

University of North Carolina-Chapel Hill  
 University Committee on Copyright  
**2021-2022 Annual Report to the Faculty Council**

March 11, 2022

**Committee members:**

Last name	First name	Department	School	Constituency	Term expires
<b>Bovens</b>	Luc	Philosophy	Arts and Sciences	Faculty Appointee	2024
<b>Burger</b>	Kyle	Nutrition	Public Health	Faculty Appointee	2024
<b>Caldwell</b>	Brenda	Law	Law	Graduate Student Appointee	2022
<b>Estigarribia</b>	Bruno	Romance Studies	Arts and Sciences	Faculty Appointee	2023
<b>Fern</b>	Michael	Associate Chair of Administration, Finance and Entrepreneurship	Computer Science	Representative	2023
<b>Gilliland</b>	Anne	University Library	Libraries	Faculty Appointee	2022
<b>Graham</b>	Nicholas	University Library	Libraries	Faculty Appointee	2022
<b>Johnson</b>	Martin	English and Comparative Literature	Arts and Sciences	Faculty Appointee	2024
<b>Quay</b>	Jackie	Director, Licensing and Innovation Support	Office of Technology Commercialization	Representative	2021
<i>Reid</i>	<i>Amanda</i>	<i>Journalism and Media</i>	<i>Journalism and Media</i>	<i>Faculty Appointee</i>	2022
<b>Sherer</b>	John	Director	UNC Press	UNC Press	EO
<b>Whitmire</b>	Jason	Genetics	Medicine	Faculty Appointee	2023

The chair of the committee is *italicized*.

**Non-voting consultants:**

Lee Bollinger, Associate University Counsel

**Committee charge (§ 4-25.):**

The committee represents to the chancellor and the University community the concerns of faculty and other users and creators of scholarly information. The committee's functions include:

- 1) monitoring trends in such areas as institutional or consortial copyright use policies, changes in copyright ownership models, and guidelines for fair use of information in all formats;

- 2) identifying areas in which policy development is needed and recommending to the chancellor new or revised institutional policies and guidelines;
- 3) cooperating with the administration to propose and monitor the application of University policies and guidelines regarding ownership and use of copyrighted or licensed scholarly works; and
- 4) assisting in identifying educational needs of the faculty and others related to compliance with copyright policies and guidelines, and advising on appropriate ways to address those needs.

**Committee meetings:**

Meetings were held virtually over Zoom on the following dates:

- August 25, 2021
- October 6, 2021
- January 31, 2022
- February 15, 2022

A future meeting is scheduled on March 23, 2022.

**Items discussed:**

- Review recent copyright cases with implications for public universities, including Google LLC v. Oracle America Inc. (decided April 5, 2021).
- Discuss emerging questions about embedding images on social media.
- Discuss copyright status of published research, including the copyright status of pre-prints, ResearchGate articles, an author's ability to grant permissions for reprints or figures, and open access publications.
- Discuss copyright case to watch: *Andy Warhol Foundation v. Goldsmith*, 992 F.3d 99 (2d Cir. 2021) (finding against fair use of photo), petition for cert. pending.
- Discuss Open Access Publishing: Challenges, Permissions & e-Books.

**Formal votes or decisions rendered:**

None.

**Submitted by:** Amanda Reid, chair