

19 October 2006

**INFORMATION PAPER**

**SUBJECT:** Copyright Requirement for Distributed Learning (dL) Courseware Development

**1. Purpose:** To provide information on the copyright requirement in the Distributed Learning Education and Training Products (dLETP) Contract

**2. Facts:**

a. The Government shall have unlimited rights in works first produced, created, or generated and required to be delivered under this contract.

b. When a work is first produced, created, or generated under this contract, and such work is required to be delivered under this contract, the Contractor shall assign copyright in those works to the Government. The Contractor, unless directed to the contrary by the Contracting Officer, shall place the following notice on such works: "<Copyright> (Year date of delivery) United States Government, as represented by the Secretary of (department). All rights reserved."

c. For phonorecords, the "<Copyright>" markings shall be replaced by a "P".

d. The Contractor grants to the Government a royalty-free, world-wide, nonexclusive, irrevocable license to reproduce, prepare derivative works from, distribute, perform, or display, and to have or authorize others to do so, the Contractor's copyrighted works not first produced, created, or generated under this contract that have been incorporated into the works deliverable under this contract.

e. Third party copyrighted data. The Contractor shall not incorporate, without the written approval of the Contracting Officer, any copyrighted works in the works to be delivered under this contract unless the Contractor is the copyright owner or has obtained for the Government the license rights necessary to perfect a license of the scope identified in paragraph © (3) of this clause (252.227-7020) and, prior to delivery of such works.

f. For any copyrighted materials, the Contractor shall be responsible for obtaining all releases and providing a copy of such releases to the Government.

g. The Contractor shall obtain releases for all copyrighted materials used.

h. The Contractor shall provide legal certification or license from the owner that permits Government use if copyrighted material is delivered.

Mary Boyd/ATIC-ITSD/878-3608  
APPROVED BY \_\_\_\_\_