Copyright Regulations of the Japan Society of Civil Engineers

(Established September 26, 2014)

(Partially amended March 10, 2023)

(Partially amended November 13, 2026)

Purpose

Article 1

These Regulations herein address basic matters related to the treatment of copyrights of members and contributors (hereinafter collectively referred to as "**Members, etc.**") for works contributed to the Japan Society of Civil Engineers (hereinafter referred to as the "**Society**").

Definitions

Article 2

For the purpose of these Regulations, the terms set forth in each Item below shall have the following meanings:

(1) **Work(s)** means works provided for in Article 2, Paragraph 1, Item 1 of the Copyright Act, which fall under any of the following:

[1] Publications published by the Society (standards, specifications, guidelines, instructions, etc.);

[2] Articles, commentaries, etc. contributed to publications of the Society;

[3] Research reports contributed to the Society;

[4] Preliminary reports and manuscripts of proceedings of national conventions, seminars, symposiums, international conferences sponsored or co-sponsored by the Society, etc.;

[5] Articles, commentaries, etc. published on the Society’s website; or

[6] Any other works of similar nature to [1] to [5] above which are designated as Works by the Society.

(2) **Author(s)** means Members, etc. who are provided for in Article 2, Paragraph 1, Item 2 of the Copyright Act.

(3) **Copyright(s)** means copyright(s) to the Work(s) and includes all the rights provided for in Article 21 (Reproduction Right), Article 22 (Performance Right), Article 22-2 (Screen Presentation Right), Article 23 (Public Transmission Right, etc.), Article 24 (Recitation Right), Article 25 (Exhibition Right), Article 26 (Distribution Right), Article 26-2 (Ownership Transfer Right), Article 26-3 (Rental Right), Article 27 (Translation and Adaptation Right, etc.), and Article 28 (Original Author's Right in Exploitation of Derivative Works) of the Copyright Act.

(4) **Moral Rights** means moral rights in the Work(s) and includes all rights provided for in Article 18 (Publication Right), Article 19 (Name Indication Right), and Article 20 (Integrity Maintaining Right) of the Copyright Act.

Attribution of Copyright

Article 3

(1) All Copyrights shall belong to the Society.

(2) Copyrights shall be deemed to be assigned to the Society when an Author contributes Work(s) to the Society and submits a specified release form. The format of the release form shall be determined separately for each committee (hereinafter referred to as "**relevant committee**") as set forth in Article 4 of the Publication Regulations. Electronic release forms are also valid.

(3) If treatment of the Copyright as provided in the preceding two Paragraphs is not possible due to special circumstances, the Author shall offer to the Society a written statement to that effect when contributing, and the treatment in such type of case shall be determined through mutual consultation between the Society and the Author. However, in case of the secondary publication article, a separate provision applies.

(4) Even in a case as set forth in the preceding Paragraph, the Author shall grant licenses to the Society, without any consideration, for the exclusive right (including the right of sublicense by the Society, whether with or without consideration) to use the Copyright (including reproduction, publication, transmission, distribution, transfer, rental, translation, adaptation, and exploitation of derivative works) within and outside of Japan to the extent permitted by law and the special circumstances under the preceding Paragraph; provided, however, that

the Society shall clearly indicate the source when exploiting derivative works.

(5) In the event that the Society decides not to publish a contributed Work for which a specified release form has been submitted (regarding the Work(s) as set forth in Article 2, Paragraph (1), Item [4] of these Regulations, in the event that the national convention, seminar, symposium, international conference, etc. is canceled) in the publications of the Society, the Society shall return the Copyright to the Author.

Non-exercise of Moral Rights

Article 4

(1) The Author shall not exercise any Moral Rights against any parties authorized by the Society in the following events set forth in each Item below:

[1] Alteration is made in accompaniment with a change in distribution or storage method of the publication, etc.; or

[2] Alteration is made in accompaniment with the use of a summary or an excerpt of the Work.

The Society shall take sufficient care to ensure that the honor of the Author is not harmed as a result of an alteration as set forth in each Item of this Paragraph.

(2) The preceding Paragraph shall also apply in the event that the Society and any third party to which the Society has licensed the Work has created any derivative works, exploiting the Work as an original work.

Use of Work by Author

Article 5

(1) If the Author wishes to use his/her Work (including licensing to any third party), the Author shall file an application and obtain a license from the Society. The method of such application and licensing shall be determined separately for each relevant committee.

(2) The Society shall approve the application of the Author provided for in the preceding Paragraph, unless the use of the relevant Work is inconsistent with the purpose and objectives of the Society's activities.

(3) Notwithstanding Paragraph 1, the Author may use the Work without licensing by the Society in the following events set forth in each Item below. If the Author is to use the Work as provided for in this Paragraph 3, the Author shall notify the Society in advance, and shall specify sources and specify that the Work is owned by the Society.

[1] If the Author is compiling a collection of his/her articles; or

[2] If the Author is using a part or an excerpt of his/her article in his/her Work.

[3] If the Author is translating his/her article to another language, and using the translated article as the secondary publication which is the same in content as the primary publication. The secondary publication must clearly indicate the name and volume of magazine in which the primary publication is published, pages of the magazine in which the primary publication appears, the publication year and title of the primary publication, and that the translation is a secondary publication of the original article.

(4) Notwithstanding Paragraph 1, the Author may use a Work without licensing by the Society in the following events set forth in each Item below. If the Author is to use a Work as provided for in this Paragraph 4, the Author shall specify sources and specify that the Work is owned by the Society.

[1] If the Author publishes the Work, which he/she has created, on the Author's personal website or the website of a corporation or organization to which the Author belongs (including storage and publication in an institutional repository);

[2] Use as permitted under Article 30 through Article 50 (Restrictions on Copyrights) of the Copyright Act;

[3] Use as reference material for a seminar or lecture at which the Author himself/herself is a lecturer;

[4] Use as reference material for a conference or meeting attended by the Author himself/herself; or

[5] If the Author uses his/her Work in his/her own academic dissertation.

(Creative Commons License)

Article 6. With respect to any Work to which the Association has applied a Creative Commons License, the Author or any third party may, notwithstanding any other provisions of these Rules, use such Work without obtaining permission from the Association, provided that such use is within the scope of the terms and conditions of the applicable Creative Commons License.

Guarantee by the Author, etc.

Article 7

The Author guarantees the following:

[1] The Work shall not infringe upon the copyright, patent right, utility model right, design right, trademark right, domain name, and any other intellectual property rights as well as such intellectual property rights as the rights of application and registration thereof, and any other rights;

[2] If a Work was jointly authored, consent of all the authors of the jointly authored Work was obtained at the time of contributing the same to the Society;

The Author shall specify the sources, when the Author cites works of any third parties in a Work.

No Double Assignment

Article 8

The Author shall not assign any Copyrights in any Work to any third party other than the Society or grant any license thereto (including establishment of publication rights).

Cooperation in Dispute Resolution

Article 9

If any dispute arises or might arise in relation to any Work, including, without limitation, infringement of a Work by a third party or

infringement of a third party’s rights by a Work, the Author and the Society shall address the dispute in cooperation with each other.

Consultation

Article 10

If any doubt arises about any matters not set forth herein, or the interpretation of any provisions set forth herein, the Author and the Society shall engage in mutual good faith consultation to resolve the same.

Amendments to these Regulations

Article 11

Any amendments to these Regulations shall be made by the administrative board.

Supplementary Provision

(As decided by the administrative board on September 26, 2014)

The Regulations herein shall come into effect as of September 26, 2014.

Supplementary Provision

(As decided by the administrative board on March 10, 2023)

The amended Regulations herein shall come into effect as of March 10, 2023.

Supplementary Provision

(As decided by the administrative board on November 13, 2026)

The amended Regulations herein shall come into effect as of November 13, 2026.