

Nagoya University Guidelines for the NAGOYA Repository

Decision by Library Director: March 18, 2015

Enactment: March 18, 2015

(Purpose)

1 The Guidelines shall govern matters regarding the academic institutional repository of Nagoya University (hereinafter referred to as the “NAGOYA Repository”), which is operated by Nagoya University (hereinafter referred to as the “University”).

(Objective)

2 The NAGOYA Repository aims to promote academic research and contribute to society by enabling researchers to share with society their research outputs created through educational and research activities at the University, including academic articles, dissertations, books, and reports (hereinafter referred to as “academic materials”).

3 (1) To achieve the objective prescribed in the preceding article, the NAGOYA Repository extensively collects, archives, and preserves electronically recorded academic materials (hereinafter referred to as “educational and research outputs”) at the Nagoya University Library (hereinafter referred to as the “University Library”), and makes such outputs electronically available to the public both on and off campus for free.

(2) In addition to what is prescribed for in the preceding paragraph, the NAGOYA Repository may also conduct the following:

(i) Registering and preserving educational and research outputs from the University that cannot be made public, upon requests from persons who are eligible for registering educational and research outputs (hereinafter referred to as “registrants”).

(ii) Archiving and preserving, at the University Library, electronically recorded research outputs from scholarly research organizations such as academic societies for which an executive director or a staff member of the University serves as a committee member or representative (hereinafter referred to as “academic societies”), upon requests from such academic societies. The research outputs will be made electronically available to the public both on and off campus for free.

(iii) Collecting, archiving, and preserving electrically recorded paleographs, classical books, and educational materials for education and research activities at the University (hereinafter referred to as “educational and research materials”), provided that such educational and research materials satisfy the Requirements for Public Release prescribed in Article 6. The educational and research materials will be made electronically available to the public both on and off campus for free.

(iv) Archiving and preserving, at the University Library, electronic materials held at other institutions (including individuals; hereinafter referred to as “holding institutions”) associated with the educational and research materials prescribed in the preceding item,

upon requests from such holding institutions. The educational and research materials will be made electronically available to the public both on and off campus for free.

(Registrants)

4 Registrants shall be as follows:

- (i) A person who is or was an executive member, a staff member, or a graduate student at the University.
- (ii) A person who has been conferred a doctoral degree from the University.
- (iii) Academic societies
- (iv) Any other person deemed as being qualified by the Director of the University Library.

(Requirements for Public Release of Educational and Research Outputs)

5 The educational and research outputs that are to be made public through the NAGOYA Repository shall satisfy all the requirements given below:

- (i) The outputs shall be educational and research outputs created by the registrant either alone or collaboratively with others while the registrant was at the University or shall be research outputs created by academic societies. However, registration of the outputs shall be limited to those which are permitted by their intellectual property holders (including the holders of rights such as copyright, moral rights, patents, and trademarks; the same shall apply hereinafter).
- (ii) The educational and research outputs shall be provided by the registrant to the University for free.
- (iii) The educational and research outputs shall comply with the laws relevant to intellectual property rights and the rules and regulations of the University.
- (iv) The educational and research outputs shall cause no issues of laws or social conventions regarding the following matters:
 - (a) Individual rights including honor and privacy
 - (b) Information security
 - (c) Confidentiality
- (v) The educational or research outputs shall cause no other issues in making them public.

(Requirements for Public Release of Educational and Research Materials)

6 The educational and research materials that can be made public through the NAGOYA Repository shall satisfy all the requirements given below:

- (i) The educational and research materials shall be held by the University with no intellectual property holders or with intellectual property rights singly owned or co-owned by the University, or shall be held by holding institutions associated with the materials with no intellectual property holders or with intellectual property rights singly owned or co-owned by the University or by the holding institutions. For materials with co-owned intellectual property rights, permissions shall be obtained from all the co-

owners. For materials with intellectual property rights owned by holding institutions, permissions shall be obtained from the holding institutions.

(ii) The educational and research materials shall fall under all of the items 2 to 5 of the preceding article.

(Procedures for Educational and Research Outputs and Educational and Research Materials)

7 (1) A person who wishes to register educational and research outputs or educational and research materials to the NAGOYA Repository shall follow the Registration Guidelines specified separately.

(2) When the registrant of an educational and research output or an educational and research material differs from its copyright holder, or when it has multiple copyright holders, the registrant shall obtain in advance a written permission for use of the copyright to reproduce or to publicize it from all the copyright holders. The registrant shall request registration to the University Library together with a written statement showing the permission from all the relevant copyright holders (hereinafter referred to as “permission certificate”).

When a copyright holder has stated his or her copyright permission policy in advance, the registrant may submit an alternative statement showing the policy in place of the permission certificate. When a copyright holder specifies the conditions for use of educational and research outputs or educational and research materials in the rules for contributors or in the publication agreement, the registrant shall submit a document stating such conditions, in addition to the permission certificate or policy statement.

(3) The Director of the University Library shall determine whether the educational and research outputs or the educational and research materials provided from the registrant are to be registered and made public, and shall follow the procedure given below.

(i) When the Director determines that the outputs or the materials are eligible for registration and public release, the outputs or the materials are registered to and archived in the NAGOYA Repository and are made available to the public, after the information including the title and the author name(s) is checked. The registrant may request to postpone the public release of the outputs or the materials.

(ii) When the Director determines that the outputs or the materials are eligible for registration but not eligible for public release, the Director notifies this determination to the registrant and registers the outputs or the materials for no public release or for no use by the public.

(iii) When the Director determines that the outputs or the materials are not eligible for registration, the Director notifies this determination to the registrant and returns the outputs or the materials to the registrant.

(iv) When the outputs or the materials are registered to the NAGOYA Repository, the copyright holder(s) shall permit the University to use and exercise the copyright of the outputs or the materials to reproduce or publicize the outputs or the materials. The copyright remains with the copyright holder(s).

(4) When a holding institution or an academic society requests to use the NAGOYA Repository, the Library Infrastructure Maintenance Committee shall check that the request is not inconsistent with the educational and research activities of the University and deliberate whether to accept the request.

(5) The University Library may convert a recording format or medium of educational and research outputs or educational and research materials registered to the NAGOYA Repository into another recording format or medium and reproduce the outputs or the materials for their preservation or use.

(6) Notwithstanding the provisions of Paragraph (3), the educational and research outputs or the educational and research materials shall be used within the scope of any terms and conditions for use specified by the copyright holder(s).

(Deletion of Educational and Research Outputs or Educational and Research Materials)

8 (1) The Director of the University Library shall delete educational and research outputs or educational and research materials registered in the NAGOYA Repository in any of the following cases:

(i) where the outputs or the materials infringe or may possibly infringe the intellectual property rights of others.

(ii) where the outputs or the materials are inconsistent with public morality, are those stolen or plagiarized, or include extremely inappropriate content.

(iii) where the registration is deemed to cause other damaging issues.

(iv) where the educational and research materials fall under any of the items of the following paragraph.

(2) The Director of the University Library may delete educational and research outputs registered in the NAGOYA Repository in any of the following cases (excluding the case falling under the provisions of the items of the preceding paragraph):

(i) where the registrant or the intellectual property holder(s) requests deletion by submitting a written request with the reasons.

(ii) where the registration is deemed to cause other damaging issues.

(3) When the Director of the University Library deletes educational and research outputs or educational and research materials under the provisions of Paragraph (1) or (2), the Director shall notify the registrant of the deletion together with the reasons.

(4) The Director of the University Library may make the educational or research outputs or the educational or research materials falling under any of the items of Paragraph (2) unavailable to the public or unused, without deleting the outputs or the materials. In this case, the Director of the University Library shall notify the registrant that the educational and research outputs are made unavailable to the public or made unused, together with the reasons.

(Terms of Use)

9 (1) A user of educational and research outputs or educational and research materials registered to the NAGOYA Repository must obtain permission in advance from the copyright holder(s) of the outputs or the materials through the University Library when

the use is beyond limitation on copyright to reproduce or quote for private use, prescribed in the Copyright Act (Act No. 48 of 1970).

(2) When educational and research outputs or educational and research materials registered to the NAGOYA Repository were either published or made public by a publication right holder(s) before being made available through the NAGOYA Repository, the outputs or the materials shall be used within the scope of any terms and conditions for use specified by the relevant publication right holder(s) in the rules for contributors or in the publication agreements.

(Disclaimer)

10 The University shall accept no liability for any damage resulting from registration of educational and research outputs or educational and research materials to the NAGOYA Repository, its public release or in its use.

(Miscellaneous Provisions)

11 In addition to what is provided for in these Guidelines, necessary matters regarding the operations of the NAGOYA Repository shall be determined by the Director of the University Library through deliberation(s) by the Advisory Council.

Supplementary Provisions

1 These Guidelines shall take effect on March 18, 2015.

2 The Provisional NAGOYA Repository Guidelines (hereinafter referred to as the "Provisional Guidelines") shall be repealed.

3 The procedures for educational and research outputs collected, archived, and preserved in accordance with the Provisional Guidelines shall be governed by these Guidelines.