

The Japan Society for Aeronautical and Space Sciences

Internal Regulations Regarding Handling the Copyrights
of Journals and Collections of Research Papers

Enacted November 21, 2014

Revised March 13, 2015

(Purpose)

Article 1 These regulations set forth procedures for handling the copyrights of articles and research papers (hereinafter referred to as “the Papers”) in the journals and collections of research papers (Transactions of JSASS and Transactions of JSASS, Aerospace Technology Japan) published by the Japan Society for Aeronautical and Space Sciences (hereinafter referred to as “JSASS”).

(Attribution of Copyrights)

Article 2 In principle, all of the copyrights in- and outside Japan regarding the Papers (including all rights stipulated in Articles 21 - 28 of Subsection 3 “Types of Rights Comprising a Copyright” of the Copyrights Act of Japan) belong to JSASS from the point of time when the manuscript is submitted to JSASS.

(2) In the case of exceptional circumstances that prevent the abovementioned principle from being applied, the author shall notify JSASS and provide contracts for the Paper acceptance—in writing—at the time of submission. The handling of copyrights shall then be determined upon consultation between the author and JSASS.

(3) In the event that a Paper submitted is rejected, JSASS shall return the copyrights of the Paper to the author.

(Agreement of Author)

Article 3 When a Paper is submitted, the author agrees to transfer his/her copyrights to JSASS, except as provided for in Article 2 (2).

(Disclosure to JSASS Members)

Article 4 Once a Paper has been published, JSASS shall disclose said Paper to its members on the Society’s website as soon as possible.

(2) It must be indicated in the Paper that JSASS holds the copyright(s).

(Copyright Licensing to Third Parties)

Article 5 In the case that a third party, including public institutions such as libraries, has requested a copyright licence, such requests shall be discussed by JSASS board of directors, and said license may be granted only when the

board considers it appropriate. Licensing operations may be outsourced to external organizations upon the approval of the board of directors.

- (2) When the action taken as provided above results in payment to JSASS by the third party, the payment shall be recorded in the financial account of JSASS and used effectively for the Society's activities.
- (3) When an application for licensing to reprint for an institutional repository of an organization to which the author belongs has been made, the license shall be granted, in principle, on the conditions that (a) the source is clearly indicated, (b) the publishers' edition is reprinted, (c) the use is limited to non-commercial purposes, and (d) the Paper must be at least five (5) years old (i.e., one (1) year old or older in the case of Transactions of JSASS).

(Author's Rights)

Article 6 In the case that the author wishes to use his/her own Paper, of which the copyright(s) JSASS holds, he/she shall seek the consent of JSASS, unless the internal regulations stipulate otherwise.

- (2) In the following cases, the author may use all or part of his/her Paper in the form of public transmission/reproduction/translation without notifying JSASS. However, he/she must ensure that the use is limited to non-commercial purposes and the attribution of copyright(s) to JSASS and the source are explicitly expressed.

a) Website operated by the author

b) Materials used in lectures/talks performed by the author

c) Part of publications/dissertations published by the author as the author

d) Other academic activities equivalent to the above by the author

- (3) In cases other than those specified above, when the author uses all or part of his/her Paper in the form of reproduction/translation/adaptation, he/she does not require the consent of JSASS except when the Paper is used for commercial purposes. Neither shall JSASS interfere, in principle, by expressing objections.

(Author's Responsibility)

Article 7 The author shall be held responsible for the content of the Paper.

(Copyright Infringement and Dispute Settlement)

Article 8 In the event of an infringement (or alleged infringement) of the copyright(s) of the Paper which JSASS owns by any third party, JSASS and the author shall discuss their response in order to find a solution.

- (2) In the case that a Paper submitted to JSASS causes an infringement of a third party's copyright or other rights and interests, the author of the relevant Paper shall undertake full liability.

Article 9 These regulations shall be effective from April 1, 2014. The copyright(s) of Papers submitted before April 1, 2014 shall also be treated as provided herein, unless the submitter requests otherwise and JSASS considers said request reasonable.

Supplementary regulations

1. Any amendments to these internal regulations shall be made by the board of directors.
2. These regulations shall become effective beginning November 21, 2014.

(Reference) Subsection 3 Categories of Rights Comprising Copyright

(Right of reproduction)

Article 21 The author of a work has the exclusive right to reproduce the work.

(Stage performance rights and musical performance rights)

Article 22 The author of a work has the exclusive right to give a stage performance or musical performance of the work with the purpose of having it seen or heard directly by the public (hereinafter referred to as "publicly").

(Right of on-screen presentation)

Article 22-2 The author of a work has the exclusive right to publicly present a work via an on-screen presentation.

(Right to transmit to the public)

Article 23 (1) The author of a work has the exclusive right to transmit to the public that work (this includes the right to make the work available for transmission, if the work is to be transmitted to the public via automatic public transmission).

(2) The author of a work has the exclusive right to publicly communicate the work being transmitted to the public through a receiver, .

(Recitation rights)

Article 24 The author of a literary work has the exclusive right to recite that work publicly.

(Exhibition rights)

Article 25 The author of an artistic work or of an unpublished photographic work has the exclusive right to publicly exhibit the original work.

(Distribution rights)

Article 26 (1) The author of a cinematographic work has the exclusive right to distribute copies of that cinematographic work.

(2) The author of a work that is reproduced in a cinematographic work has the exclusive right to distribute that work in copies of the cinematographic work.

(Right of transfer)

Article 26-2 (1) The author of a work (except a cinematographic work; the same applies hereinafter in this Article) has the exclusive right to make that work available to the public through the transfer of the original work or a copy of the work (if the work is one that has been reproduced in a cinematographic work, this excludes making that work available to the public through the transfer of a copy of the cinematographic work; the same applies hereinafter in this Article).

(2) The provisions of the preceding paragraph do not apply if a work is offered to the public through the transfer of an original or copy that falls under a category provided for in one of the following items:

(i) an original work or a copy of a work that is transferred to the public by the person that owns the right provided for in the preceding paragraph or a person authorized thereby;

(ii) a copy of a work that is transferred to the public based on a compulsory license under the provisions of Article 67, paragraph (1) or Article 69, or a license under the provisions of Article 5, paragraph (1) of the Act on Special Provisions of the [Copyright Act](#), Required in Consequence of the Enforcement of the Universal Copyright Convention (Act No. 86 of 1956);

(iii) a copy of a work that is transferred to the public based on the application of the provisions of Article 67-2, paragraph (1);

(iv) an original work or a copy of a work that is transferred to exclusive groups made up of few persons by the person that owns the right provided for in the preceding paragraph or by a person authorized thereby;

(v) an original work or a copy of a work that is transferred abroad without prejudice to any right equivalent to the right set forth in the preceding paragraph, or that is transferred abroad by the person that owns any right equivalent to the right set forth in that paragraph or a person authorized thereby.

(Right to rent out)

Article 26-3 The author has the exclusive right to offer that author's work (except a cinematographic work) to the public by renting out copies of the work (if the work is one that has been reproduced in a cinematographic work, this excludes offering that work to the public by renting out copies of the cinematographic work).

(Translation rights, adaptation rights, etc.)

Article 27 The author of a work has the exclusive right to translate that work, compose a musical arrangement of it, reformulate it, dramatize it, make a film adaptation of it, or otherwise adapt the work.

(Rights of the original author in connection with the exploitation of a derivative work)

Article 28 The author of the original work underlying a derivative work holds exclusive rights in the same categories as the rights prescribed in this Subsection that the author of the derivative work holds in connection with the exploitation of that derivative work.