

Online Course Pack Copyright Case Settled.

Six prominent academic publishers have settled a copyright infringement case brought against a copy shop owner, Samuel Odunsi, of Austin, Texas. Odunsi was accused of selling course packs online without the permission of the publishers or their licensing agent, the Copyright Clearance Center. The publishers alleged that Odunsi was creating electronic versions of course packs by scanning published material into a computer without permission and saving it in Adobe Portable Document Format (PDF) files called “NetPaks,” which could be ordered and delivered online upon payment by credit card. This suit alleged 57 counts of infringement which could have resulted in imposition of a fine of up to \$8.5 million.

Odunsi’s website made a direct appeal to faculty members to submit their course pack materials for sale through his website. In some cases, Odunsi was alleged to have falsely assured faculty members that he had obtained permission from copyright holders to distribute materials when he had not done so. In other cases, he told faculty members that they could sign his “Academic Use waiver” to save students money. The latter ploy was intended to capitalize on the fact that many faculty members incorrectly believe that any educational use of published material is, per se, fair use and permitted by copyright law.

In settling the suit, Odunsi agreed to pay unspecified damages and to adopt “compliant business practices going forward.” This is among the first cases involving an online copy shop, but it is not expected to be the last. As this case indicates, dealing with online copy shops can be a risky proposition. The Campus Bookstore will assist faculty members in obtaining appropriate copyright permissions needed for publication and distribution of course packs.