

# UCIP COPYRIGHT CLAUSES

UCIP as an organization stands by and recognizes the laws surrounding the Digital Millennium Copyright Act when it comes to copyright law. UCIP also hereby understands that there is no such thing as an international law on copyright infringement and hereby also understands and acknowledges the treaties in place that allow for the trade and use of copyrighted works as understood and implicitly implied by the creators of such works.

In accordance, UCIP as a non-profit organization -- based solely on volunteerism and contribution of its members -- hereby proclaims the following to be considered the status quo concerning copyright and hereby sets forth its own laws governing materials used on this and any/all pertaining satellite websites run by UCIP (IE: SIM Nova sites/LCARs) and hosted under the UCIP.org servers/domain name.

UCIP also reserves the right to update and build upon this notice at any time with fair warning given to the membership of the organization.

## I. UCIP ORIENTED MATERIALS

**Ia.** No player or member shall remove, use, or take any coding, scripting, imagery or writing created and or used by UCIP for organizational purposes in any whole or part. IE: no part of the by-laws or websites shall be removed or used for any reason by any member of the org or otherwise.

**Ib.** UCIP based SIM websites and materials are for the sole use of UCIP. No SIM can be removed from UCIP as per removal or use of the websites or hosting created for use by UCIP. IE: the Nova websites must remain as part of UCIP.

**Ic.** UCIP recognizes that it does not own, in whole or part, the USS ship prefixes or the names of the ships due to real life military standing of some vessels.

## II. PLAYER BASED MATERIALS

**Iia.** UCIP hereby recognizes that all writing and imagery associated with individual characters is the sole property of the associated artist/contributor.

**Iib.** UCIP hereby reserves the right to use all writing and imagery contributed by individuals in the light of fair use. IE: UCIP reserves the right to show case work and use it for advertisement and other purposes as per conventional fair use agreements.

--- Under the fair use doctrine, it is not an infringement to use the copyrighted works of another in some circumstances, such as for commentary, criticism, news reporting, or educational use. In essence, fair use is a limitation on the exclusive rights of copyright holders. The Copyright Act gives copyright holders the exclusive right to reproduce works for a limited time period. Fair use is a limitation on this right. A use

which is considered "fair" does not infringe copyright, even if it involves one of the exclusive rights of copyright holders. Fair use allows consumers to make a copy of part or all of a copyrighted work, even where the copyright holder has not given permission or objects to your use of the work.

Fair use is codified at Section 107 of the Copyright Act, which gives a non-exclusive set of four factors courts will consider in deciding whether a use is fair or not. These factors are

- a. the purpose and character of the use,
- b. the nature of the copyrighted work,
- c. the amount and substantiality of the portion used, and
- d. the effect of the use on the potential market for or value of the copyrighted work.

**IIc.** UCIP agrees that it will cease to use and or release any and all works contributed by a user upon written notification/request to do so as per submission by the user/contributor and/or anyone able to furnish a legally acceptable power of attorney form that is notarized and documented by a court of law. IE: in the event of a user/contributor's death, the legal guardian of their estate must furnish in writing a demand for UCIP to cease and desist with any/all use of any materials created by/pertaining to that user/contributor and must do so with attachment of proof of guardianship/ownership via legal power of attorney via a legal "DMCA Takedown Request".

### **III. USE OF OUTSIDE COPYRIGHTED MATERIALS**

**IIIa.** UCIP does not condone the outright use of copy right materials by way of plagiarism or art theft.

**IIIb.** UCIP will not tolerate identity theft of any format. All names and situations are purely fictional works created by individuals in part of participation in a Star Trek themed SIM or RPG. No character is created under the guise of mimicking real life persons dead or alive.

**IIIc.** The use of celebrity photos is strictly governed and protected by fair use laws as there is no implication or affiliation of that or any celebrity is being used in a manner harmful to their life/career outside of becoming a reference model for a character provided that their full legal, or stage, name is not used. Use is clearly outlined by spoof/artistic purposes similar to painting a celebrity and/or using their likeness in fan-fiction.

---**IIIc-a.** Photoshopped images are the sole property of the image creator and become artwork governed by the Copyright Act.

### **IV. LEGALITIES**

**IVa.** UCIP agrees to work to dutifully protect our members and other sources of artwork by diligently offering a "DMCA Take Down Notice" that can be submitted to

us via e-mail if someone believes their work has been falsely used by any party or member of the organization regardless of the not for profit status of the organization and given the fact it does not pay members to contribute. –OR- if you no longer wish to have your work saved/displayed/used by UCIP.

**IVb.** Under Section 512(f) of the Copyright Act, any person who knowingly materially misrepresents a material or activity is infringing on the Copyright Act and may be subject to liability. If you believe any member or part of this organization has falsely used your work, please consult your legal counsel and see Section 512(c)(3) of 17 U.S.C to clarify or confirm requirement of notice being given to the organization body before removal can happen.