John B. McHugh
Publishing Consultant

"Practical Problem-Solving Advice for Publishers"

Rights and Permissions: McHugh's Recommended Books and Web Sites

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Copyright is the bedrock of any publishing business. In order to succeed in the publishing business, you need to know the basics of copyright law. A knowledge of copyright law, and its corollary subjects—fair use and public domain—will enable you to determine whether or not you need to request permission to reprint material you plan to use in your publication. Understanding the doctrine of fair use and determining whether or not material is in the public domain will provide guidance for using copyrighted material without risking infringement.

Copyright also underpins any co-publishing arrangement entered into by your organization. In order to understand publishing licenses, you need to understand the basics of copyright. For anyone entering into such an arrangement, knowledge of copyright is indispensable.

I recommend books and websites that I personally have found useful in my work. All are geared to the layperson, have excellent illustrations, and are written at an introductory level.

Books

Introductory Note: My "must have" books are those books by Fishman and Stim. Those two authoritative books, written by attorneys, are practical and understandable. Both are written with the beginner in mind using an open and friendly format. Both books will also serve the non-attorney rights and permission specialist as useful reference books. Online rights coverage is up-to-date. These two Nolo Press books should be the nucleus of your copyright library.

 Fishman, Stephen. *The Copyright Handbook, How to Protect and Use Written Works*. 10th Ed., 528 pages, Nolo Press, 2011. (With CD list of interactive forms)

Stim, Richard. *Getting Permission, How to License and Clear Copyrighted Materials Online and Off,* 3d Ed., 515 pages, Nolo Press, 2014. (with website link to legal forms)

Also Recommended

- United States Copyright Office, *Copyright Basics*, 12 pages. (Free)

- Fishman, Stephen. *The Public Domain, How to Find Copyright-Free Writings, Music, Art and More*, 464 pages, , Nolo Press, 2008.

- Wilson, Lee. *Fair Use, Free Use and Use by Permission, How to Handle Copyrights in All Media,* 248 pages, Allworth Press, 2005.

Websites

We are blessed with numerous websites rich in copyright information from universities and law firms. I could probably list 50 plus. But I recommend these websites as your starting point.

- Copyright Clearance Center: http://www.copyright.com/

- Copyright Law for Multimedia: http://www.copyright.umich.edu/

- Permissions Group: http://www.permissionsgroup.com/

- Stanford University Libraries Copyright and Fair Use: http://fairuse.stanford.edu/

- United States Copyright Office: http://www.copyright.gov/

A Word on the US Copyright Office Website: This site is a rich source for copyright information. If you have a question on copyright, most likely you can find an answer at this website. Spend some time at this website and you will learn a great deal about copyright.

Newsletter

David Koehser is a Minneapolis-based lawyer. Dave's site contains archives of back issues of his quarterly newsletter organized by the following topics: Publishing Law, Merchandise Licensing, Copyrights and Trademarks, and Theater and Performing Arts. Request a copy of Dave's informative newsletter, *Publishing and Merchandising License Law Update.* (Disclosure: Dave is my copyright attorney and I recommend him to clients.) http://www.dklex.com/

Disclaimer

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Free McHugh Publications on Rights http://goo.gl/OHe882

R-23, *McHugh's Rights and Permissions Glossary*, 2014, 8 pages

Free McHugh Expert Interviews http://www.johnbmchugh.com/expert_interviews4.htm

I-14*, Copyright Aspects of Social Media: An Interview with Attorney David Koehser,* 2010
I-15*, Ebooks and Copyright: an Interview with Attorney David Koehser*, 2010

McHugh Rights and Permissions Services

John B. McHugh is an experienced publishing executive and consultant with special expertise in managing rights and permissions. His advice and insights cover all areas of intellectual property management for both print and digital products.

Tap into McHugh's extensive information industry expertise to help you:

- Grow revenues by fully exploiting the income potential of your digital rights. McHugh will help you effectively organize your rights management to take advantage of the exploding innovation in digital distribution.
- Educate yourself and your staff about the confusing and ambiguous subject of copyright with McHugh's executive coaching and question and answer service.
- Get a detailed analysis of the strengths and weaknesses of every area of your rights management with McHugh's *Rights and Permissions Audit.* He will make recommendations to optimize staffing, streamline management processes, and increase rights, revenues and profitability. *Most importantly, McHugh will alert you to serious legal exposure and when you should contact a copyright attorney.*

Join Association Nonprofit LinkedIn™ Group

Association and Nonprofit Publishing is a closed LinkedIn group and is open only to publishing managers, editors, librarians, and association executives. Association and Nonprofit Publishing Group's purpose is to establish a forum that will provide helpful information to our members. Our intent is to educate and inform our members on the publishing business *without blatant sales pitches and spam.* Association and Nonprofit Publishing

About John B. McHugh

Practical Problem-Solving Advice for Publishers

John B. "Jack" McHugh is a 40-year veteran of the publishing business. Jack has worked as an executive for Houghton Mifflin, Wadsworth, and Saint Mary's Press. Jack is also an experienced association publishing executive. For seven years, he was Publisher and Director of Programs at the American Society for Quality and for a two-year period, he served as the Interim Publisher at the Project Management Institute. Jack's specialties include association/nonprofit publishing, book publishing, executive recruiting, journal publishing, rights and permissions, organizational design, and startups. He serves as an advisor to the Friends of Kletzsch Park in Glendale WI http: //goo.gl/6PhtU4. Jack is the manager of two LinkedIn™ groups, Association and Nonprofit Publishing and The Self-Employment Forum.

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