

# Textbook publishers sue Kinko's Corp. involving fair use copyright regulations

By CHRIS VAUGHN  
 Of The Battalion Staff

A copyright infringement case beginning today involving Kinko's Graphics Corp. and eight major publishers could jeopardize how Texas A&M and other college students obtain copies of portions of textbooks.

Eight major publishing companies, including McGraw-Hill, Harper & Row and Prentice-Hall, filed a lawsuit in April against two Kinko's copy shops in New York City for copyright infringement.

The trial, set in a federal district court in New York, begins today and is expected to last two weeks.

The publishing companies asserted that the two shops in New York "copied substantial portions" of copyrighted works without per-

mission and "reproduced anthologies containing all or parts of several different works," then sold the anthologies to university students for profit.

But the Kinko's company, which operates 500 stores nationwide, including one in College Station, maintains it did not violate the Copyright Act by making copies of portions of textbooks. Kinko's representatives say their copying falls under the fair use exemption of the law.

That difference in the law's interpretation brought about the lawsuit.

The publishing companies believe the two Kinko's shops, and in fact most Kinko's shops, copy multiple chapters of books, which they say does not fall under the fair use exemption.

"It is prohibited in the Copyright

Act to make an anthology," said Carol Risher, director of copyright at the Association of American Publishers. "If the material can be used as a substitute for a textbook, it is illegal. Certain chapters are OK, but not chapter after chapter."

The Association of American Publishers in Washington, D.C., a trade association representing book publishers, is coordinating the lawsuit on behalf of the named plaintiffs.

Kinko's representatives said anthologies are not defined in the copyright law and publishers are trying to mislead the public.

"We don't sell anthologies," Kurt Koenig, a Kinko's vice president, said from Kinko's headquarters in Ventura, Calif. "We sell class hand-

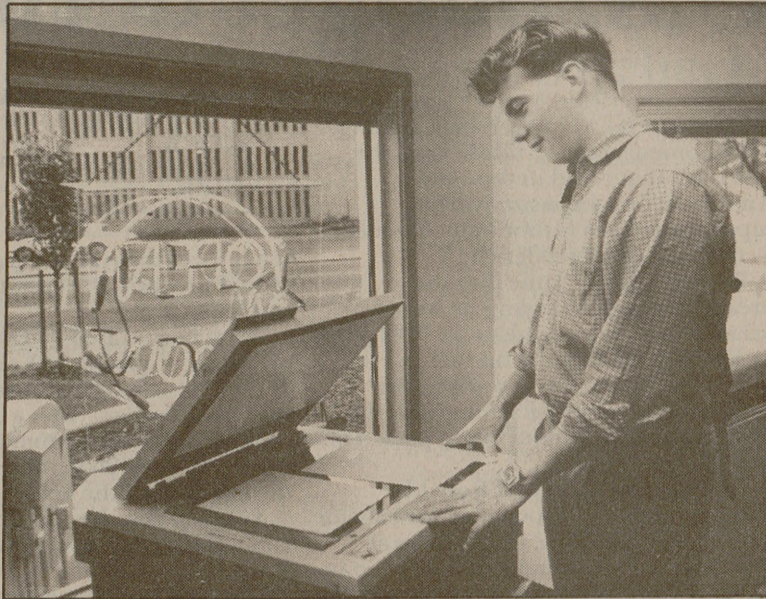
outs and course packets. There is no use of anthologies to describe our materials."

Koenig said the publishers are trying to change the present copyright laws through a judge's decision in this lawsuit.

"The publishers have filed the suit to change the interpretation of the law," he said. "Under the present law, the materials were copied as a fair use. The publishers want to change that."

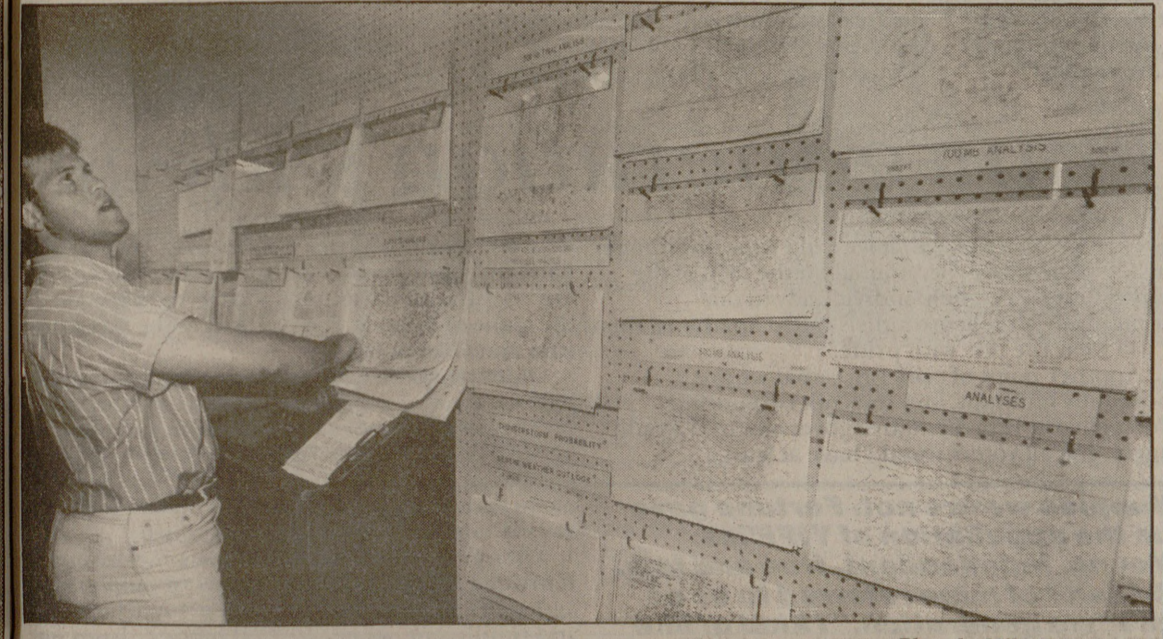
Educational, scientific and research purposes, criticism, editorial comment and news reporting are among the exceptions to copyright infringement.

For example, a professor can run off copies of a magazine article and distribute them to a class without



Mike Fader, a senior psychology major from Mexico City, Mexico, waits for a printed copy from one of the copying machines at Kinko's early Monday morning. Kinko's Graphics Corp. is involved in a copyright infringement case which begins today.

## It's going to rain — or maybe not



"It's going to rain for the next 24 hours and continue on into Wednesday," says Jeff Verosky, a senior meteorology major, who gathers information from various weather charts posted on the 12th floor of the Eller Building. He checks the charts daily for his METR 452 class.

# A&M to develop efficient campus-wide recycling plan

By CHRIS VAUGHN  
 Of The Battalion Staff

An organized, campus-wide recycling program at Texas A&M is not only feasible, but also necessary, according to a report accepted Monday by the Faculty Senate.

The report, based on a study conducted for the subcommittee on recycling by civil engineering graduate student John Potter, stated A&M should develop an efficient and organized solid waste recycling program.

"We should act now, while we have the luxury of time to plan and develop an efficient, effective system, before landfill costs and problems in Texas force us into a crisis reaction," the report stated.

The University, which also has been studying the feasibility of a recycling program, presently is developing a pilot program to recycle paper products in certain campus buildings.

Physical Plant director Joe Sugg has worked with faculty members to develop the program, which is expected to go before the administration for approval later this month.

The pilot program reportedly will involve six buildings on campus, including Kleberg, Harrington, Coke and Zachry, and will recycle only

white office paper.

The pilot program would seek to consolidate the unrelated recycling efforts of organizations and departments on campus, such as the Sterling C. Evans Library, David G. Eller Oceanography and Meteorology Building and some of the College of Medicine buildings.

Other campus groups already active in recycling are Grounds Maintenance crews, which collect and

**"It (recycling) is more than an economic issue — it is a moral issue."**

— Dr. Donn Hancher, civil engineering professor

Some of the savings would have to be funneled into developing the program, including the appointing of a director of recycling, but recycling goes beyond pure dollars, the recycling subcommittee chairman said.

"It's more than an economic issue — it is a moral issue," said Dr. Donn Hancher, a professor of civil engineering.

"While recycling is not an extremely simple process guaranteed to generate a lot of revenue, it does offer certain landfill cost avoidance," the report read. "A large revenue should not be the only deciding criterion. Rather, recycling is a worthwhile pursuit for A&M right now from an ecological standpoint."

During Committee of the Whole, Dr. Larry Hickman said the Senate Executive Committee should look into how the MSC Bookstore orders textbooks.

Hickman, a professor of philosophy, said students sometimes have trouble getting textbooks because the MSC Bookstore only orders 60 percent of what the professor requests.

Committee of the Whole, at the conclusion of regular business, is a time for senators to voice concerns about topics unrelated to the agenda.

# Helping the less fortunate Management professor shapes policy, programs for poor in New York City

By STACY ALLEN  
 Of The Battalion Staff

Helping less fortunate New Yorkers work toward economic independence is Dr. Thomas Reed's goal in his new position at the Human Resources Administration in New York City.

Reed, a professor of management at Texas A&M, was granted a one-year leave of absence to become first deputy administrator for policy and program development at HRA. The new position allows him to put his background in employment issues to work, he says.

"I want to create policy that can create economic independence for people through giving them job skills and opportunity," he says.

HRA is New York City's social service agency, handling all anti-poverty programs. The administration has a \$6.2 billion budget and employs 32,000 people.

As first deputy administrator, Reed is responsible for a department employing 50 staff members.

The department, he says, concentrates on family and children's issues, homelessness and welfare recipient employment through initiating policy, conducting long-term research and studying causes and consequences of poverty and homelessness.

Additionally, it evaluates existing programs for effectiveness and designs new policies to meet critical needs facing New York City.

Reed says his goal in his new position is to work toward shrinking the number of welfare recipients through education and job training.

The key to eliminating poverty, he says, is through breaking the cycle of poverty among families.

"New York spends more money for welfare than any other state, yet the problem is getting worse and worse," he says. "We must give wel-

fare recipients training and education to make it possible for them to get jobs."

Reed says the election of David Dinkins as mayor gives him hope the situation in New York can change. This administration, he believes, is serious about working toward the elimination of poverty.

"I would like to work with this administration to create policies and programs that will be supportive of families and children," he says.

"With Dinkins' administration, there is a chance to relieve some of the misery in New York."

Reed said at the conclusion of his work at A&M, he intends to return to A&M and continue teaching in the management department.

If the appropriate administration is elected into the governor's office in Texas, Reed also would like to utilize his knowledge and research to create greater opportunity for the poor in Texas.

# Mobley outlines budget problems, goals in address to Faculty Senate

By CHRIS VAUGHN  
 Of The Battalion Staff

President William Mobley emphasized dollars and cents in Texas A&M's future in Monday's address to the Faculty Senate.

Mobley keyed on the problems of maintaining and improving University programs under declining appropriations from the Texas Legislature while costs mushroom, and stressed that the private sector must play a larger role in financing these programs in the future.

"The costs of carrying out our multiple missions continue to escalate," Mobley said. "The Available University Fund (AUF) is fully committed. Thus, we will be seeking ever-increasing state, federal and private resources to support our activities."

Mobley outlined some of the requests for increased funding from the state which A&M will make in January, including more money for faculty and staff salaries and for the Sterling C. Evans Library.

A&M officials told state budget planners last month that A&M needs \$70 million more for 1992 and \$90 million more for 1993 to stay competitive with other universities.

The university then said it would like a 10.7 percent salary increase for faculty members in 1992 and a 10.8 percent increase in 1993 just to stay competitive with other universities.

"Quality faculty and staff are essential to the successful attainment of our multiple missions," Mobley said. "A primary goal of the University is to nurture the intellectual and support environment, reward systems and infrastructure that will facilitate a top quality faculty and staff."

The president also said A&M would like the Leg-

islature to pick up more of the costs of operating the library, which continue to rise annually.

Presently, the Legislature funds the library at less than 50 percent of what it could.

"If we could simply encourage the Legislature to fund at least close to full formula, we would have a large infusion of capital," he said.

Among A&M's major priorities for the next few years, Mobley said, are to develop the library further; support undergraduate programs, especially in

**"The costs of carrying out our multiple missions continue to escalate."**

— President William Mobley,

the College of Science and College of Liberal Arts; infuse an international perspective throughout the University; implement the recommendations of the Committee for a Discrimination-Free Campus; and begin a capital campaign to increase endowment.

Increasing the number of minorities and women in the student body and in the faculty is another major priority for A&M, the president said.

"There has been a significant increase in the total number and percentage of minorities on this campus over the past decade," he said. "However, the percentage of the total student body represented by minorities still is far short of where it needs to be."

Mobley said A&M's goals and objectives, however, cannot be attained without two ingredients — continued accomplishment from the faculty and significant growth in the amount of resources, particularly from private sources.

# U.S. faces dilemma over food aid shipment

WASHINGTON (AP) — Allowing humanitarian food aid into Iraq may lead to enough illicit trade with the Persian Gulf nation to help Saddam Hussein hang on longer in Kuwait, U.S. analysts said Monday.

But it also relieves Iraq's critics of the moral dilemma of threatening innocent civilians with starvation in order to put pressure on Saddam, they said.

President Bush and Soviet President Mikhail S. Gorbachev agreed at their summit meeting Sunday in Helsinki, Finland, that a month-old U.N. embargo against Iraq permits food shipments "in humanitarian

circumstances," especially to feed children.

The U.N. Security Council must define "humanitarian circumstances," but in the meantime some nations are likely to act on their own, analysts said.

"Countries for one reason or another may use the cover of this humanitarian aid to break the embargo," said Shireen Hunter, a Middle East scholar at the Center for Strategic and International Studies, a private research group.

"This is indeed a dilemma" for Bush as he seeks to keep a tight economic noose around Iraq in order to

compel Saddam to withdraw his occupying army from Kuwait, she said. Iraq invaded on Aug. 2 and annexed the tiny kingdom six days later.

More than a month after the U.N. Security Council voted to ban trade with Iraq, it is unclear how long it might take for the embargo to cause substantial hardship for Iraq.

Judith Kipper, a Middle East expert at the Brookings Institution, a research group, said she sees "less than a 50 percent chance" the embargo will work. But Rep. John Murtha, D-Pa., said Sunday after returning with other lawmakers from a visit to Saudi Arabia that the sanc-

tions could topple Saddam within two months.

Iraq imported about 80 percent of its food last year.

Analysts said leakage in the embargo as a result of a humanitarian "loophole" is likely to be small, but it may be enough to extend Saddam's grip on power. That, in turn, may mean a longer stay in the Saudi Arabian desert for the tens of thousands of American troops that Bush dispatched last month.

Unconfirmed reports from the Middle East on Monday said some shipments of rice and flour already were flowing into Iraq from Iran.

The two countries, which were at war from 1980-88, announced they were restoring diplomatic relations.

Bush, apparently worried that Sunday's summit announcement would be seen as a weakening of U.S. resolve against Iraq, said, "I hope that nobody around the world interprets this as our view that now there should be wholesale food shipments to Iraq."

Last week, China and Iran indicated they might begin sending food and medicine to Iraq. Several other countries, including Tunisia, Yugoslavia, Romania and India, have said they might send emergency food to their citizens trapped in Kuwait.

## Today last day to drop

Today is the last day to drop classes at Texas A&M without record.

Students wishing to drop a class can do so at terminals in the Pavilion.

The Q-drop periods are as follows:

- Undergraduate students — Wednesday until Sept. 28
- Graduate students — Wednesday until Nov. 2

Students planning to graduate in Fall 1990 can file applications for degrees until Friday. Those wishing to file can do so from 8 a.m. to noon and 1 to 5 p.m. in 105 Heaton Hall.