

Operational Guidelines
for
Meiji University Academic Repository

February 22, 2008

Established by the Management
Committee of the Meiji University
Academic Repository

(Purport and Purpose)

Article 1 The Operational Guidelines shall set forth necessary matters relating to the operation of the Meiji University Academic Repository (commonly known as “Meiji Repository;” hereinafter referred to as “Repository”) in Incorporated Educational Institution Meiji University and the school established thereby (hereinafter referred to as “this University”).

The Repository is intended to contribute to the advancement of academic research at this University as well as fulfill the social responsibility as researchers, by collecting, and permanently stockpiling and preserving academic achievements created at this University, and sending out and providing such academic achievements free of charge inside/outside the University.

(Definitions)

Article 2 The definitions of the terms in the Guidelines shall be set forth as follows:

- (1) “Repository system” means machinery (such as a server) and related software for operating the Repository.
- (2) “Transmitting” means a state in which the electronic educational and research achievements (hereinafter referred to as “Academic Achievements”) posted in the Repository are ready for being delivered, transferred and publicly transmitted by using an electronic means.
- (3) “Publishing” means a state in which a user of the Repository system can view or receive the Academic Achievements stored in the Repository system by using an electronic means.
- (4) “Storing” means to record Academic Achievements in a state of being ready for publication and transmission in the Repository system.
- (5) “Reproducing” means a state in which the digitalized Academic Achievement published in the Repository system is recorded and preserved as an electronic copy by

way of downloading or a backup, etc.

- (6) “Using” means that the library uses the Academic Achievements in order to operate the Repository.
- (7) “Utilizing” means that a person other than the library accesses, views, and downloads or reproduces the Academic Achievements stored in the Repository system.
- (8) “User” means a person utilizing the Repository system.

(Management and Operation)

Article 3

1. The management and operation of the Repository shall be conducted at the Meiji University Library (hereinafter referred to as “Library”), and the Director of Library shall be the responsible person. Any matters necessary for the management and operation shall be determined by the Management Committee of the Academic Repository (hereinafter referred to as “Management Committee”) formed under the Library Committee.
2. Matters relating to the organization, operation and related matters of the Management Committee are separately determined.

(Materials to Be Registered)

Article 4 The Academic Achievements that can be registered in the Repository shall be those which satisfy the below-listed requirements.

- (1) Those which have an academic value, and fall under the scope of any of the matters listed below.
 - (a) Academic papers (papers in academic journals, papers in bulletins, preprints, papers presented in academic conferences, etc.)
 - (b) Dissertations (doctoral theses, summary of a dissertation and abstract of its examination)
 - (c) Educational materials (class materials, lecture materials, historical materials)
 - (d) Reporting materials (academic reports, reports on research results funded by the Grants-in-Aid for Scientific Research, COE- GP reports, etc.)
 - (e) Other educational and research results which can be published.
- (2) In principle, those made public by domestic or international academic institutions, etc.
- (3) Those, the main portion of each of which was prepared by a teaching/ administrative staff or a student of this University.
- (4) Those which do not give rise to a problem in conflict with laws and regulations concerning intellectual property rights, submission rules of any academic societies, and contract provisions with any commercial publishers.
- (5) Those which do not give rise to ethical and other problems through publication.

(Registrant)

Article 5

1. Those who can register their Academic Achievements in the Repository (hereinafter respectively referred to as “Registrant”) shall be the persons listed below.
 - (1) Teaching/administrative staff and the students recommended by teaching staff, each of whom is or was enrolled at this University.
 - (2) Those who conducted a joint research with a teaching staff and the student recommended by teaching staff, each of whom is or was enrolled at this University.
 - (3) Other persons who are accepted by the Director of Library.
2. The methods of recommendation and approval in the preceding paragraph are separately determined.

(Registration and Registration on Behalf of Author)

Article 6

1. Through the registration system, the Registrant shall register the Academic Achievement which was prepared by himself/herself or in the preparation of which the Registrant was involved. However, the Library may take care of the registration procedures at the request of the author.
2. The school committees and sections, etc. which are concerned with publishing in the respective on-campus organizations may take care of the clerical work to register into the Repository as desired by the author.
3. The Library shall determine the approval or disapproval of registration of an Academic Achievement applied for registration, by examining the ownership of and the restrictions to the copyright and other rights, and treat as follows:
 - (1) If it is determined that no problem is found for publication, the title of the Academic Achievement and the name of the author are checked and confirmed, and then, the Academic Achievement is registered in the Repository and published in the Repository system.
 - (2) If it is determined that there is a problem for publication, the failure to be eligible for registration is notified to the Registrant.

(Use of Registered Academic Achievements)

Article 7

1. The Library may use the Academic Achievements registered in the Repository according to the methods listed below.
 - (1) Reproduce the Academic Achievements, and store their copies in the Repository system.

- (2) Publish the copies in the preceding item free of charge to an unspecified large number of audiences through the network, and transmit the copies by electronic means or place the copies in a state of being ready for public transmission. However, if the Registrant wishes to publish his/her Academic Achievement only within the campus, the Library shall follow the wish.
 - (3) Reproduce and convert media of Academic Achievements for the purpose of maintenance of preservation and use.
2. In using the Academic Achievements registered in the Repository, the Library shall comply with the matters listed below.
 - (1) Not to use by a method other than the methods listed in the preceding paragraph.
 - (2) To familiarize those who utilize an Academic Achievement through the network with the requirement that approvals of the holder of the copyright, the holder(s) of neighboring rights, and other related right holders must be obtained, if such users intend to utilize the Academic Achievement beyond the limitation to the right of reproduction and quotation for private purpose set forth in the Copyright Act (1970 Law No. 48).

(Copyright, Other Rights and Utilization Authorization of Academic Achievements)

Article 8

1. If the copyright and other rights of an Academic Achievement belong only to the Registrant, the Registrant shall authorize the Library to use the Academic Achievement free of charge by the methods set forth in paragraph 1 of Article 7.
2. If the copyright, the claim of a publisher based on a publication contract, and other rights with respect to an Academic Achievement belong to multiple persons including the Registrant, the Registrant must obtain consents to authorize the Library to utilize the Academic Achievement free of charge according to the methods set forth in paragraph 1 of Article 7 from other holder(s) of the copyright (co-authors), the editor, editorial supervisor, holder(s) of neighboring rights, and other related right holders (if a right holder is deceased, a heir of the right holder, and if the right is assigned, an assignee of the right). However, this does not apply if no legally-protected interests of these right holders are harmed even if the Academic Achievement is registered without obtaining consents from these right holders.
3. If the copyright and other rights of an Academic Achievement belong to a person other than the Registrant (by assignment, succession, etc. of the copyright), or if a security interest is established with respect to such rights, or if such rights are subject to seizure under the Civil Execution Act, or if a provisional disposition order or a provisional seizure order is issued against such rights, or if such rights constitute bankruptcy estate, then the Registrant must obtain consents to authorize the Library to utilize the Academic Achievement free of charge according to the methods set forth in paragraph 1 of Article 7 from the assignee, security interest holder, obligee effecting the seizure or bankruptcy trustee, and other persons having

the legitimate disposition right or management right, all of whom are directed to the copyright holder. However, this does not apply if no legally-protected interests of these right holders are harmed even if the Academic Achievement is registered without obtaining consents from these right holders, or if the copyright holder and other related right holders beforehand express the policy of authorization.

4. Even after an Academic Achievement has been registered in the Repository, the copyright and other rights of the Academic Achievement are not transferred to the Library, but are held by the copyright holder and other related right holders. In addition, no moral rights of the author of the Academic Achievement are impaired or restricted except for the case that the Library uses the Academic Achievement in accordance with the provisions in the Guidelines.
5. In paragraph 2 and paragraph 3, if there is a circumstance which makes the Registrant difficult to obtain the authorization by himself/herself from a person who has the legitimate right of the subject Academic Achievement, the Registrant may entrust to the Library the work to obtain a consent from the right holder in question.
6. In paragraph 2 and paragraph 3, if the ownership and related matters of the rights pertaining to the Academic Achievement are in a floating state, including when there is a dispute regarding the validity, ownership, scope or content of the rights, when multiple rights are tangled and the state of the rights is unclear, when a lawsuit is ongoing, or when division of inherited property is unfinished, the Academic Achievement must not be registered in the Repository unless the ownership and related matters of the rights become in a state legally made final.

(Refusal of Registration of Academic Achievement)

Article 9

1. The Library may refuse to register an Academic Achievement in the Repository, if the following events exist with respect to the Academic Achievement.
 - (1) If the content of the Academic Achievement infringes the copyright and other rights belonging to another person.
 - (2) If the Academic Achievement constitutes a crime.
 - (3) If the Academic Achievement contains a content contrary to public order and morality, or if the Academic Achievement denotes a socially significantly-inappropriate content.
2. In the case of refusal of the registration under the preceding paragraph, the Library shall so notify the Registrant without delay.
3. The person whose registration of the Academic Achievement has been refused under paragraph 1 may request the Director of Library to show the reason for refusal in writing,

(Termination of Publication of Academic Achievement)

Article 10

1. The Library may terminate the publication of an Academic Achievement registered in the Repository in the following cases.
 - (1) If the Registrant submits a request for termination of the publication along with the reasons, and the Director of Library approves the request.
 - (2) If the Director of Library determines the termination of the publication for a reason that the Academic Achievement is the outcome of plagiarism or fraudulent use, or its content is significantly inappropriate.
2. If an Academic Achievement registered in the Repository is under a provisional disposition, its publication may be temporarily suspended.

(Responsibility of Registrant)

Article 11 The Registrant is responsible for the content of his/her registered Academic Achievement.

(Processing of Complaint and Accusation)

Article 12

1. In the event of a claim such as a complaint raised against an Academic Achievement registered and published in the Repository from a user of the Repository system or another person, or in the event of a dispute arisen in connection with a copyright and neighboring rights, or in the event of a doubt arisen as to whether or not the publication of an Academic Achievement registered in the Repository should be continued, such issues shall be consulted in the Management Committee and be responded appropriately. As for the matters which can be dealt with in a formulaic manner, however, the Management Committee may entrust individual and specific responses to the Director of Library upon determining guidelines for the scope of each matter and the way to respond.
2. The reception counter for complaints, etc. and the method of notifying consultation results are separately determined.

(Handling of Personal Information)

Article 13 Personal information is handled in accordance with the rules determined by this University.

(Miscellaneous)

Article 14

1. Any matter not provided for in the Guidelines is determined by Registrants and the Management Committee as needed.

2. In the case of revising the Guidelines, an approval of the Management Committee shall be obtained.

(Supplementary Provisions) The Guidelines is put into effect on February 22, 2008.