Notice on copyright
Additional information on Section 60c of the German Copyright Act

I. General

You may use copyright-protected works or parts of works without the permission of the rightholder for scientific research.

II. Definition according to Section 60c of the German Copyright Act

- “Reproduce” means to save, scan or make copies of other authors’ work files/works.
- “Distribute” means to put the workpiece in material form into circulation.
- “Make available to the public” means to upload workpieces to a server so that students and/or research assistants can view or download these workpieces.

III. Prerequisites and examples

1. Protected works

   ➢ Scientific papers, statements, comments, books, articles
   ➢ Illustrations of a scientific or technical nature, such as plans, sketches, maps, tables, drawings, photographs, figures
   ➢ Material accompanying university lectures, talks, speeches, presentations, etc.
   ➢ Works that are out of print, no matter for how long they have been out of print
   ➢ Orphan works
   ➢ Non-published works (e.g. estates)

Please note:

   • In the case of non-published works, the heir of the author must agree to the publication of the research results.
   • Literary works 70 years after the author’s death, published measurement data, scientific formula, and official legal texts are not protected.

2. Permissible extent to which works or parts of works may be used:

   - Up to 75 per cent of a work may be reproduced for personal scientific research.
It shall be irrelevant whether the work was available in a library or the price of the work was reasonable and therefore affordable to the researcher.

**Please note:** The produced copies may not be passed on to third parties.

- Works may be reproduced, distributed and made available to the public for the purpose of *non-commercial scientific research*:
  - In the case of text pages, up to 15 per cent of the complete work may be used (all pages that are not blank and that primarily contain text have to be taken into account), in the case of cinematographic works (2 years after premiere in German cinemas), educational videos and audio recordings, up to 15 per cent may be used
  - Full use of out-of-commerce works
  - Full use of small-scale works:
    - Figures; printed works with a maximum of 25 pages; musical works and cinematographic works with a maximum length of 5 minutes; music sheets with a maximum of 6 pages
    - Isolated article from a professional journal
    - Articles from popular magazines are not included. When using text extracts from such magazines, you may use up to 15 per cent of the complete work only or you must quote the work according to Section 51 of the German Copyright Act.

**Caution:** It is explicitly not allowed to record public lectures, productions or performances of a work and to make such recordings available to the public, e.g. on the Internet.

2. **Non-commercial research:**

   The research funding source is irrelevant. I.e., it makes no difference whether the research is financed from public universities or from private third parties. The research is also non-commercial if the researcher publishes their research results subsequently at a publisher (in return for remuneration).

3. **Authorized persons:**

   In addition to professional scientists, also employees of research institutes, such as professors or research assistants as well as students who perform research within the scope of seminar papers or degree theses, shall be privileged.
➢ “for a specifically limited circle of persons for their personal scientific research”

It is not necessary that all persons work at the same institution. The contents must be protected from access by third persons, i.e., the materials may only be used within a password-protected network of the research team.

➢ “for individual third persons insofar as this serves the monitoring of the quality of scientific research”

This refers to peer review that is performed prior to publishing or awarding a prize and that serves to evaluate the scientific research.

4. General prohibition of alteration of the work

As a general principle, you may not alter other authors’ works. This does not include translations of texts and rendering pictures into another size, insofar as these alterations are necessary for the research purpose. Any alteration beyond this requires the prior consent of the rightholder.

5. The author or rightholder and the source must be stated at all times.

Please note that this notice can only provide you an overview of the copyright situation and that it cannot substitute for individual legal advice. If you have any questions or uncertainties, please don’t hesitate to contact Department 9.0 - Legal affairs at any time. Our employees will be happy to assist you.

By order
signed Nadine Rüttgers