

# **Copyright Rules**

## **Society of Automotive Engineers of Japan, Inc.**

This English translation of the Copyright Rules is provided solely for the convenience of non-Japanese authors and publishers. Users should consult the original Rules in Japanese for the correct interpretation.

### **Article 1 (Purpose)**

- 1. The purpose of these Rules is to cover the necessary items related to the copyright arrangements of work that appears in publications issued by the Society of Automotive Engineers of Japan, Inc. (hereinafter referred to as JSAE).**
- 2. The publications referred in the preceding clause shall include the website of the JSAE and electronic media issued by the JSAE.**

### **Article 2 (Scope)**

**These Rules shall apply to publications issued by the JSAE, publications co-issued with another organization or administrative organ, and publications prepared as the product of a project consigned by another organization or administrative organ, unless otherwise agreed with the other organization or administrative organ.**

### **Article 3 (Terms and Definitions)**

**For these Rules, the following terms and definitions shall apply.**

#### **(1) Work**

**A work stipulated in Article 2, Clause 2, Item 2 of the Japanese Copyright Act (hereinafter referred to as “the Act”), and falling under one of the following items.**

- a) A research report, thesis, article, or the like that appears in a publication issued by the JSAE**
- b) A research report, thesis, article, or the like that appears on the website of the JSAE**
- c) Other works of a similar nature designated by the JSAE**

#### **(2) Author**

**The person or persons who create a work as stipulated in Article 2, Clause 1, Item 2 of the Act.**

#### **(3) Property Rights**

**The property rights of a work, including all the rights stipulated in Article 21 (Right of reproduction), Article 21 (Right of performance), Article 22-2 (Right of screen presentation), Article 23 (Rights of public transmission, etc.), Article 26-2 (Right of ownership transfer), Article 26-3 (Right of rental), Article 27 (Rights of translation, adaptation, etc.) and Article 28 (Right of the original author in the exploitation of a derivative work) of the Act.**

#### **(4) Moral Rights of Author**

**The moral rights of the author, including all the rights stipulated in Article 18 (Right to make the work public), Article 19 (Right to determine the indication of the author's name) and Article 20 (Right to maintain integrity) of the Act.**

#### **(5) Copyright**

**The property rights as stipulated in (3) above and the moral rights of the Author as stipulated in (4) above.**

#### **Article 4 (Ownership of Copyright)**

- 1. The property rights shall be owned by the author.**
- 2. The copyright of secondary work and work created or edited by the JSAE shall be owned by the JSAE.**

#### **Article 5 (Authorization to Exploit Work)**

- 1. The author authorizes the JSAE to exploit the property rights exclusively both inside and outside Japan free of charge.**
- 2. The rights of the JSAE pursuant to the preceding clause shall include sublicensing rights, whether on a chargeable or non-chargeable basis.**
- 3. The JSAE shall notify the author in advance when the JSAE creates a secondary work from an original work.**

#### **Article 6 (Use of Work by Author)**

- 1. The author shall make a written application to the JSAE for permission to use work created by the author (including the granting of permission to a third party to use the work).**
- 2. The JSAE shall approve the application from the author pursuant to the preceding clause, provided that the use of the work is not contrary to the purposes and objectives of the JSAE.**
- 3. Notwithstanding the provision pursuant to the above clause 1, the author may use the author's original work without the permission of the JSAE, provided that the use of the work falls under one of the following items.**
  - (1) The use of the author's original work on a website belonging to the author or an organization to which the author belongs**
  - (2) The use of figures, pictures, graphs, tables, and the like that appear in the work**
  - (3) The use of copyright as granted in Articles 30 to 50 (Limitations on Copyright) of the Act**

#### **Article 7 (Permission of Use of Copyright by a Third Party)**

- 1. A third party who intends to use the property rights of the work (hereinafter referred to as "the user") shall obtain permission from the JSAE.**
- 2. The JSAE shall notify the author when a user creates a secondary work using an original work.**
- 3. If the use of a work is permitted, the user shall pay the JSAE a use fee in accordance with an operational standard to be determined separately.**

#### **Article 8 (Notification to Author)**

- 1. Notification to the author pursuant to the preceding article and Article 5 shall be deemed to be completed at the time when the notification should ordinarily reach the author if it is sent to the registered or recorded address of the author or to the JSAE member enrollment address of an author who is a member of the JSAE.**
- 2. In the event of a co-created work, the notification shall be sent to the representative agreed by all the authors pursuant to Article 10, Clause 1, Item 3.**
- 3. If the author has notified the JSAE in advance the author's agreement to certain types of secondary work (including electronic correspondence), such notification may replace the notification pursuant to this article.**

**4. In the case of work for which the author is unknown or co-created work for which the representative is unknown, notification shall be deemed to be completed at the time when a report is made to the JSAE Director in charge of publication.**

**Article 9 (Waiver to Exercise Moral Rights of Author)**

- 1. The author shall waive the moral rights of the author to the JSAE or the user.**
- 2. The preceding clause shall also apply to secondary work created by the JSAE or a user using the original work.**

**Article 10 (Guarantee of Author)**

**The author shall guarantee that the work fulfills all the following items.**

- (1) The work shall not infringe any rights, including but not limited to the intellectual property rights of a third party such as copyright, patent rights, utility model rights, design rights, trademark rights, and domain names, and rights regarding the application or registration of the aforementioned intellectual property rights.**
- (2) The work shall not have been previously published.**
- (3) The author shall obtain the agreement of all the co-authors before submitting a co-created work to the JSAE.**
- (4) The author shall indicate the source when quoting the work of a third party.**

**Article 11 (Prohibition of Disposal of Work by Author)**

**The author shall not dispose of work, including but not limited to cession or transfer of property rights, and the attachment of security interests without the advance written approval of the JSAE.**

**Article 12 (Cooperation for Resolution of Disputes)**

**The author and the JSAE shall cooperatively resolve disputes or possible disputes arising from a work, such as the infringement of rights of the work by a third party, or the infringement of rights of a third party by the work.**

**Article 13 (Consultation)**

**If any doubt arises concerning matters not provided in these Rules or in the interpretation of each provision in these Rules, the issue shall be resolved through discussions between the author and the JSAE in accordance with the principles of good faith.**

**Article 14 (Work Created before Enforcement of these Rules)**

**Each provision of these Rules is applicable to work created before enforcement of these Rules.**

**Article 15 (Operational Standard)**

**The Publication Council of the JSAE shall determine the operational standard for details necessary to the application of these Rules.**

**Article 16 (Revision)**

**Revision of these Rules shall be subject to deliberation by the Publication Council and decision by the Board of Directors of the JSAE.**

### **Supplementary Provisions**

- 1. These Rules shall come into force on the 26th of April, 2011.**
- 2. The Copyright Rules of the JSAE as stipulated on the 2nd of October, 1991 shall be abolished.**