Terms of use (list)

Last updated: Tue, 04 Aug 2020 20:05:45 GMT

Terms of Use are the practical details of the license that indicate what the library can or cannot do with a given collection. Terms of use are based on the requirements in the Digital Library Federation's Electronic Resources Management Initiative.

After you perform a Terms of Use search, a download button (🔗) will appear on the screen over your search results. Click the download button (🔗) to download a .csv file of your search results.

Options on how a term applies to a license

To indicate whether or not a license term applies to a collection, choose from the following options:

<table>
<thead>
<tr>
<th>TERM STATED?</th>
<th>DEFINITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>YES</td>
<td>Permission is granted or term is present.</td>
</tr>
<tr>
<td>NO</td>
<td>Permission is not granted or term is not present.</td>
</tr>
<tr>
<td>SILENT</td>
<td>Term either cannot be or has not been interpreted. When Silent is selected, the option to Allow Lending appears. Select Allow Lending to communicate to Tipasa, WorldShare Interlibrary Loan, and ILLiad that any material covered by the license is considered lendable.</td>
</tr>
</tbody>
</table>

Note: In relation to lending requests and deflection, “Silent” will be treated as “No” because of do-no-harm policies unless the Allow Lending option is selected.
# Categories and terms

<table>
<thead>
<tr>
<th>CATEGORY</th>
<th>TERMS</th>
<th>INDICATION OF WHETHER OR NOT ACCESS IS ALLOWED</th>
</tr>
</thead>
<tbody>
<tr>
<td>DOCUMENTATION</td>
<td>Citation Requirement</td>
<td>Specifies either the required or the recommended form of citation for a collection.</td>
</tr>
<tr>
<td></td>
<td>Term Note</td>
<td>Generic note that applies to the entire license and all terms.</td>
</tr>
<tr>
<td></td>
<td>Archival Copy Provided</td>
<td>Vendor indicates an archival copy will be provided intended for permanent access.</td>
</tr>
<tr>
<td></td>
<td>License Delivery Instruction</td>
<td>Required medium by which official communications are delivered.</td>
</tr>
<tr>
<td>MAINTENANCE</td>
<td>Maintenance Window</td>
<td>Specifies a pre-determined period of time for when the provider will bring their product down for upgrades.</td>
</tr>
<tr>
<td></td>
<td>Performance Warranty</td>
<td>Indicates the presence of any performance promises being made by the vendor.</td>
</tr>
<tr>
<td></td>
<td>Usage Statistics</td>
<td>Indicates the licensor will track and provide reporting on the usage of the licensed product.</td>
</tr>
<tr>
<td></td>
<td>Confidentiality of Agreement</td>
<td>Specifies any restrictions in place with regard to the sharing of license terms among others.</td>
</tr>
<tr>
<td></td>
<td>Cure Period for Breach</td>
<td>Indicates the presence of any promises within the license for when a breach will be addressed by the vendor.</td>
</tr>
<tr>
<td>RESPONSIBILITIES</td>
<td>Guaranteed Complete Electronic Content</td>
<td>Indicates the vendor promises to include all material found in the print versions of the subscribed-to content.</td>
</tr>
<tr>
<td></td>
<td>Guaranteed Content Quality and/or Quantity</td>
<td>Indicates whether recourse is available from the vendor should the content be sub-standard.</td>
</tr>
<tr>
<td></td>
<td>Guaranteed Electronic Concurrency</td>
<td>Indicates the licensor promises the electronic content will arrive</td>
</tr>
<tr>
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<tr>
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</tr>
<tr>
<td>Guaranteed Non-Infringing Content</td>
<td>Indicates the licensor promises the licensed material does not infringe upon the intellectual property rights of third parties.</td>
<td></td>
</tr>
<tr>
<td>License Terms Notification</td>
<td>Indicates if license terms must be exposed publicly.</td>
<td></td>
</tr>
<tr>
<td>Licensee Indemnity</td>
<td>A License Term by which the licensor agrees to indemnify the licensee against a legal claim.</td>
<td></td>
</tr>
<tr>
<td>Licensor Indemnity</td>
<td>A License Term by which a licensee indemnifies a licensor against third party claims.</td>
<td></td>
</tr>
<tr>
<td>Applicable Copyright Law</td>
<td>Specifies the copyright law (most often that of a country) agreed to in the contract.</td>
<td></td>
</tr>
<tr>
<td>Author Rights</td>
<td>Indicates the rights of authors associated with the platform.</td>
<td></td>
</tr>
<tr>
<td>Clickwrap Override</td>
<td>Indicates the license overrides any click-through, click-wrap, or other agreement a user must enter into in order to access the licensed content.</td>
<td></td>
</tr>
<tr>
<td>Database Protection Override Clause</td>
<td>Indicates license provides fair use protections (or other rights) to the content provided which is not currently covered by the prevailing copyright law.</td>
<td></td>
</tr>
<tr>
<td>Fair Use Affirmed</td>
<td>Indicates the license either affirms or does not restrict the fair use of materials under US copyright law.</td>
<td></td>
</tr>
<tr>
<td>Governing Jurisdiction</td>
<td>Used to indicate the country and state or region, if needed, for which a license is bound by local laws.</td>
<td></td>
</tr>
<tr>
<td>Licensee Termination Right</td>
<td>Indicates the conditions and restrictions in place governing the cancellation of the subscription.</td>
<td></td>
</tr>
<tr>
<td>Licensor Reserves All Rights</td>
<td>Indicates the licensor retains all</td>
<td></td>
</tr>
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</tr>
<tr>
<td>Intellectual Property</td>
<td></td>
<td>intellectual property rights.</td>
</tr>
<tr>
<td>Licensor Termination Right</td>
<td>Describes the conditions under which the licensor has the ability to terminate the agreement during the contract period.</td>
<td></td>
</tr>
<tr>
<td>Termination Requirements</td>
<td>Requirements that must be met for a successful termination of a contract.</td>
<td></td>
</tr>
<tr>
<td>Accessibility / Disability Compliant Provider</td>
<td>The provider affirms its content is applicable to the appropriate accessibility laws.</td>
<td></td>
</tr>
<tr>
<td>Authorized Users</td>
<td>Use to indicate which patrons can access the resource.</td>
<td></td>
</tr>
<tr>
<td>Concurrent Users</td>
<td>Indicates that access includes concurrent users and specifies the number of concurrent or pooled concurrent users allowed by the provider. Number of concurrent users: Indicates the maximum number of concurrent users of a resource allowed by the provider. Number of pooled concurrent users: Indicates the maximum number of concurrent users from a consortium of institutions.</td>
<td></td>
</tr>
<tr>
<td>Copying and Sharing</td>
<td>Indication of the rights of authorized users to copy and/or share print or electronic copies.</td>
<td></td>
</tr>
<tr>
<td>Course Materials</td>
<td>Indication of the right to use copies of licensed materials in conjunction with courses of instruction (including online course reserves or course management systems).</td>
<td></td>
</tr>
<tr>
<td>Distance Education</td>
<td>Indicates the right to use content in distance education courses.</td>
<td></td>
</tr>
<tr>
<td>Electronic Linking</td>
<td>Indicates the right to link to licensed material.</td>
<td></td>
</tr>
<tr>
<td>Interlibrary Loan</td>
<td>Indicates rights and restrictions whereby one library may loan</td>
<td></td>
</tr>
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<tr>
<td></td>
<td></td>
<td>material to another library or its users.</td>
</tr>
<tr>
<td></td>
<td>Post-Cancellation Access</td>
<td>Indicates the conditions to which access to licensed materials is provided once subscription is no longer in effect (canceled or expired).</td>
</tr>
<tr>
<td></td>
<td>Public Performance</td>
<td>Indicates if permission is given to perform the item publicly.</td>
</tr>
<tr>
<td></td>
<td>Remote Access</td>
<td>The right of an authorized user to gain access to an Electronic Product from an offsite location.</td>
</tr>
<tr>
<td></td>
<td>Text Mining</td>
<td>Indicates the right of authorized users to derive information from texts or databases via the exploration of patterns and trends across large sets of licensed data.</td>
</tr>
<tr>
<td></td>
<td>Third-Party User Confidentiality Ensured</td>
<td>Indicates whether the provider will not share, reuse, nor resell personal user's information.</td>
</tr>
</tbody>
</table>

**NOTIFICATION DATES**

- Use the **Send Alert** selector to determine the number of business days, calendar days, weeks, or months to send the **About to expire** alert prior to the license end date.

- **End Date Approaching**
  - Note: You must enable application alerts in **Admin > Alerts Management** to receive the **About to expire** alert. See [WorldShare Admin, Alerts management](https://help.oclc.org/Library_Management/WorldShare_License_Manager/Create_a_license_or_template/Terms_o...) for more information.

- **Renewal Deadline Approaching**
  - Use the **Send Alert** selector to determine the number of business days, calendar days, weeks, or months to send the **Renewal approaching** alert prior to the
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<tr>
<td></td>
<td></td>
<td>license renewal date.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Note: You must enable application alerts in Admin &gt; Alerts Management to receive the Renewal approaching alert. See WorldShare Admin, Alerts management for more information.</td>
</tr>
<tr>
<td>CUSTOM TERMS</td>
<td>Your custom term title</td>
<td>Use the Add a Custom Term button to add a custom term. Once you add a custom term, the term will appear in Terms of Use &gt; Custom Terms. Each term title must be unique. There is a 255-character limit.</td>
</tr>
</tbody>
</table>

## Attachments

<table>
<thead>
<tr>
<th>FILE</th>
<th>LAST MODIFIED</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>lman-terms-of-use.xlsx</td>
<td>December 06, 2017</td>
<td>License Manager terms of use spreadsheet.</td>
</tr>
</tbody>
</table>