April 2, 2018

Dear SCWMLS Participant

Since 2012, the SCWMLS has filed on a quarterly basis with the U.S. Copyright Office a registration for copyright protection of the SCWMLS database. The SCWMLS Board of Directors and staff believe this is an important action to protect against unauthorized use of all Participants’ data in this collective resource.

Late last year, the Copyright Office changed its stance and is questioning whether MLS databases across the country – including the SCWMLS database – are subject to copyright protection. With the advice of our legal counsel, we are instituting changes to put ourselves in a stronger position to advocate for the copyright protection.

First of all, all new Participation Agreements will contain the following language:

Participant Member Agrees that all right, title, and interest in each copy of every multiple listing compilation created and copyrighted by the South Central Wisconsin MLS Corporation and in the copyrights therein, shall at all times remain vested in the South Central Wisconsin MLS Corporation. The selection, coordination and arrangement of information contributed to the SCWMLS database by the Participant or any person affiliated with the Participant is a work made for hire on behalf of the South Central Wisconsin MLS Corporation and the South Central Wisconsin MLS Corporation is the author of those works for purposes of copyright.

This language will also appear the revised SCWMLS Handbook, effective March, 2018.

In addition, when you next sign into the SCWMLS Paragon™ system, you will be asked to approve the above by making a one-time “click through” in order to access the system. By utilizing the Paragon system, you are consenting to this change. Please note this “click through” will only be required by you as the broker; it is not required of each agent.

Please understand that these are important steps in order to protect your data as part of the SCWMLS compilation. Your agreement that the selection, coordination and arrangement is a work for hire does NOT change your ownership of the original text (such as public remarks), photographs, or videos that you create for your listing.

Thank you for your support. In the event that you have any questions whatsoever, do not hesitate to contact Kevin King – kevin@wisre.com or 608-514-0205.

Sincerely,

SCWMLS Board of Directors