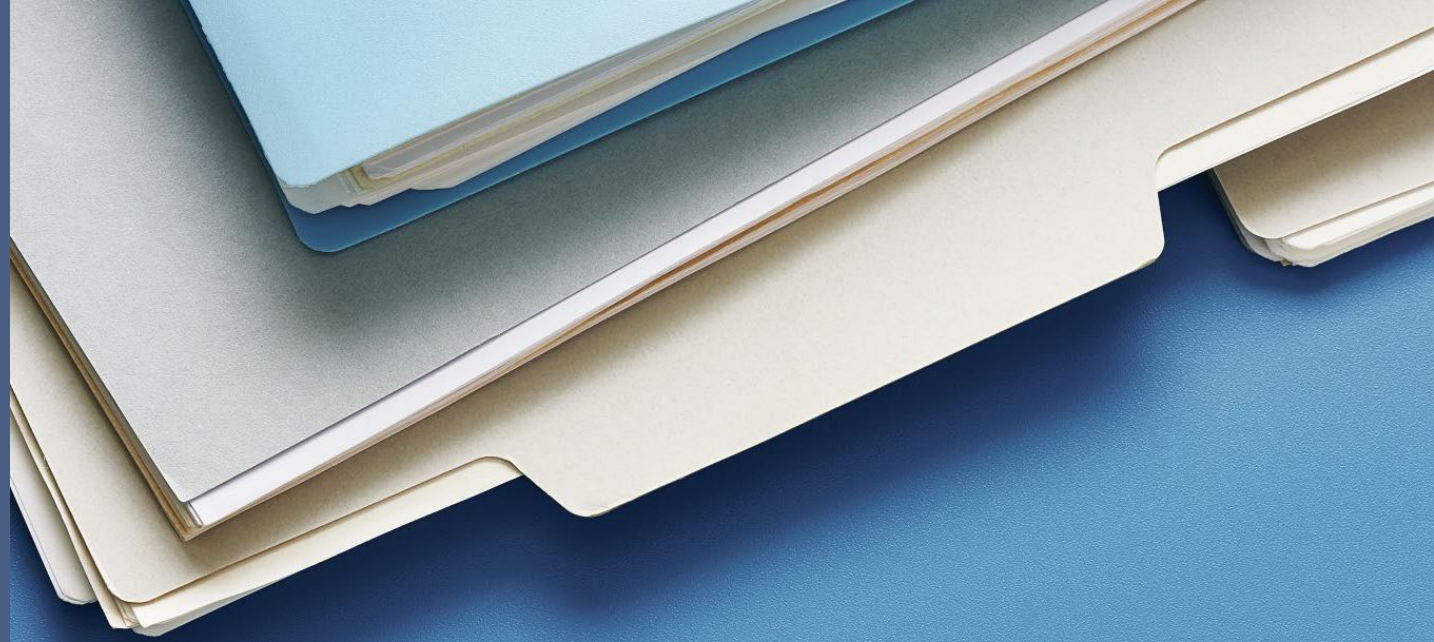


UNDERSTANDING COPYRIGHT AND CONTRACTS



IN THIS
PRESENTATION
WE WILL...



Learn the basics of contracts and how to protect
your affiliate from copyright infringement claims.



AFFILIATE LEGALITIES

- Affiliates are separate legal entities from the Academy of Nutrition and Dietetics
- This means affiliates are susceptible to their own decisions and legal ramifications
- 53 Affiliates of the Academy of Nutrition and Dietetics all with their own bylaws and governing documents

CONTRACT BASICS

- Definition of a contract:
 - A contract is a legally enforceable agreement that creates, defines, and governs mutual rights and obligations among its parties.
- When to use a contract:
 - Service or expertise is needed
 - Money is exchanged
 - Define expectations
 - Partnerships with deliverables or exchanges
- Why use contracts:
 - To serve as a record of commitment from both parties and outline the full understanding of the relationship and scope of work.



CONTRACTS DETAILS

- What to look for:
 - Terms
 - Location
 - Compensation and reimbursement
 - Force majeure
 - Attrition
 - Indemnification
 - Ownership of work product
 - Cancellation and rescheduling policies
 - Covid considerations



CONTRACT ASSESSMENT

- Contracts should be assessed annually
 - Discuss performance, review expectations, and identify areas of growth or new goals that have developed since the contract was signed
 - Review annual budget and confirm the cost of the contract compared to the work being done
- Write assessment into RFP and contract for advanced notice

RFP – REQUEST FOR PROPOSAL

- Request for Proposal (RFP) - is an open request for bids to complete a new project proposed by the company or other organization that issues it.
- Should include general overview and background of the affiliate, definition of services needed, contract information, details on who may respond, and a response deadline.
- RFP Process:
 - Set a timeline
 - Establish how to manage submissions and organization for Board review
 - Aim for a minimum of three bids



COPYRIGHT

- Copyright vs. trademark
- Rights of owner
- Copyright Infringement
- Image usage
- Academy policies

COPYRIGHT VS. TRADEMARK

- Copyright: the exclusive legal right, given to an originator or an assignee to print, publish, perform, film, or record literary, artistic, or musical material, and to authorize others to do the same.
- Trademark: a symbol, word, or words legally registered or established by use as representing a company or product.

RIGHTS OF THE OWNER

- Copyright – Who owns the work?
 - Original creator is the owner
 - Two exceptions: Created for an employer or created within the parameters of a service agreement
- Creator can pass rights or grant permission
- Rights of the owner include:
 - Right to use
 - Right to reproduce
 - Right to distribute
 - Right to display
 - Right to make derivatives
 - Right to make adaptations



NEWSLETTERS AND AFFILIATE DOCUMENTS

- Capture permission via author, photography and speaker agreements.
 - Ask permission for how to use, where to use, when to use, and how long
- Once a newsletter or other affiliate document is complete (with proper permissions) the document becomes the ownership of the affiliate.

COPYRIGHT INFRINGEMENT

- Definition of copyright infringement - the use of works protected by copyright without permission for a usage where such permission is required.
- Make sure you are receiving permission to use any material that is not public domain.
- “Web crawlers” - a computer program that automatically and systematically searches web pages for certain keywords.
- Free use images are your friend!



IMAGE USAGE

- Free Use Image Sites:
 - Unsplash - <https://unsplash.com/>
 - Pixabay - <https://pixabay.com/>
 - Pexels - <https://www.pexels.com/>
 - Vecteezy - <https://www.vecteezy.com/>



ACADEMY POLICIES

- Leverage the [Academy's policies](#)
 - Copyright Policy - All content on the eatright websites is copyrighted by the Academy of Nutrition and Dietetics and may be used only for non-commercial purposes. No content may be reprinted, copied or electronically reproduced or used in a commercial setting – except where specifically noted – without prior expressed permission by the Academy.
 - Reprint Policy
 - Linking to Academy Content



QUESTIONS?

