

Copyright and Permissions

Permission must be sought if you intend to use any tables, charts, illustrations statistics, or any quotations or adaptations from any text or material that is not completely your own work. Please remember:

- **Permission to reproduce copyrighted material that you did not create yourself is as necessary to your project as the manuscript and artwork themselves.**
- **All permissions must be cleared by the time the book is ready for delivery.**
- **Submitting an incomplete permissions package will delay acceptance of your project.**

It is wise to start the process of applying for permissions as soon as possible- ideally, as soon as you think you might want to use the material. Although very necessary, the permissions process can often be rather lengthy. Also, remember that permissions fees can be costly, the earlier you apply for them, the more time you will have to negotiate with copyright holders, or find an alternative source if necessary. If you finally decide that the material will not be used, then the fee will not be payable, although you will need to inform the copyright holder that you are no longer using their material so that they may cancel any invoices.

You are responsible for obtaining all the necessary permissions by writing to the publisher of the copyrighted material you wish to use, as well as paying for all permissions fees (unless otherwise stated in your contract). Failure to obtain permissions could result in lawsuits, for which Cengage Learning is not liable.

UK copyright applies to authors who are living, or who were deceased, within the last 70 years. If you are unsure about whether any material is still in copyright, check with the relevant publisher- do not ever assume that copyright does not apply.

What needs permission?

Quotations

If your quotation does not fall into the *fair dealing* perimeter (see below), you must apply for permission to use it.

News and magazine articles

This is dependent on the length of the article and how proportional the amount that you wish to quote is in relation to it. If the amount that you wish to use is minimal in relation to the whole (i.e. one paragraph from an article consisting of seven paragraphs), then you would not need to obtain permission. If the amount that you wish to use is significant in relation to the whole (i.e. four lines from a six line paragraph), then you will need to apply for permission to use it.

Adaptations and paraphrasing

You need to apply for permission for *any* adapted material (text, table or illustration etc.), irrespective of how significantly adapted the material is.

If you paraphrase material, it has to be dramatically different from the source to be exempt from copyright. If a reader would recognise similarities between your material and the original version without difficulty, then permission will need to be sought.

There is not an easy way to accurately gauge the need for permission when paraphrasing material, so it is advisable to approach the copyright holder for further advice.

Artwork

Any table, map, chart, drawing, screen shot, photograph or piece of software that you did not create requires permission from the copyright holder, or the publisher. If it appears in the same format as originally published or distributed, regardless of whether you have made additions or slight adjustments, permission to reproduce it is mandatory. This includes Crown copyright works such as Acts of Parliament and works made by employees of government agencies and civil servants, and parliamentary copyright works which are works made by and under the direction and control of either of the Houses of Parliament.

Your own previously published work

Permission from the publisher or copyright holder is still required to use work from an author's previously published material.

Other media

Permission is required if you quote from personal communications, interviews, questionnaires, speeches, dissertations, and radio or television broadcasts, regardless of length.

Permission is required to reproduce *any* song lyrics- even a single line.

Permission is required to reproduce substantial parts of electronic documents, such as Web pages or e-mail communications, even if the author does not claim a copyright.

- With all of the above:

When in doubt, assume a stringent copyright standard and request the author's permission to reproduce the material.

The *fair dealing* exemption

UK copyright legislation includes exemptions on the grounds of what is known as the 'fair dealing' convention. Although it is widely acknowledged, it is not actually legally binding and copyright holders have the right to challenge any material that you choose to use under its parameters. According to the fair dealing convention, reproduction requires copyright:

- For any extract longer than 400 words
- For a series of extracts consisting of over 800 words in total- where any one of those extracts is not longer than 300 words
- For an extract or series of extracts consisting of one quarter of the work or more

Since the Fair use dealing is so undecided, its use should be limited, and permission should still be applied for in such cases, since there are authors and books to which this may not apply. If in doubt, consult your development editor.

Applying for permissions

When applying for permissions, clearly indicate exactly what you want permission for. The permission should be for world rights in all editions; limited rights will hinder sale of international and translation rights to your book. A sample permissions request letter is enclosed.

Be sure all source and credit lines in your manuscript read exactly as requested by the grantor. When the copyright holder, or publisher does not advise on the form of acknowledgement required, use the following style, after the caption: 'Reproduced with permission, Cengage Learning'. If an illustration is modified it is customary to indicate the source: 'After Borowka (1995)'.

When submitting permissions with your manuscript, be sure to indicate what material each permission covers. Figure 6.2 in your sources could be figure 9.1 in your book, and unless you indicate this, we have no way of knowing to which material a permission applies. Cengage Learning must have all original letters of permission on file (keep a copy for yourself) before publication of the book can proceed.

It is advisable to keep adequate records of your permissions process, which can become confusing. A simple table created in a spreadsheet package (such as Excel®) should prove adequate. A sample is enclosed, but your development editor will be able to supply an electronic version of this, and the sample letter, on request. If you decide to use a system such as this to keep track of your permissions applications, not only is it easier for you, but also for your development editor, who can include a copy of these records when handing in your cleared permissions with your manuscript.