

# Take-Down Policy: Addressing Copyright Concerns

July 2018

## 1. Purpose of policy

- 1.1. This policy serves to minimise institutional risk to Rothamsted Research, “the Institute”, and its constituent departments and employees from the risks arising from use of material being made available through the Institute’s website and associated systems which might infringe third party rights. It details the response, responsibility and resolution steps following a legitimate challenge to any material hosted on the Institute’s public-facing websites and systems.

## 2. Scope

- 2.1. This policy applies to all open access content within the *rothamsted.ac.uk* domain and publicly accessible Institute systems such as the Library catalogue and eRAdoc publications database which may be hosted on other domains. Examples of such content may include images, research outputs, Institute publications and datasets.
- 2.2. It applies to publicly available materials that can be harvested from Institute systems by third-party services and automated agents as well as to materials publicly accessible from these systems by human users.

## 3. How to make a complaint

- 3.1. If you are concerned that you have found material on our website, for which you have not given permission, contravenes privacy laws, is obscene/defamatory and in terms of copyright law is not covered by a limitation or exception, please contact us in writing stating the following:
  - 3.1.1. Your contact details
  - 3.1.2. The full bibliographic details of the material
  - 3.1.3. The exact page reference and URL where you found the information
  - 3.1.4. Proof that you are the rights holder or you are an authorized representative for a rights holder
  - 3.1.5. The reason for your request including but not limited to copyright law, privacy laws, data protection, obscenity, defamation etc.

### 3.2. Contact address:

Head of Library & Information Services (LIS)  
Rothamsted Research,  
West Common,  
Harpenden  
AL5 2JQ  
library@rothamsted.ac.uk

#### 4. Procedure

4.1. Upon receipt of notification the 'Notice and Takedown' procedure is then invoked as follows:

- 4.1.1. The Head of LIS will acknowledge receipt of the complaint by email or letter and will make an initial assessment of the validity and plausibility of the complaint, seeking advice as necessary.
- 4.1.2. Upon receipt of a valid complaint the material will be temporarily removed from the Institute's public-facing website(s) and system(s) pending an agreed solution.
- 4.1.3. The Head of LIS will contact the Rothamsted contributor who deposited the material, if relevant. The contributor will be notified that the material is subject to a complaint, under what grounds, and will be encouraged to assuage the complaints concerned.
- 4.1.4. The complainant and the contributor will be encouraged to resolve the issue swiftly and amicably and to the satisfaction of both parties, with the following possible outcomes:
  - The material is reinstated on the Institute's public-facing website(s) and system(s) unchanged.
  - The material is replaced on the Institute's public-facing website(s) and system(s) with changes.
  - The material is permanently removed from the Institute's public-facing website(s) and system(s).
- 4.1.5. If the contributor and the complainant are unable to agree a solution, the material will remain unavailable until such a time as a resolution can be reached.

#### Version control

Nov 2017	Draft 1 created
Jul 2018	Draft 1 comments received
Jul 2018	Draft 2 created and approved
Jul 2019	Date of first review