve/guidelines/#copyright>.

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