

Copyright Regulation  
of  
International Society of Functional Thin Film Materials & Devices (FTFMD)

*Please refer standards for requesting the use  
of [copyrighted articles](#), and submit [application form](#).*

Enacted 1 February 2016

Note: This is a reference translation of the Copyright Regulation of the FTFMD.  
Legal understanding shall be made based on Japanese language.

## Purpose

Article 1 The purpose of this regulation is to define the handling of copyrights on edited works, database works and individual works owned by the International Society of Functional Thin Film Materials & Devices (FTFMD).

## Terms

Article 2 Terms used in the regulation shall be defined as follows:

Copyright: includes all rights stipulated in Articles 21 through 28 of the Copyright Law of Japan.

Work: refers to a creative expression of thought and/or emotion, in the fields of literature, science, fine art or music.

Author: the individual who creates works.

Moral rights; the rights stipulated in Clause 1, Articles 19 and Clause 1, Article 20 of the Copyright Law of Japan.

Hereinafter, works for which the FTFMD holds the copyright shall be referred to as “FTFMD works.”

## Copyrighted materials and coverage

Article 3 Handling of copyrights of FTFMD works in Japan shall be in accordance with the Copyright Law of Japan. Handling of copyrights of FTFMD works external of Japan shall be in accordance with the relevant laws of each nation and based on Berne Convention Paris revision treaty, World Intellectual Property Organization Copyright Treaty, Universal Copyright Convention and/or other relevant treaties.

## Copyright Jurisdiction

- Article 4 In principle, the copyrights for edited works, database works and individual works of the FTFMD come under jurisdiction of the FTFMD.
2. In cases where the principle of the preceding paragraph is not agreeable due to a good reason, the author shall inform the FTFMD accordingly when submitting or contributing such an article. The handling of the copyright for such an article shall be determined through discussion among the author of the article and FTFMD.
  3. Copyrights of the FTFMD are managed and executed by the FTFMD.
  4. All or a part of copyright owned by the FTFMD shall be transferable by the decision at the directors meeting of the FTFMD.
  5. Based on Article 53 of Copyright Law of Japan, protection period of the FTFMD owned copyright shall be in effect after 50 years from the time of publication, or the time of creation if not published, of the copyrighted article.

## Assignment of Copyright

- Article 5 The assignment of copyright from an author to the FTFMD shall be effective from the time the work being submitted by the author is received by the FTFMD, after the author having read and understood the FTFMD's regulation on Copyright and agreed to the Copyright Transfer Agreement by the means provided by FTFMD,
2. In the case that a work for which the FTFMD had formerly received a copyright transfer agreement becomes unable to be published in the proceedings or other publications (including electronic forms) of the FTFMD, the FTFMD shall return any copyrights it holds at that time on the work concerned.
  3. The assignment of copyright on edited and database works from an author to the FTFMD shall take effect from the time the Copyright Transfer Agreement is received by the FTFMD, the author of the edited and database works having read and understood the Copyright Regulation of the FTFMD entered the necessary information, and signed the Copyright Transfer Agreement.

## Use of FTFMD Works

Article 6 The permission of the FTFMD is not required for the use by an author of the

individual's own work in part or entirety for personal purposes within the scopes of Article 30 of the Copyright Law of Japan.

2. An author does not require the permission of the FTFMD to use the individual's own work for non-personal purposes, provided said purposes are not commercial and do not unfairly infringe on the FTFMD's interests. If the work is to be used for commercial purposes, the author must, in principle, receive prior permission from the FTFMD using the application form for the copyright usage permission for the FTFMD works, provided separately.
3. In such case as a third party individual or corporation other than the author wishes to use the FTFMD edited works, database works or individual works in part or entirety, said third party must seek prior permission from the FTFMD by way of the application form for the copyright usage permission for the FTFMD works, provided separately. The permission shall only be granted in the cases the FTFMD deems to be appropriate.
4. The source must be clearly indicated in order to use the FTFMD works,

### **Non-use of moral rights**

- Article 7 In the following cases, the author does not use moral rights to a third party to whom the FTFMD granted the copyright usage permission of the FTFMD works.
- i) Translation and associated modifications.
  - ii) Modifications associated with summarized or partially extracted usages
2. Above applies for the cases of creating secondary works by a third party who obtained the FTFMD approval for the copyright use using the FTFMD Works as source works for such secondary works.
  3. The FTFMD notify the author when FTFMD intends to create secondary works or to approve copyright use of the FTFMD works to a third party.
  4. In order for the modification indicated in Paragraphs i) and ii) , the FTFMD shall pay good attention to not cause defamation of character of the author. The FTFMD shall notify to the third party to whom the FTFMD approves the use of the FTFMD works to pay similar attention.

### **Responsibilities of the Author**

- Article 8 Concerning the contents of the FTFMD works, the author shall take responsibility for the portions of the work where the author was involved in creation.
2. In cases when the FTFMD works are sued by another party for infringement of copyright, a dispute has arisen over the said work or a dispute has arisen over damage to the reputation of another party, the author shall, in principle, take responsibility and deal with the portions where the author has been involved in creation.

### **Prevention of Copyright Infringement**

- Article 9 In the case that a third party infringes, or is suspected to have infringed, upon the FTFMD works, the FTFMD and the author shall contact each other, discuss the issue and work together toward a solution.

### **Exceptional handles**

- Article 10 When calling for papers or similar materials, in the context of an activity co-sponsored by the FTFMD and other academic institutions, where separate arrangements exist with the other academic institutions, said arrangements may be given priority over the present regulations. Notwithstanding, when unable to apply the principle set forth in Article 4, Paragraph 1 due to good reasons, and arrange the copyright not belongs to the FTFMD, prior deliberations shall be held with the Director Meeting of the FTFMD.

### **Handling of already-published Works**

Article 11 The articles of this regulation shall be applied mutatis mutandis to works whose copyrights were held by the FTFMD from before this regulation was put into effect, unless a separate proposal is made by the author and the FTFMD deems the author to have good reason for said proposal.

## Supplement 1

1. Any items related to copyright and not stipulated in this regulation shall be governed by and construed under Copyright Law of Japan.
2. In the present regulations, copyright refers to the following rights:
  - i) Reproduction rights (Article 21)
  - ii) Presentation and performance rights (Article 22)
  - iii) Screening rights (Article 22-2)
  - iv) Public transmission rights (Article 23)
  - v) Dictation rights (Article 24)
  - vi) Exhibition right (Article 25)
  - vii) Distribution rights (Article 26)
  - viii) Assignment rights (Article 26-2)
  - ix) Translation rights, adaptation rights (Article 27)
  - x) Rights of the original author to the use of secondary works (Article 28)
  - xi) Rental rights (Article 26-3)
3. Handling of the aforementioned copyrights shall be governed by the FTFMD on the Ethics Code of the FTFMD.
4. The FTFMD works are published by the FTFMD and shall include the followings:
  - i) Journals, various technical papers, reports and similar works
  - ii) Various conference proceedings, special issues of selected papers and similar works
  - iii) Various handbooks and similar works
  - iv) Textbooks, books, and similar works
  - v) Reports on technical research and similar works
  - vi) Other materials provided to members in general, at a charge or for free
  - vii) Webpage contents and similar works provided by the FTFMD and/or related parties,
  - viii) Any of the above works in the electronic form recorded on electronic media in any form, and/or provided by using public communication meansThe copyright on tutorial materials of the AMFPD shall be excluded due Internal Regulations on Workshop Administration of AMFPD and belongs to the author.
5. Any detailed rules necessary to implement the present regulation shall be laid down in the respective related regulations.
6. Any revisions to the present regulation is subject to the approval of the Board of Directors.
7. The present regulation has been approved and enacted by the Board of Directors on 22 January 2016.
8. These provisions shall be executed on 1 February 2016.