

Copyright Corner

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One of the difficulties associated with securing copyright permissions is knowing who to request permission from. What if the publisher or production company listed in the original work has gone out of business, relocated or transferred pieces of their collection to others? For the past year I have been fortunate to have Christina Powell working with me to secure copyright permissions for a number of multimedia projects. She is a graduate student in the School of Information and Library Studies at the University of Michigan. After repeatedly amazing me with her uncanny ability to locate seemingly obscure citations, she revealed her secret: library reference publications. I asked her to share some of these wonderful book, periodical and image resources with *IALL Journal* readers, too.

A Good Citation

For all media types the best source of information about potential copyright holders is the resource itself. If you keep good records when making selections from a resource, you will save a great deal of time when you get ready to apply for copyright permission.

Note the name and address of the publisher of the resource, the title of the publication, its author, publication date, as well as the creators of any individual works from the publication you plan to use. Illustrated works generally provide a list of credits; in most books, this list is located at the beginning or end of the book, and occasionally credits are given in the captions of illustrations. Credits in the printed materials you find on the cases of CDs and videotapes can be useful in tracking down copyright holders. Use the following checklist to assemble information for future copyright permission requests:

- 1 a) publication title, b) author, c) date

These items refer to the overall work, such as the book, CD or video from which you are extracting pieces.

- 2 a) publisher, b) address
These identify who put out the publication: usually the best source of copyright information.
- 3 a) selected work, b) creator, c) location
The selected work may be a portion of text, a poem, an image (photo, diagram or print), a song, a few seconds of video. Note that the creator may not be the publication author. Location is where the selection is found in the publication; e.g., page number, CD track, position in minutes and seconds on a videotape.
- 4) media type
This refers to the format of the work. "Text" is just words. "Image" is a photo, diagram, print, slide, any non-text "picture." "Audio" includes spoken word, musical recording, sound recording. "Video/film" subsumes moving images from any source such as film, television, live recording or screen captures from a motion video source.

Copyright Research

It is possible that all the information may not be available on the resource itself or may be out of date. You may also be dealing with incomplete resource lists compiled by someone else. If this is the case, the reference section of your library can be a great help in tracking down information. On a related note, it is a good idea to check the address of the publisher provided in any book over five years old.

The Internet can also be useful when searching for information on copyright sources. The Library of Congress catalog and the Copyright Office database are two natural places to start searching when you are faced with incomplete citations for books. To access them, telnet to locis.loc.gov or gopher to marvel.loc.gov. Other library catalogs, while rarely as large, often cover ground that the Library of Congress does not, such as videos and CDs. For more popular titles the New York Public Library is a good place to start, while the University of California's MELVYL system has a broad academic focus. The New York Public Library is available via telnet between the hours of 8:30 a.m. and 9 p.m., Monday through Thursday; 8:30 a.m. to 6:00 p.m., Friday and Saturday; and 12:00 to 5 p.m. on Sunday (EST). Telnet to nypl.gate.org and login as **nypl**. To reach the University of California's MELVYL system, telnet to melvyl.ucop.edu. Your library may also be able to look in the databases maintained by the Online Computer Library Center (OCLC) or the Research Library Information Network (RLIN) if the library is a member. These databases contain bibliographic records of the books held by their member libraries, numbering well into the millions of

volumes. Patrons are seldom allowed to search these databases themselves; however, the reference librarian at your institutional library can assist you with these searches.

Books

For information about book publishers the *Publishers Directory*, produced by Gale Research, Inc., provides addresses for publishers in the United States and Canada. *Publishers' International ISBN Directory*, published by K.G. Saur, gives addresses for publishers throughout the world. They are listed alphabetically by name, by geographical location, and also by International Standard Book Number (ISBN). The *International Directory of Little Magazines and Small Presses*, published by Dustbooks, could come in handy for more obscure publishers.

To get information about publishers, or to track down a title or author when provided with only partial information, the various versions of *Books in Print* are useful. For American books there is *Books in Print*, published by R.R. Bowker, which lists books by author, title, and subject. A companion volume, *Books Out of Print*, which contains books that have recently gone out of print, is also available. *Canadian Books in Print*, published by the University of Toronto Press, and *Whitaker's Books in Print* (formerly known as *British Books in Print*), published by J. Whitaker, cover books produced in other English-speaking countries. *International Books in Print*, published by K.G. Saur, lists major publications from around the world, but there are series for each major book-producing country, including *Libros en Venta* (Spanish), published by Melcher Ediciones, *Livres Disponibles* (French), published by Editions du Cercle de la Librairie, *Verzeichnis Lieferbarer Bücher* (German), published by K.G. Saur, and *Catalogo dei Libri in Commercio* (Italian), published by Editrice Bibliographica.

Periodicals and Other Media

For the addresses of periodicals *Ulrich's International Periodical Directory*, also published by R.R. Bowker, mentions the largest number of magazines, journals, and newspapers. There are also publications that cover all the various news media on a country-by-country basis. For the United States the *Working Press of the Nation*, published by National Register Publishing, names television and radio stations, newspapers and magazines, and internal publications of various organizations. *Benn's Media* includes the same areas and is divided into three volumes covering the United Kingdom, Europe and the rest of the world. If these specialized publications are not available to you, a limited amount of similar information is avail-

able in the *World Almanac*, *Whitaker's Almanac*, and similar publications.

Works of Art

When you request permission to use a reproduction of a work of art, the publisher of the resource containing the work will generally request that you ask permission from the museum that owns the work. They will often provide the name of the museum and its address; occasionally, however, you will have to find some or all of this information yourself. As always, the resource that included the reproduction is the best source of this information; there should be credit given to the museum or photographer. If this information is missing, or if the resource is no longer available to you, there are publications that can help identify the owner of the work of art. *The World's Master Paintings*, published by Routledge, lists major works of art by artist and period and provides the name of the museum which holds the work. The series of *Complete Works of...* books, published by Rizzoli and Weidenfield & Nicholson, is useful for locating lesser works by major artists and credits the owners. For the addresses of museums, try either the *Official Museum Directory*, published by R.R. Bowker, or *Museums of the World*, published by K.G. Saur.

If the museum owning the work is known, the permissions process may be simplified by approaching the museum directly. Museums often have slides of their works available for purchase and are accustomed to providing permission to use reproductions of the works they own. The publisher of a book may be able to grant permission based on the agreement with their photographer and the proprietary museum.

If You Really Can't Find the Copyright Owner...

If you have made a good faith effort to locate the copyright owner of a work and met with no success, should you proceed with use of a work? What is a "good faith effort"? I understand a good faith effort to signify that all possible means have been exhausted, including attempts to discover the original publisher or producer, any forwarding addresses, and company transfers or mergers; to use library reference materials or Copyright Office and Library of Congress research; and to contact clearinghouse or industry organizations such as The Harry Fox Agency (music synchronization rights) or the Association of American Publishers, Inc. If you cannot identify or locate the copyright proprietor, be sure you have documented your research efforts carefully.

The decision to proceed with the use of an unlicensed item should be treated carefully. Is the intended use internal to your institution or do you plan to distribute the materials, perhaps

for profit? Is the item of critical importance, or could it be replaced with a comparable item? Does your institution have a policy that you should observe?

**Coming Soon to a
Journal Near You**

In the next column I hope to include some of your comments on the issue of fair use. An application of fair use is a tough call to make. Have you ever used a copyrighted work under the fair use provision of law? What do you think educational fair use should be? Do digital media complicate the concept of fair use? Can you identify one gray area that you wish were clearly defined as a fair use? If you have a comment to make on any of those questions, you can contact me at lynnec@lark.lrc.isa.umich.edu, or I may be calling you! ■

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