

Copyright permissions: a guide for authors

IMPORTANT: please consider your permissions requirements at an early stage. As you must bear the cost of any fees, it is advisable to consider carefully the necessity of using copyright-protected material: it is sometimes possible to avoid it by paraphrasing an argument.

If you include in your work any material that is protected by copyright you *must* obtain permission to reproduce it from the copyright holder. These notes explain when you need permission and how to get it. They reflect the English legal position as stated in the Copyright, Designs and Patents Act 1988, but for practical purposes they apply also to material published in the USA and continental Europe.

What types of material are protected by copyright?

Anything you might want to use: text, tables, computer programs, line illustrations and photographs.

When is material protected by copyright?

Any material, whether published or unpublished, has copyright protection until 70 years after the death of its creator. After this time it passes out of copyright into the public domain, and can be reproduced by anyone.

Who holds the copyright?

The first copyright holder of a work is its creator. The copyright of a photograph, for example, belongs initially to the photographer. The exception is any work done in the course of employment, the copyright of which belongs to the employer.

If the material is published, the copyright (or at least the right to grant or withhold permission to reproduce the material) usually passes to the publisher, but not necessarily for photographs.

Can material ever be used without the copyright holder's permission?

It can if its use can be classed as 'fair dealing'. Fair dealing is a legal provision which allows passages of text from a work in copyright to be quoted without the permission of the copyright holder if they are 'for the purpose of criticism and review'. The interpretation of criticism and review is broad and in practice covers any reason for which material would be quoted in an academic book.

There is no legal definition of how much of a work can be used, but the Society of Authors and the Publishers Association jointly recommend that the numbers of

words that can be quoted without permission for the copyright holder are: up to 400 words in one passage or up to 800 words in a series of passages no one of which is longer than 300 words.

For poetry, the equivalent is up to 40 lines or not more than 25% of a whole poem.

Acknowledgment must be given to the author of the quotation, and the title and publisher of the book from which it is taken.

No similar fair dealing provisions exist for tables or illustrations, so permission to reproduce an illustration should always be sought. With computer programs it would be safer always to ask permission to reproduce printouts from programs. The same applies to screens etc., taken from internet sites.

How is permission to reproduce material obtained?

Complete one of the standard permissions letters attached. For unpublished material send it to the creator or the creator's employer. For published material send it to the permissions department of the publisher.

When should permission be obtained?

It is very much in your interest to send off permissions letters as soon as you know you will want to use the material, as leaving it too late may delay publication. Publishers often take many weeks to reply to permissions requests, and we cannot start the production process until all the necessary permissions have been obtained.

Please write clearly on each permissions letter the figure number, table number or typescript page number in your book or paper to which it refers.

What should happen to the completed permissions letters?

Send them all to Facet Publishing when you submit your book (or to your volume editor if you are a contributor).

How should the copyright holder be acknowledged?

The copyright holder may specify a form of words for the acknowledgment when granting permission, in which case this should be used. Otherwise, give a reference citation at the end of the quotation or below the table/illustration (author/date or number according to the system you are using) and the full details of the work in the reference list at the end of the chapter.

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