MD-SOAR WITHDRAWAL POLICY

The MD-SOAR shared repository is hosted and maintained by the University of Maryland College Park (UMCP) Libraries with the expectation that participating libraries will only make content available in a manner that conforms with U.S. copyright laws and other relevant laws, regulations, and legal agreements. If a copyright complaint or withdrawal request is received for any item(s), UMCP will review the complaint or request, and refer the matter to the library that made the item(s) discoverable and accessible through MD-SOAR or its partners' hosted digital collections.

- All of the following may direct the university to remove the materials:

  - Author or Co-author
  - Copyright Holder
  - Research subjects with identifying information revealed
  - Individual who agreed to the license agreement or otherwise gave the university permission to distribute, except when an existing contract gives the university permission to distribute;
  - The Department housing student work, any faculty member in it, or the faculty sponsor of student work;
  - Any university agency with authority over the submission in whole or in part.

- Acceptable reasons for complaints or withdrawal requests include:

  - Alleged violations of U.S. copyright laws or other legal requirements;
  - Intellectual property that a library does not have proper required permissions to distribute;
  - Materials containing content owned by a third party without consent of the third party, especially materials that do not pass a reasonable and judicious Fair Use analysis;
  - Author or co-author plan to formally publish the materials elsewhere and the publisher is requiring that it be removed;
  - Identifying information on human research subjects revealed without consent and/or without following appropriate policies of the university agency governing human research;
  - Materials containing sensitive or confidential information;
  - Materials restricted by publisher or funder agreements, or other licensing conditions;
  - Alleged research misconduct or falsified research.
  - Student work doesn't meet the quality standards of the department or university.

o Materials posted in violation of university or governing agency policies or materials posted in violation of the policies of any internal agencies with authority over the work in whole or in part.

UMCP will acknowledge receipt of all complaints and withdrawal requests within twenty-four (24) hours. Following receipt and acknowledgment of the complaints or request, UMCP will immediately refer the issue to the appropriate library, and request that the library begin investigation of the complaint or request. Each copyright complaint or withdrawal request will be reviewed by the appropriate library on an individual, case-by-case basis.

MD-SOAR partner libraries' procedures for handling copyright complaints and withdrawal requests may vary. However, to ensure a base level of consistency across institutions and to minimize the risk of copyright infringement, all partner libraries agree to observe the following procedures until each complaint or request is resolved:

1. Copyright complaints and withdrawal requests will be acknowledged quickly.
2. The depositor and/or owner of the item(s) in question will be notified of the complaint.
3. Each complaint or request will be reviewed and analyzed individually.
4. If a complaint or request is judged to be valid or reasonable doubt exists, items in question will be removed from public access and use until the issue is resolved.
5. The complainant, depositor/owner, and MD-SOAR host UMCP will be informed of the outcome of the investigation and actions taken, which may include:
   a. An item remains in the repository unchanged, as it was before the complaint or withdrawal request was received;
   b. The original submission is removed to a dark archive and an edited version, or a version without offending files, is added to the repository and its new version indicated in the metadata record;
   c. An item is removed in its entirety to a dark archive.
6. Valid complaints may be referred to appropriate authorities within each partner library's parent institution.

If the library to which a complaint is referred does not respond within seven days of being notified of the complaint or withdrawal request, UMCP may withdraw the item from being discovered and accessed within MD-SOAR, until the issue is resolved.

If you wish to submit a copyright complaint or withdrawal request, please email: