



WILLIAM & MARY

LIBRARIES

Special Collections Research Center | Earl Gregg Swem Library | 400 Landrum Drive | Williamsburg, VA 23187-8794
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DEED OF GIFT

I. Transfer of Ownership

I, (name) _____ do hereby irrevocably and unconditionally give, transfer, and convey to the Earl Gregg Swem Library, the College of William and Mary ("William & Mary" or "University"), its successors and assignees the title and interest held by me to (description of material):

together with the rights as specified below in Section II. I understand that the location, retention, cataloging, and preservation of the materials, or other considerations relating to their use or disposition, are at the discretion of the Earl Gregg Swem Library in accordance with institutional policies (<https://www.swem.edu/policies>). I give consent to the Earl Gregg Swem Library to digitally reformat the collection and to migrate existing digital content to new technical environments as appropriate for preservation and/or access. The donated materials shall be made accessible to all persons qualified to use materials in the Earl Gregg Swem Library, subject to the terms and conditions, if any, stated in Section III A. No term or provision of this instrument shall be interpreted to limit or restrict the fair use rights of the Earl Gregg Swem Library or users of the materials as provided by U.S. Copyright Law, Title 17, U.S.C. ("Fair Use Rights").

If you do not intend to take a tax deduction, please initial here: _____

If you intend to make a gift to support the preservation of, and access to, the material, please initial here: _____

_____ I wish to be publicly acknowledged as the donor of this gift as follows:

Gift - Name - Date

_____ I prefer that the source of this gift remain confidential and anonymous. Please acknowledge this gift to the public as:

Gift - Anonymous - Date

II. Copyright

A. Current Copyright Ownership and Control

To the best of my knowledge (please initial one):

____ I control all copyrights in the donated materials (i.e., all works were created by me, or I acquired the copyrights in all donated materials).

____ I control some of the copyrights in the donated materials (i.e., some of the donated materials were created by me, or I acquired the copyrights in some them, but the donated materials also contain works for which other individuals or organizations control the copyrights).

____ I control none of the copyright(s) in the donated materials.

B. Transfer of Copyright Ownership (please initial one):

____ I irrevocably assign to William & Mary any and all copyrights I control in the donated materials.

____ I retain full ownership of any and all copyrights I currently control in the donated materials, but I grant the University a nonexclusive royalty free right to authorize all uses of these materials for non-commercial research, scholarly, or other educational purposes pursuant to a Creative Commons Attribution, ShareAlike license, including, but not limited to, the authorization to display and reproduce the materials or derivatives of the materials in exhibitions, catalogs, University publications, University websites, or University advertisements, both on and off campus.

III. Terms and Conditions:

A. Restrictions: (please initial)

____ The donated materials shall be accessible to all persons qualified to use materials in the Earl Gregg Swem Library, and any restrictions must be discussed and agreed upon with the Earl Gregg Swem Library.

B. Disposition: (please initial)

____ Any collection material not retained by the Earl Gregg Swem Library shall be offered back to the donor by registered letter (with the exception of duplicates, empty binders, folders, covers, and picture frames, and publications neither by nor about the collection creator, which will be disposed of by the Earl Gregg Swem Library). If the donor is deceased, does not respond to the written notification within 90 days, or declines to receive the materials, the Earl Gregg Swem Library may dispose of them.

C. Additions (please initial)

____ In the event that I may from time to time hereafter give, donate, and convey to the Earl Gregg Swem Library additional papers or other historical materials, title shall pass to the Library upon their delivery, and all of the provisions of this deed of gift shall be applicable. If the original deed needs amending, I may request a new deed of gift for future donations.

I represent and warrant that I am the sole owner of the materials described above and that I have full right, power, and authority to give the materials to the Earl Gregg Swem Library. This Deed is governed by the law of the Commonwealth of Virginia.

Signature of donor

Date

Name (Printed)

The foregoing gift of papers or other historical materials is accepted on behalf of the Earl Gregg Swem Library, subject to the terms and conditions heretofore set forth:

Signature

Date

Gerald P. Gaidmore

Director of Special Collections

Name (Printed)

Title

Donor Contact Information

ADDRESS: _____

PHONE: _____

E-MAIL: _____