

CLEVELAND PUBLIC LIBRARY

Community Services Committee

December 19, 2017

RESOLUTION ADOPTING POLICY ON 3D PRINTING SERVICES

WHEREAS, The Cleveland Public Library strives to offer patrons access to innovative technology and a variety of computer and technology related services; and

WHEREAS, The Library offers 3D printing at the Lorain branch, in TechCentral in the Louis Stokes Wing, and at various locations throughout the City of Cleveland through the TechCentral Mobile MakerSpace; and

WHEREAS, The Library maintains guidelines for the use of its 3D printers, but it has not yet adopted a formal 3D printing policy; and

WHEREAS, In order to standardize the procedures and rules for use of the Library's 3D printers, and to address legal and practical concerns arising from creating 3D models for patrons, the Library Administration has crafted a Policy on 3D Printing Services for consideration by the Board of Library Trustees, which is attached as an exhibit to this Resolution; now therefore be it

RESOLVED, That the Board of Trustees of the Cleveland Public Library hereby approves the Policy on 3D Printing Services, as attached, to be effective December 22, 2017.



CLEVELAND PUBLIC LIBRARY

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POLICY ON 3D PRINTING SERVICES

Purpose

The Cleveland Public Library strives to offer access to innovative technology and a variety of computer- and technology-related services. This policy establishes guidelines for patrons' use of the Cleveland Public Library's 3D printing services.

Who Can Print 3D Models at Cleveland Public Library?

Any patron with a library card in good standing issued by a CLEVNET member library may use the Library's 3D print services. Ohio residents who do not have a library card and wish to make 3D prints should sign up for a library card. Other individuals, such as out-of-state residents, who are unable to obtain a Cleveland Public Library card but wish to print 3D models, should speak to the manager on duty. Except for the MakerSpace 3D printers which require patrons to agree to the TechCentral MakerSpace User Agreement, only designated Cleveland Public Library staff will have hands-on access to the 3D printers.

Printing or supervising the printing of a patron's 3D model or item by Cleveland Public Library staff does not relieve a patron of the indemnification obligations discussed below and shall not expose the Cleveland Public Library to liability. Printing or supervising the printing of a patron's 3D model by Cleveland Public Library staff does not constitute an acknowledgment that the patron's 3D model comports with this policy, the Policy on Patron Conduct, intellectual property laws or other laws, or that the 3D model is safe or fit for patron's specific purpose (and in fact the Cleveland Public Library expressly disclaims any knowledge thereof).

Print Queue

Cleveland Public Library staff have the sole discretion to determine the order in which 3D models are printed. Patrons are limited to printing one 3D item at a time and may have only one item in the print queue at a time. If a 3D model consists of multiple separate parts, each part will constitute a single item. Because of limited staff and hardware resources, the Cleveland Public Library cannot guarantee completion times. Library staff will contact patrons when printing is complete, and patrons must pick up completed models within three weeks of completion. If models are not picked up within three weeks following completion, then the Cleveland Public Library may dispose of them in any manner it deems appropriate.

Cost of 3D Printing

The cost for 3D printing is based on the weight of plastic used and is determined after printing is complete. Library staff may estimate the price prior to printing the model, but the exact price will be given to patrons after printing is complete. All 3D models must be paid for in full before being released to patrons. The cost of 3D models not paid for and collected within three weeks following completion of the print will be charged as a fine against the patron's library card.

Unsuccessful Prints

Because of inherent limitations with equipment, the Cleveland Public Library does not guarantee that any 3D model will print successfully. If a print fails due to Library staff error or hardware failure, the Library

will attempt to reprint the object, and the patron will not be charged for the failed attempt, except as stated in the next paragraph. The Library may refuse to reprint the object after two unsuccessful attempts.

The Library may refuse to print 3D models that clearly contain errors or that are, as determined by Library staff, beyond the capabilities of the Library's equipment. The cost of failed prints due to errors within the 3D model and 3D models that are beyond the equipment's capabilities may be charged to the patron. Cleveland Public Library staff have sole discretion to make slight alterations such as adding supports to patrons' designs in an attempt to make them printable, but the Library does not guarantee that they will print successfully. Patrons are responsible for any extra cost associated with alterations to their designs regardless of whether the print is successful.

Limitations on Use

The Cleveland Public Library's 3D printing service is designed for rapid prototyping and patron enjoyment and creativity. This service is not intended for production or manufacturing, and the Library reserves the right to refuse to print large numbers of identical objects.

The Cleveland Public Library's 3D printers and scanners may be used for lawful purposes only. Patrons are not permitted to use the Library's 3D printers or scanners to produce materials that:

1. Violate local, state, or federal laws or regulations;
2. Look like, function as, or appear to function as weapons or parts thereof;
3. Appear unsafe, harmful, dangerous, or that otherwise pose a threat to the health or safety of others;
4. May be construed as obscene or otherwise inappropriate for the Library environment; or
5. Potentially violate the intellectual property rights of another.

The Cleveland Public Library reserves the right to refuse to print any 3D models, including, without limitation, those that it believes may violate this policy or the Policy on Patron Conduct or that may result in legal action against the Library or its employees.

Protection of Patron Intellectual Property

While the Cleveland Public Library encourages patrons to use its 3D printing services for innovation and invention, due to the public nature of its facilities, the Cleveland Public Library cannot guarantee the security of patrons' intellectual property rights such as copyright or trade secrets. Models may be printed within view of the public, and the Library may photograph and/or record the printing process and publish such photographs and/or recordings in any type of media now in existence or hereafter created, including, without limitation, print, social media, television, and the Internet. Patrons using the Library's 3D printing services must accept the risk that their intellectual property may be exposed to or copied by others. The Cleveland Public Library reserves the right to delete patrons' 3D model files once printing is complete. By submitting or requesting content or objects to be printed, the patron agrees to assume all responsibility for, and shall hold the Cleveland Public Library harmless in, all matters related to the printing of that item, as set forth below.

Indemnification

By using the Library's 3D printing services, you agree to release from, indemnify, and hold harmless the Cleveland Public Library, its officers, employees, board members, agents, and representatives from and against any and all suits, claims, damages, losses, expenses (including reasonable attorney's fees), settlements, and judgments arising out of or relating to your 3D model, including, without limitation, any claims for personal injury and infringement or misappropriation of any copyright, trademark, or patent.

Disclaimer of Liability and Warranty

By using the Library's 3D printing services, you agree to assume the risk of, and acknowledge that the Cleveland Public Library disclaims all liability for, any and all injuries (including death) resulting from use of 3D models created using equipment owned by the Library. You also agree that 3D models possess certain inherent weaknesses and limitations and may not be suitable for all applications, including, without limitation, those for which they are designed and intended. You further agree to assume the risk of, and acknowledge that the Cleveland Public Library disclaims all liability for, damages or claims for infringement of intellectual property rights arising from your use of the Library's 3D printing services.

THE CLEVELAND PUBLIC LIBRARY DISCLAIMS AND EXCLUDES ALL WARRANTIES, WHETHER EXPRESS OR IMPLIED, ASSOCIATED WITH 3D MODELS PRODUCED AND/OR DESIGNED USING ITS EQUIPMENT.