By the terms of your contract, you are responsible for:

- Obtaining permission to use any and all copyrighted material, and record each item in the Art and Text Log
- Submitting copies of all permission acknowledgments with the final manuscript
- Paying fees and, upon publication, providing any complimentary copies of your book if required by the permission grantors

When submitting the final manuscript:

- provide documentation proving that permission has been granted and stating the terms
- label each document with the figure number or text element it pertains to
- summarize all relevant information in the Art and Text Log

In order to include material in your book for which the rights belong to anyone other than yourself, you are responsible for obtaining the necessary permissions, determining if your usage qualifies as fair use, or noting whether the material is considered part of the public domain. Permissions acknowledgments from the copyright holder must be submitted with the final manuscript; material under copyright for which permission has not been secured cannot be processed by the Production Department for inclusion in your book. It can take months to receive responses from some copyright holders, so be sure to request permissions well before completing your manuscript in order to avoid potential delays in the publication of your book.

You need to obtain, at minimum, world distribution, English-language, and electronic rights. All-language rights are preferable. Ebook publication and licensing to online libraries are important components of the Press’s publication program, so we must have permission for both print and electronic editions.

Some materials may not require additional permission to reproduce, such as the following:

- Your own previously published piece, to be republished in its original or nearly original form, if the publication agreement specifies that you may reuse the work in your own authored book or if you retained publishing rights.
- Your own previously published piece, if the work has been so substantially revised as to be considered new.
- Material analyzed within the book that qualifies as fair use (such as short in-text quotations intended for the purpose of analysis).
- Material licensed under a Creative Commons License. For more information: [https://creativecommons.org/licenses/](https://creativecommons.org/licenses/)
- Material considered to be in the public domain.

Note: For all of the above cases, you will still need to include an entry in the Art and Text Log and provide documentation with your final submission.
Copyright is a complex legal issue and this guide is meant to provide some initial instruction on what materials require permission, what types of documentation you should obtain, and what constitutes fair use. However, the information provided here is by no means exhaustive. If you have any questions or concerns about permissions, please contact your editorial assistant or consult the list of additional resources at the end of this document.

**Fair use and work in the public domain**

Before requesting permission to use a work from another source, check if the work is in the public domain or falls under the fair use exception.

**Public domain**

Permission is not needed to reuse works in the public domain. However, you must credit the original source. Works for which the copyright has expired or works that are not protected by copyright are considered to be in the public domain:

- All copyrighted works published in the United States before January 1, 1923
- Works published between 1923 and 1963, if the copyright was not renewed. Stanford Libraries maintains a [database of many copyright renewals](http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/chapter8/index.html)
- All U.S. government publications. Some materials published by state and local governments, foreign governments, and international organizations (e.g., the UN) are **not** in the public domain. Check with each of these entities to see under which conditions you can use their publications.

NB: unpublished works fall under different rules.

Please consult the following website for more information on the public domain

http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/chapter8/index.html

**Fair use**

US copyright law provides that the fair use of a copyrighted work for purposes such as criticism, comment, research, and scholarship is not an infringement of copyright. The law does not provide a precise definition of the fair use exemption, but the following four factors should be considered in determining if fair use applies:

- **The purpose and character of the use:**
  - Is the material essential to the argument(s) made within the text or otherwise directly discussed? Or is it merely decorative? Stanford University Press is a nonprofit scholarly publisher and our books are aimed at academic markets; this can help us meet the requirements of this factor, but is not always sufficient in and of itself.

- **The amount and proportion of the work used in relation to the original work:**
  - Is the amount used reasonable in relation to the purpose for which it is reproduced?
  - Note that proportion is more important than the length of the quotation. For example, a quotation of just three lines could contain an entire haiku poem.

- **The nature of the copyrighted work:**
  - Is the material unpublished? Is it song lyrics, a poem, or excerpt from a book fiction? “Creative” works of unique individual expression can be subject to more stringent copyright protection.
Factual documents, raw data, and geographic maps do not generally fall under copyright protection.

- The effect of the use on the potential market:
  - Is your reuse supplanting an opportunity for the rightsholder to sell or market their work?

NOTE: Due to their inherently illustrative position, epigraphs are held to a higher standard of fair use if they feature text from copyrighted material. For epigraphs using material still under copyright, the quote must be either directly discussed in the text, or have an easily articulable link to the text to qualify as fair use. If you wish to use an epigraph for illustrative purposes instead, you must obtain permission. Consult your editorial assistant for further advice.

Even if you have determined that the exception of fair use applies, you must credit the original source of the borrowed work. Please consult the following website for more information on fair use:
http://fairuse.stanford.edu/Copyright_and_Fair_Use_Overview/chapter9/index.html

Art Permission
This can often be complicated because art is often owned by an institution (the Louvre, SFMOMA, a private collection, etc.). Thus, reproducing works of art may mean obtaining two permissions: one from the copyright owner (usually the artist or their estate), and one from the provider of the actual photo/image file. Determining instances where two (or more) permissions are required is the responsibility of the author. There are a number of institutions, like Artists Rights Society or VAGA, who administer rights on behalf of a large number of artists and their estates.

Note that due to this occasional dual-rightsholder situation, in some cases you may still need permission to reuse copies of work that is in the public domain. In particular, using image files of artworks or manuscripts that were obtained from a museum or archive may still require permission – the permission is for reusing the file, not the underlying work.

However, many museums (like the Getty, LACMA, and National Gallery) are establishing open access policies to make hi-res images of public domain works of art downloadable for use without restriction and free of charge. Please check policies for reuse when including files obtained from an institution.

Sourcing and crediting material under copyright
For text and line art, the publisher is typically the source and should be contacted directly for permission. Consult the Literary Market Place (LMP) directory or the internet for publisher’s contact information.

The Copyright Clearance Center in the US and the Publishers Licensing Society in the UK are resources that facilitate easy online permissions requests for many titles.

For tables and illustrations, the caption or the credits should indicate the copyright holder. These requirements also hold true when using work taken from your Stanford book. If you will be using parts of your book in a course or in another publication, by the terms of your author contract, you will need to obtain permission from the Press first. Please note that, once you sign a contract with SUP, the Press holds the copyright to your book. If you decide to republish any content from your book any time after signing your
contract—even before the official publication of your book—you must seek permission from the Press.

**Releases**
Releases are necessary for the use of interviews, case studies, personal accounts, photographs, names, or likenesses where individuals are recognizable. The use of photos or other likenesses may raise privacy issues. If you cannot provide a release, we will need a written statement that you made all the necessary efforts to secure such a release and confirm that the individuals were aware that their photograph (likeness and so on) may appear in a book and agreed to it. If you have changed the names or likenesses and circumstances of the individuals in question, in order to obscure their identity, please note this on the Art & Text Log. If possible, please use the release template provided by the Press on the following page.

**Work for Hires**
If material included in your work was created by someone other than you as a “work for hire” (such as illustrations, translations, or maps) the US Copyright Office requires written documentation of this fact to demonstrate that the creator transferred their copyright to you, rather than merely granting you permission to use their work. Please submit a copy of each WFH agreement with your permissions documentation.

**Links to other resources**
Copyright Office of the Library of Congress: [https://www.copyright.gov/](https://www.copyright.gov/)

Stanford Library Copyright Renewal Database: [https://exhibits.stanford.edu/copyrighthome](https://exhibits.stanford.edu/copyrightrenewals?forward=home)

Association of University Presses Permissions FAQ (as well as other helpful resources):
[http://www.aupresses.org/policy-areas/copyright-a-access/copyright-a-permissions/copyright-a-permissions/permissions-faq](http://www.aupresses.org/policy-areas/copyright-a-access/copyright-a-permissions/copyright-a-permissions/permissions-faq)

Stanford Library Fair Use Overview: [https://fairuse.stanford.edu/overview/fair-use/](https://fairuse.stanford.edu/overview/fair-use/)

College Art Association Code of Best Practices for Fair Use in the Visual Arts:


Creative Commons Licenses: [https://creativecommons.org/licenses/](https://creativecommons.org/licenses/)
PERMISSIONS REQUEST FORM

Date:

I seek permission to reprint the following material (copy attached for your reference):

________________________________________________________________________________

This material is to be printed in the following book:

Title: ___________________________ Format: Print and Electronic
Author: __________________________
Publisher: Stanford University Press Estimated publication date: __________________________
Nature of book: Scholarly Estimated print run: __________________________

Rights requested: Non-exclusive world rights, in all languages, for this and any subsequent editions, including editions for the blind and visually handicapped, as well as for any derivative works in any forms and media, including but not limited to electronic versions of the book.

Please note that Stanford University Press is a non-profit scholarly publisher and would appreciate your lowest academic rate.

________________________________________________________________________________

Author

If permission is granted, please sign below. In signing this request, you warrant that you are the sole owner of the rights granted herein and that these rights do not infringe upon the copyright or any other rights of any person or entity.

Permission granted by (please print name and title):
Conditions of reproduction:
Preferred wording for credit line:

________________________________________________________________________________

Signature and date