COPYRIGHT AND PERMISSIONS GUIDELINES FOR PEARSON EDUCATION

One of your prime responsibilities as an author is to ensure that all the material in your manuscript is your own, or, if it is taken from another source (even if the other source was written by you and has been published), that it can be legally used in the work you are writing for us. Unless Fair Use or Public Domain principles apply, you should obtain permission to include the material in your work. A manuscript with outstanding permissions cannot be considered ready for publication and will not be accepted in production. Once you have determined what items require permission, organize your materials, create a Permission Log, and apply for permission as soon as possible. The following guideline may help you recognize when permission should be obtained. These are guidelines only, and should not be used as a substitute for consultation with a permissions expert or your attorney. These guidelines also do not relieve you of your warranties and indemnities under your author agreement.

What Can Be Copyrighted?

Original works fixed in a tangible medium, including

- Works of fiction and nonfiction
- Musical works, including lyrics
- Web sites and materials on them
- Dramatic works, including any accompanying music
- Pictorial, graphic, and sculptural works
- Films and other audiovisual works
- Sound recordings
- Architectural works
- Compilations (the selection, order and arrangement can be copyrightable if it is sufficiently original)
- Choreographic works and pantomimes
- Diagrams, patterns, designs

1 These are guidelines only, and are not meant to be used as legal advice. The guidelines also do not relieve you of your warranties and indemnities. Please contact your editor should you need more exhaustive copyright law consultation on a particular item.
What Is Not Copyrighted?

- Works consisting solely of factual information containing no original authorship, such as standard calendars, rulers (?), lists or tables taken from public documents or other common sources; the facts of history.

- Works published by the United States government. There are very rare circumstances when this material may be copyrighted. They will show notice of this. NOTE: third party materials in the US works may be protected by copyright.

- Titles, names, short phrases, and slogans (though all of these may be protected by trademark law. Particular logos or stylized text may be copyrighted.

- Ideas, procedures, methods, systems, processes, concepts, principles, discoveries, or devices (but these may be protected by either patents or laws prohibiting theft of trade secrets and other confidential information.

What Are the Exclusive Rights Granted the Copyright Owner?

- The right to reproduce the work

- The right to prepare derivative works from the work

- The right to distribute copies of the work (including, sale, rental, license)

- The right to perform the work publicly

- The right to display the work publicly

How Can You Determine Who Owns the Copyright?

- Carefully read the credit lines. If credit is given to a source other than the publisher of the material, you will have to write to the original owner.

- Attribution may not appear with the quoted material and may, instead, be placed on the copyright page or in a separate section at the back of the book. In many cases, the publisher of the material in which the excerpt is found can supply the name of the original owner.
How Can You Determine If Permission Is Needed?

Any material in your book that is borrowed from another source (including other Pearson Education books, your own previously published material and even material from friends and relatives) may require written permission. The goal is to distinguish between material for which permission is necessary and material that can be used without obtaining permission (see the sections on “Fair Use” and public domain). These guidelines should help you decide the majority of cases; when in doubt, please consult us.

- If the material falls into any one of the categories listed in “What can be copyrighted,” permission is required for its reproduction unless the principle of “fair use” or “public domain” allows the material to be used without permission. See more below. Materials that might require permission include: books, articles, web sites, poems, plays, songs, photographs and other artwork (including cartoons or product shots), newspaper articles, magazine or journal articles, book or magazine covers and their design, logos, figures, graphs, charts or copyright-protected tables, tests, games, screen shots from software or the Internet, deep linking to material on a web site, software (both source code and object code), out-of-print works, and advertisements.

- Permission is necessary for use of student/children’s art or writing. If the student/child is a minor, you must have written permission from the parent or guardian.

- Unpublished works that are not in the public domain - letters, speeches, theses - usually require permission, since it is the right of the creator to decide whether to have them published.

- When using even one line from a poem, song, or a short children’s book, whether or not it is illustrated.

- When using any artwork from another source, including in your own previously published work. If the art appears in a published work with a printed credit line to the primary source, request permission from the primary source. However, if the published work adapted the art, and that design is what you want, request permission from both sources. NOTE: When supplying photographs, even your own, you must obtain
and include model releases from anyone in the pictures. Sample Model release letters appear later.

- A particular arrangement, selection, or compilation of facts or content not otherwise protected may be considered to be copyrighted. Even if you have obtained individual permissions to reprint each of several works, you may need to obtain a separate permission to reprint a particular compilation of those works.

**What Is “Fair Use?”**

- Section 107 of the Copyright Act of 1976 sets some limitations on the exclusive rights granted the copyright owner (listed above) by allowing “fair use” of some copyrighted material for such purposes as criticism, comment, news reporting, teaching, scholarship, or research.

- Use for these purposes does not necessarily mean your use is considered a “Fair Use.” The copyright law states that the following four factors must be considered in determining whether the particular use made of a particular work in a particular case may be considered fair use:

  1) the purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational uses; (NOTE: this means that the for-profit educational publishing that we do does not permit us to claim the same fair use that an educator might claim in a classroom.)

  2) the nature of the copyrighted work (is it a competing textbook, an old newspaper? a poem?);

  3) the amount and substantiality of the portion used in relation to the original copyrighted work as a whole; and

  4) the effect of the use upon the potential market for or value of the original copyrighted work.
Some common parameters for determining fair use

THERE ARE NO EASY WAYS TO “QUANTIFY” FAIR USE. SOME PEOPLE LIKE TO THINK OF A MAXIMUM NUMBER OF WORDS, BUT STAYING WITHIN THAT IS NOT A GUARANTRY THAT THE USE WILL BE LEGAL. THE BEST APPROACH IS TO SECURE PERMISSION FOR ALL COPYRIGHTED MATERIALS UNLESS YOU’VE RECEIVED LEGAL ADVICE THAT THE FAIR USE EXCEPTION APPLIES. HERE ARE SOME GUIDELINES THAT YOU MAY FIND USEFUL IN MAKING YOUR DECISIONS. WHEN IN DOUBT, SEEK LEGAL REVIEW OR CONTACT US.

- With regard to length, some say that no more than 250 words from any long source (novel, textbook) may be quoted in your work (text or supplement) without permission. **NOTE:** This does not apply to poetry, song lyrics, or young children’s books or any short piece like an article. You cannot take that much materials from those sources.

- Some say even 250 words should not be used from a source if that number of words is more than 8% of the source material.

- If the words used represent a very important part of (some courts have used the words “heart” or “core”) of the source material or an important part or feature of your work, then even using less than 8% would require permission.

- Fair use is applied more narrowly to copyrighted works that have not been commercially published. Permission should be obtained for unpublished theses, speeches, and letters. **NOTE:** The content of a letter belongs to the writer, not the recipient.

- Fair use should not be relied on if you are using even a single figure, copyrighted table, photograph or piece of artwork from another non-public source.

- You should also consider the nature of the source material: If the source is a competing textbook, it is best not to rely on fair use for using any original expression, or the selection, order or arrangement of the original. If the source is a work of fiction or other largely creative work, fair use will be applied more strictly.

**NOTE:** Only the courts can make the final determination of whether a particular use is “fair use.” Because of the uncertainty, fair use
should be used sparingly. The more your use is similar to the original, the greater your risk.

**ALSO NOTE:** Even if fair use applies, you should give a credit to your sources in the same way you credit the permissioned material in your Work.

**Web Sites**

Web materials are no different from printed materials. Both the content and design of a web site can be copyrighted, whether or not the site says that. The above guidelines and information apply to all materials on the web site, unless the web site posts its own guidelines about how much material, if any, may be reproduced for commercial purposes without permission. This information may usually be accessed by a link from the home page to “Legal Terms” or “Terms and Conditions.” Original materials on Federal Government web sites may be used. See Public Domain below. Third party materials posted on a federal site may still require permission.

**If permission is required, you must:**

- Contact the web site owner to request permission to use material from the site. Look for contact information on the Home Page. You can use the sample permission letter for this.

- Include full information, including the URLs, about the material you want to use and how it will be used.

- Enclose printed-out copies of the web page(s) with your letter.

**What Is the “Public Domain?”**

Public Domain is the term used to refer to works not protected by copyright. These include:

- Works with expired copyrights (see chart).

- Works created by United States government officials, as part of their duties as federal officials. **NOTE:** Works by state and local governments are **not** public domain.
When assessing whether a work is still under copyright, be especially careful of translations and retellings, recordings, and broadcasts. While an original fairy tale, for example, may not be in copyright any longer, a particular edition with new illustrations or a translation or retelling in modern terms or a recording of a reading of it still might be protected.

In England, the term of copyright was recently extended to "life of the author plus 70 years." Some works by authors such as James Joyce and Rudyard Kipling have thus regained copyright protection. **NEED TO CHECK LAW.**

**NOTE:** A work may be in the public domain in one country but still under copyright protection in others.

Use the table on the next page to help you determine whether a work is still protected under U.S. copyright law.
### WHEN WORKS PASS INTO THE PUBLIC DOMAIN
By Laura Gasaway, Professor of Law
University of North Carolina

<table>
<thead>
<tr>
<th>DATE OF WORK</th>
<th>PROTECTED FROM</th>
<th>TERM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Created 1-1-78 or after</td>
<td>When work is fixed in tangible medium of expression</td>
<td>Life + 70 years (or if work of corporate authorship, the shorter of 95 years from publication, or 120 years from creation)²</td>
</tr>
<tr>
<td>Published before 1923</td>
<td>In public domain</td>
<td>None</td>
</tr>
<tr>
<td>Published from 1923 – 63</td>
<td>When published with notice³</td>
<td>28 years + could be renewed for 47 years, now extended by 20 years for a total renewal of 67 years. If not so renewed, now in public domain</td>
</tr>
<tr>
<td>Published from 1964 – 77</td>
<td>When published with notice</td>
<td>28 years for first term; now automatic extension of 67 years for second term</td>
</tr>
<tr>
<td>Created before 1-1-78 but not published</td>
<td>1-1-78, the effective date of the 1976 Act which eliminated common law copyright</td>
<td>Life + 70 years or 12-31-2002, whichever is greater</td>
</tr>
<tr>
<td>Created before 1-1-78 but published between then and 12-31-2002</td>
<td>1-1-78, the effective date of the 1976 Act which eliminated common law copyright</td>
<td>Life + 70 years or 12-31-2047, whichever is greater</td>
</tr>
</tbody>
</table>

1. Term of joint works is measured by life of the longest-lived author.
2. Works for hire, anonymous, and pseudonymous works also have this term. 17 U.S.C. § 302(c).
3. Under the 1909 Act, works published without notice went into the public domain upon publication. Works published without notice between 1-1-78 and 3-1-89, effective date of the Berne Convention Implementation Act, retained copyright only if, e.g., registration was made within five years. 17 U.S.C. § 405. Notes courtesy of Professor Tom Field, Franklin Pierce Law Center and Lolly Gassaway).

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Other Permissions Issues

Imbedded Materials; Determining Who Owns Copyright

It may happen that the work you are quoting itself contains quotations or tables and figures from another source. If those materials are under copyright, the same rules apply. Separate permission may be required. **NOTE:** This applies even to public domain material that contains copyrighted material. While federal government publications and websites are usually public domain, they may include material such as studies done by private organizations for the government. Use of those materials may require permission, even the materials are posted on a federal web site.

At times it is difficult to determine who owns the copyright. Carefully read any credit lines that are supplied either with the material or on the copyright page or on an acknowledgements page. If the source work gives credit for any material in the source work to someone other than the publisher or author of the source work, you should apply to the original owner who is credited for permission. When in doubt, apply to the publisher and they will notify you if the selection is under separate copyright and who the holder is.

Publisher Limitations

When requesting permission, be aware that some publishers limit the amount of material they will allow to be used in any one book. For example, W. H. Freeman limits the number of figures that can be used and the Harvard Business School Publishing restricts the number of cases. If you want to use multiple items from a single source, it is advisable to check with the source before making your request. This will avoid having to make last minute substitutions that may jeopardize your publication schedule.

The Permissions Process

Once you have determined what items require permission, organize your material, create a Permissions Log (see below), and apply for permission as soon as possible using the procedures below. You cannot submit your manuscript until all permissions have been cleared.

- Begin requesting permission at least six months before your manuscript is due.
• Log all permissionable items in order by chapter. Be thorough and complete. The information you include in the log will be useful to you for future editions and will be needed by the Copyright and Permissions Department when they pay permission fees on your behalf.

• Contact the copyright holder, or the person who has the right to grant permission, with a written request. Follow the sample letters below. Include all of the items from the same source in a single letter.

• Include a photocopy of the material for which you are requesting permission and a duplicate letter for the copyright owner’s file.

• If you are planning to edit or adapt the material, you must show that clearly on the photocopy of the original materials you send and say that in the letter.

• Always keep a copy of the permission letter and the material for your file. These letters are your record that you requested permission and will be useful if follow-up requests are needed. Keep them in a “pending” folder until you receive a reply. If you are requesting a lot of material, you may want to organize it in chapter files.

• Key the correspondence to the manuscript, i.e., “permission for Chapter 1 - Item 1”, and keep the correspondence in the same order as the items in the text.

• Record all requests sent in the Permissions Log with the date sent.

• Wait a month for the replies. Permission departments are usually very busy and can take several months to respond. “The squeaky wheel gets the grease” definitely applies here, so follow up with a phone call after a month when you have not received a response. Call more frequently as your manuscript turnover date approaches.

• Contact your editor if the copyright holder requests specific publication data, such as the tentative book price, format (hardcover or paperback), and print run. Publishers often use this information to determine their permission fee.
• Record the responses you receive to your letters in your log. If permission is denied, you should write your own material or find another source that will grant permission. If you decide you want to paraphrase the source material significantly, bear in mind that excessive paraphrasing may be considered to be an infringement of copyright. Consult the guidelines for paraphrasing below.

• Carefully read any restrictions in the permission grant to be certain that you can and will fulfill the specified conditions. Note them in the log. If you do not comply with the restrictions, the permission is not valid. In many cases you may have to sign the permission letter, return it, and wait for the final approval before the grant is valid.

• If asked, respond to any reasonable copyright holder requests. For example, as a courtesy, a publisher may ask you to get the author’s permission in addition to their own.

• As you receive responses, place them in a “completed” file, attaching copies of your letter and the material requested.

• When all permissions have been cleared, send the original agreements and Permissions Log to your editor when you submit your final manuscript. Always keep a copy of the permission agreements and the log for your files.
Advertisement Permission

These permissioning guidelines also apply with respect to any advertisement you want to reproduce in your book. Advertisements are also subject to copyright. Your request should also request permission to reproduce the ad and for reproducible copy so that we can print it.

- If you have not been able to identify where specifically to send the request, the corporate legal or public affairs office of the company or advertising agency is a good place to start. However, it is better to make an advance phone call to determine where to address your letter because our experience has been that blind letters receive no response.

- Corporations and public service agencies do not have rights and permissions departments the way publishers do and granting permission is not a high priority for them. Use the following sample letter and allow extra time for their response. Follow up with a phone call a month after sending your letter.

- With your letter include a copy of the advertisement, your intended caption, and the text copy. Corporations and agencies are protective of their image and do not want to be disparaged. They will want to know the context in which you are using their material.

- For reproducible copy the company may refer you to their advertising agency. Be sure to get the name of the account manager and explain to that person that the client has granted you permission and referred you to the agency.

When submitting advertisements with your manuscript

- Type the identification or figure number, proposed caption, and source, on a separate sheet of paper.

- Do not write on it or tape/staple anything to it. Use a paper clip to attach the identification page to the ad. We will be scanning the material you submit for use in your book, and therefore do not want any flaws on the page.

- Place it (either the copy you have obtained from the copyright holder or what you cut out of the source) in a large envelope.
Do not fold the ad in any way.

Sample Advertisement Submission Label
Identification Number: Figure 2.6
Headline: “Got Milk?”
Proposed Caption: This has been one of the most successful and longest running ad campaigns in the United States.
Source: The National Milk Processor Promotion Board
Paper clip the label at the base of the advertisement when submitting your permission request.
Sample Model Release

Publisher name and address

MODEL RELEASE FORM FOR PHOTOGRAPHS AND VIDEO

I hereby grant permission to reproduce and publish the photograph(s) and/or video materials of me in educational publications and any promotional materials published or copyrighted by (publisher)/Pearson Education, its successors and assigns.

I understand that the photograph(s)/video may be published in any form or format that the publisher may desire.

This agreement constitutes the entire understanding of the parties relating to its subject matter and is irrevocable.

_________________________  __________________________
Signature                  Date

_________________________
Printed Name

_________________________
Address

PHOTO/VIDEO INFO:

_________________________
_________________________
_________________________
_________________________
_________________________
Sample Model Release for Minors

Publisher name and address

MINOR MODEL RELEASE FORM FOR PHOTOGRAPHS AND VIDEO

I hereby grant permission to reproduce and publish the photograph(s) and/or video materials of my child/children ___ ________ (name[s]) in educational publications and any promotional materials published or copyrighted by (publisher)/Pearson Education, its successors and assigns.

I understand that the photograph(s)/video may be published in any form or format that the publisher may desire.

This agreement constitutes the entire understanding of the parties relating to its subject matter and is irrevocable.

______________________________________________
Signature                                      Date

______________________________________________
Printed Name

______________________________________________
Address

PHOTO/VIDEO INFO:

______________________________________________
______________________________________________
______________________________________________
______________________________________________
______________________________________________

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Negotiating the Permission Fee

The copyright holder has the right to request payment of a fee as a condition of using the work quoted. If the amount is higher than you expected, or exceeds the amount budgeted, the fee can often be negotiated. Contact the source, explain your situation, and ask if they are willing to negotiate for a lesser amount. Grantors usually have a great deal of flexibility and are willing to listen to a reasonable point of view. We recommend avoiding the grant of “most favored nation” or “mfn” clauses, which guarantee that the fee paid will be at least the same as that paid to any rights holder author; you may not anticipate the range of fees that you may ultimately be paying to various rights holders and later find youself bound to paying an unreasonable fee to the mfn rights holder or having to exclude other works, the inclusion of which would unduly inflate the permissions fees.

Reasonable or “Good Faith” Effort

There will be times when it is not possible to obtain permission for the use of certain material. It may be that the publisher has gone out of business, the rights have reverted to an author who cannot be located, the author has died and the estate cannot be found, or the request has been returned with no forwarding address.

A lack of response to your request does not constitute permission, and you should treat it like a denial: omit the material and write your own or substitute material for which you can obtain permission. If the material is important to your Work, bring the matter to the attention of your editor well in advance of publication so that Legal advice can be sought.

Permission for Revisions

If you are revising your work, consult the earlier edition permission file for carry-over permissions. If your original letter requested permission for all future editions and revisions, and if the copyright holder made no restrictions, you do not need to re-apply. Note in your log that permission from a previous edition carries over and include a copy of the letter and grant in the new file.
Paraphrasing

It is not a copyright infringement to read factual material and then write about it in your own words. You do not have to seek permission for reasonable paraphrasing, but the belief that paraphrasing is always legal is a myth. You should not merely rearrange words and copy most of the expression or selection order and arrangement of the original. Your work must be substantially rewritten in your own words. Merely changing the order of words, dropping articles or pronouns, or adding or deleting numbers from a list does not constitute acceptable paraphrasing. Moreover, regardless of the manner in which you present the material, excessive paraphrasing could be considered an infringement of the original, and the owner of the original is more likely to complain if your work competes with theirs.

Libel and Other Dangers

Where is the line drawn between fair criticism and libel? Libel is anything in writing that amounts to an accusation that a living person or company has done something unlawful, unethical, disgraceful, or ridiculous. In certain cases, the plaintiff can sue the author, the publisher, or both regardless of the truthfulness of such statements and without having to prove actual financial damage. As author, it is your job to prevent people from thinking they have grounds for a suit.

Your publisher retains the right to require you to make changes or to decline to publish a manuscript if we feel that it contains libelous or slurring content. You should bring to the attention of your publisher any concerns you may have about statements in your manuscript so that the publisher can seek Legal review.

Be particularly sensitive to the following areas:

- Anything that touches on professional competence.
- Anything that would amount to a crime or violation of law.
- Anything that reflects on a person’s morals or ethics, whether or not a crime is involved, particularly matters pertaining to business dealings and sexual conduct.
Creating a person or company in fiction who can be identified as real by means of location, occupation, name, or any other evidence that gives the suggestion. It does not matter whether or not damage was intended.

- Holding anyone up to public ridicule or scorn.
- Insults on credit standing.
- Disparaging remarks about a person’s race, religion, gender, or sexual preference.

Broad accusations and blanket attacks on individuals, groups, associations, businesses, and industries should be avoided.

**Use of Trademarks**

If you are using trademarked names or words in your text, you should indicate them by the use of initial caps or all caps, for example, Microsoft Word or UNIX. It is not necessary to use the ® or ™ symbols each time you mention the trademark, but you should do so the first time you mention the trademark, and attribute ownership of the mark to the specific owner is a footnote or other section.

Use of a trademark in the text of a book that discusses or describes the product sold under the mark is considered a form of fair use and permission is not required. Special guidelines apply for using a trademark on the cover of the book.

When you submit your manuscript to your editor, you should indicate that it contains trademarks and ask that the Production Department be notified of this. They will make certain that a statement of trademark ownership is placed on the copyright page and that Legal is consulted if necessary.

Some trademark owners have guidelines on how their marks must be used. These are often posted on their websites and should always be consulted and followed unless advice is obtained.

**The New York Times Agreement**

Pearson Education has entered an agreement with The New York Times whereby Pearson authors who opt in may use articles, tables, figures, and staff photographer photos at a 20% discount from their normal rates. The permission grant is automatic assuming the Times owns the rights. (There are
some exceptions: we cannot use material contained in their Magazine, work by photographers not employed by the *Times*, and/or more than 15% of NYT text in a single book.)

This agreement covers books for copyright years 2004 and 2005. It is anticipated that the agreement will be renewed for subsequent years if its success meets the expectations of the parties.

While you are not obligated to participate in this program, if you are using *New York Times* material, it would be to your financial advantage since permission fees are paid by our Authors and deducted from royalty payments.

To participate, you must follow this process:

- Sign the related addendum to your author contract (ask your editor). This will make your participation valid for the life of the *Times* agreement. You can request it from your Editor or Editorial Assistant.

- Send your permission request(s) to the Permissions Department of *The New York Times*, 229 West 43rd Street, 9th Floor, New York, NY 10036, Fax: 212-445-5764. (For photos, direct your request to Photo Sales on the 11th floor.) NOTE: If you are not using the standard letter supplied in our guidelines, it is important that you include “an imprint of Pearson Education” in your own request, following the publisher’s name. You must also state the copyright year of your book.

- The Times will send you an invoice at the discounted amount.

- Record the grant and amount in your Permissions Log.

- When all of your permissions have cleared, and you are ready to turn your manuscript over to your Editor, include all of your permission grants and the log. Remember to keep copies for your files.

**Copyright Guidance on the World Wide Web**

If you wish to learn more about copyright, the best and most reliable source on the World Wide Web is the U.S. Copyright Office at the Library of Congress: http://www.copyright.gov/index.html.
There are a number of university and other sites that offer their own view of copyright and fair use. ONE CAUTION MUST BE NOTED: what is considered fair use for a non-profit educational institution or library may not be fair use for us in publishing a commercial work, including a textbook. Also, because these sites are often advocates for the one point of view, they can not be relied on for definitive answers of what a court might find.

You may wish to visit these sites, but we cannot vouch for them.  
http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/index.html provided by the Stanford University Libraries.  
http://www.utsystem.edu/ogc/IntellectualProperty/cprtindex.htm: the site of the University of Texas. It posts what it calls a “Crash Course in Copyright.”

Bit Law “A Resource on Technology Law” is one small firm’s site on technology-related law (patent, copyright and trademark) information at http://www.bitlaw.com/copyright/.

PERMISSIONS

The most efficient and legally sound practice is for the author to handle permissions on an ongoing basis as part of the authoring process. As your manuscript evolves through drafts and rewrites, many sources or references will be included in the Notes or Bibliography section of the book. Other sources such as direct extracts, quotes, adaptations, or compilations of previously published and copyrighted material may require written permission.

If all goes smoothly, the permissions process takes approximately 6 - 12 weeks to complete. Be sure to allow adequate time for the entire permission process, ensuring complete and accurate credit line and source information in your final manuscript. The permissions should be complete when the manuscript is turned over.

Compiling the Permissions Log

* Complete the Permissions Log, using the electronic version provided as an Excel file. Completion of the log is important and will allow us to record data for your textbook in a permissions tracking and archiving database.

* Include all required information about the original source: publication, copyright holder, date of publication, chapter or article title, table or figure number, and the page number in the original work where the material appears.
* If your source is a newspaper or magazine article, etc., indicate on the log (under Source Information) the approximate percentage of original source material to be used in your book. This will help determine whether the inclusion falls under the "fair use" clause or if written permission is required.

* Note: "Fair use" is relative and is based on the length of the original source. Five hundred words from War and Peace is considered fair use and simply requires acknowledgment; five hundred words from a 2-page journal article is not fair use and requires permission.

* Record the manuscript page number and figure or table number from your book on the Permissions Log. The log should be compiled by chapter and, as much as possible, in sequence of appearance in the chapter.

* Use an identifying prefix on the Permissions Log to help us quickly analyze the type of permission.

  • Extracts or quotes (prefix Q)
  • Figures or Exhibits (prefix F)
  • Tables (prefix T)
  • Ads (prefix AD)
  • Screen captures (prefix SC)
  • Icons (prefix I)
  • Logos (prefix L)
  • Annual reports (prefix A)
  • Press Kits (prefix PK)

**Requesting Permissions**

* To request permissions, always use the preprinted Prentice Hall Permission Request form. This has the approval of our Legal Dept. and covers all requirements for international and electronic distribution. (It's a multi-part, carbonless form. If folded in quarters, the recipient's address will appear through a #10 window envelope.)

* Ask your Editor for copies of the Prentice Hall Permission Request form.
* If you don't have time for the multi-part, carbonless form, go to the forms page for an electronic copy of the Prentice Hall Permission Request form. It doesn't provide the multiple copies, but you can inform the individual you are requesting permission from to be sure to make a photocopy and send back the original copy signed.

* When completing the Permission Request form, fill in each area carefully from your Permissions Log (copyright holder; source publication; figure, table, and/or page number from the original work.) When multiple items are permissioned from the same source, it is acceptable and preferred to include all on one Request Form.

* It is as important that you identify carefully the figure, table, and the manuscript page number from your book as well. (See the upper right corner of the form.) This will help expedite payment of permissions fees and processing of sample book requests.

* Always attach a photocopy of the appropriate manuscript page or image to the Permission Request form. This expedites replies by allowing the copyright holder to quickly and easily identify the permissioned material.

* Always request World English Print and Electronic rights.

**Recording Permission Responses**

* As responses arrive, record the results on the Permission Log.

* Date of response?

* Amendments to the source or credit line information?

* Amendments to the copyright holder's address, phone, or contact person?

* Was permission granted to use the material with World distribution in English? If not, either re-request this permission or delete the material from your book. World English Rights are required; nearly all of our titles are distributed internationally in English.

* Was permission granted to use the material in an E-Book, CD-ROM, Web sites, in supplements, etc.? Record this information carefully and fully on the log; this information is important as we plan for future editions, E-Book, Web sites, on-line courses, etc.
* Was permission granted to use the material in future editions? This information is important as we plan for future editions, because it will eliminate time and cost for the next edition.

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