

Arts, Letters, & Entertainment

Kinko Copyright Infringement Case is Precedent-Setting

A precedent setting copyright infringement suit involving one of the largest statutory damage awards ever granted in a copyright case ended with the signing of an agreement between the eight plaintiff publishers, AAP, and the defendant, Kinko's Graphics Corporation. The suit, which was coordinated by the Association of American Publishers, was brought against Kinko's for producing and selling course packets to college students which contained copyrighted material used without permission and without payment of permission fees.

The case was decided in the publisher's favor earlier this year. In addition to stipulating specific monetary damages and attorney's fees in this litigation, the agreement concluded today spells out the terms that will govern rela-

tions between Kinko's copy shops in the U.S. and U.S. publishers both within and outside of the AAP membership.

In addition to agreeing not to appeal the decision, Kinko's will pay a total of \$1.875 million in statutory damages assessed by the court and attorney's fees.

Acceding to the principle articulated in the federal court opinion that copyright laws must be fully respected when copyrighted materials are used for educational purposes, Kinko's agreed to get permission for the use of the publisher's copyrighted materials in these anthologies. In turn, the plaintiff publishers and AAP have agreed not to sue Kinko's Graphics Corporation for the making of unauthorized anthologies prior to the date of the federal court ruling, March 29, 1991. The

agreements makes these points applicable not only to the eight plaintiff publishers and Kinko's Graphics but to some 50 additional publishers and approximately 100 additional Kinko's copy shops.

Ambassador Nicholas A. Valiotes, President of the Association of American Publishers, characterized the agreement as "good news-for copyright, for publishing and for the educational community." Valiotes stated, "Copyright encourages creativity by ensuring that authors and publishers are compensated for their original works. It is fitting and appropriate that copyright be respected within the context of American higher education, which itself makes such a dynamic contribution to this country's intellectual creativity. This agreement is a positive instrument for fostering that respect."

Rigell

trial reasons for Rigell's departure in a Nov. 19 interview with *The Lance*, he would only say that he would not give details on personnel matters

Reuschling did mention that "other factors" in his evaluation of personnel performance generally includes "productivity of the job, management style and constituency." He also said, "there's always a lot of turnover."

Reuschling said that as president of the college, he is always evaluating personnel. "You have to look at the big picture and make the best decision you can."

When questioned about the timing of Rigell's departure, Reuschling said, "There is no good time to make a transition in leadership."

Reuschling said he felt that after looking at what could potentially happen for the remainder of the year, that Benson could get into Admissions and help to reach the college's goal of 250 new students for the 1992-1993 academic year. "Nothing is more important to any private school than admissions," he said.

According to Reuschling's Nov. 7 memorandum, Dean Benson will be serving as acting admissions director "for the next few months before returning to his normal duties as academic vice president." The memorandum said that Benson's day-to-day responsibilities would be delegated to certain staff and faculty leaders, but that Benson would "remain involved in strategic decision-making related to academic affairs."

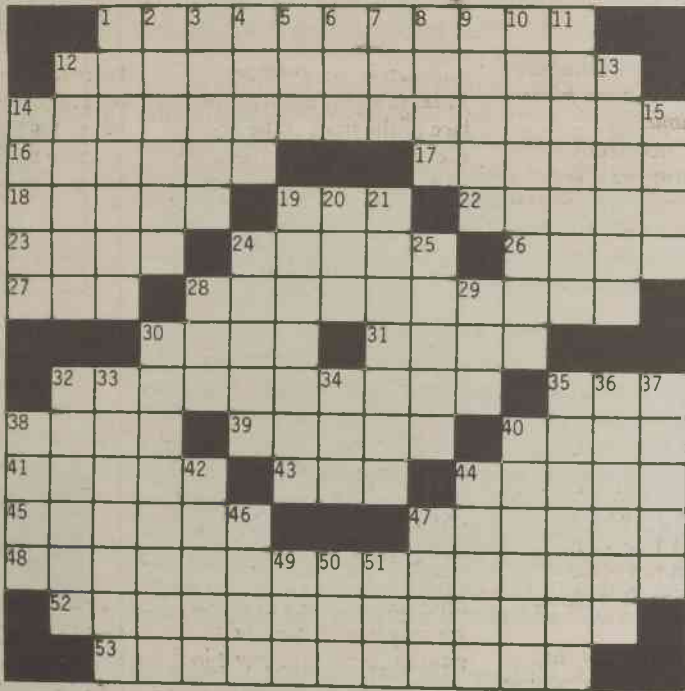
Can you find the hidden legal terms?

- | | |
|---------------|-------------|
| ABATE | FRANCHISE |
| ACT OF GOD | LIEN |
| AGENCY | MARTIAL LAW |
| ARBITRATION | NOVATION |
| BAILMENT | PATENT |
| CAVEAT EMPTOR | PRIVITY |
| CONSIDERATION | PROBATE |
| DAMAGES | PROOF |
| DEED | PROXY |
| DURESS | REMEDY |
| EASEMENT | SUBPOENA |
| ESCROW | SUMMONS |
| ESTOPPEL | TORT |
| FELON | TRUST |

collegiate camouflage

S L E P P O T S E R F O X Y T
M E C O X N U D T S L O D X S
A A A O E T A B A R C E O O U
R N G T N M R O B I M R C R B
T O A L A S B A O E V I O T P
I P T G B A I T R O T D N W O
A T E P I L T D P V Y O A Y E
L S R D M S R E E T A G N X N
L U V E S E A X I R E F E O A
A R N E T S T V T N A O I R T
W T R D E V I A C E P T L P N
S U B M F R O Y E F A C I O N
D R E S P A N X Y V N A L O T
S N O M M U S Y O T A E V A N
T H E S I H C N A R F C R O W

collegiate crossword



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|---|--|--|
| ACROSS | 41 "...not with — but a whimper." | 19 Political disorder |
| 1 Where one might study. Andy Warhol's works (3 wds.) | 43 Return on investment (abbr.) | 20 — cit. (footnote abbreviation) |
| 12 Enrollment into college | 44 Pondered | 21 Traveled on a Flexible Flyer |
| 14 "Calculus Made Simple," e.g. (2 wds.) | 45 Belonging to Mr. Starr | 24 Glorify |
| 16 Evaluate | 47 Part of the classifieds (2 wds.) | 25 Prospero's servant in "The Tempest" |
| 17 Extremely small | 48 Possible place to study abroad (2 wds.) | 28 Well-known government agency |
| 18 Follows a recipe direction | 52 Small school in Canton, Ohio (2 wds.) | 29 American league team (abbr.) |
| 19 Belonging to Mr. Pacino | 53 Orson Welles film classic (2 wds.) | 30 Fictional hypnotist |
| 22 Of land measure | | 32 Style exemplified by Picasso |
| 23 Meets a poker bet | | 33 "She's ——" (from "Flashdance") |
| 24 — Gay (WW II plane) | DOWN | 34 Be unwell |
| 26 Capri, e.g. | 1 Those who are duped | 35 Visible trace |
| 27 Belonging to Mayor Koch | 2 "Do unto ——" | 36 Think |
| 28 Irritate or embitter | 3 Fourth estate | 37 Woman's undergarment |
| 30 Train for a boxing match | 4 Goals | 38 Commit —-kiri |
| 31 — and the Belmonts | 5 Well-known record label | 40 — burner |
| 32 Processions | 6 Well-known king | 42 "...for if I — away..." |
| 35 Diet supplement (abbr.) | 7 151 to Caesar | 44 Actress Gibbs |
| 38 Scottish historian and philosopher | 8 Prefix meaning milk | 46 African antelope |
| 39 College in Greenville, Pa. | 9 Confused (2 wds.) | 47 Well-known TV band-leader |
| 40 The Venerable — | 10 — husky | 49 Pince— (eyeglass type) |
| | 11 Most immediate | 50 1968 film, "— Station Zebra" |
| | 12 Like a sailboat | 51 1965 film, "— Ryan's Express" |
| | 13 Cash register key (2 wds.) | |
| | 14 En — (as a whole) | |
| | 15 Auto racing son of Richard Petty | |