



REQUEST FOR PERMISSION TO REPRINT PUBLISHED MATERIAL & GUIDE

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Sample Request for Permission to Reprint Published Material

1. Overview

Research and writing, whether business, academic, or legal, does not exist in a vacuum. Books and essays are often based on previously published writings and may draw heavily on those works. However, previously published material, which may include articles, essays, or other written content, is often copyrighted. With certain exceptions for academic or personal use, U.S. copyright law prohibits the use of this copyrighted material without permission.

Use the enclosed document to ask a copyright holder for permission to reprint its published work. You can provide detailed information about how the material will be used and the extent of its incorporation into your publication. The copyright holder will have sufficient information to make its decision, and you will be well on your way to getting rights to material you need to complete the publication of your work.

2. Dos & Don'ts Checklist

- A copyright is a form of protection provided by federal law to creators of "original works of authorship." This includes literary, dramatic, musical, and artistic works, both published and unpublished. The author of a copyrighted work can prevent others from copying, performing, or using the work without its consent. Because of this, any third party intending to reprint a portion of the copyrighted work must first obtain the permission of the copyright holder. Failure to do so could result in a lawsuit and substantial fines.
- Not every use of another person's copyrighted material will be considered a copyright violation. There is a concept in American copyright law called "fair use," and it allows third parties to use copyrighted works if that use is for purposes of criticism, comment, news reporting, teaching, scholarship, or research. There are other factors involved in assessing whether unauthorized use is fair use (including the purpose of the use, the nature of the copyrighted work, the amount used, and the effect of the use on the market or value of the copyrighted work), and it's not always an easy or clear determination. The best practice is to obtain permission from a copyright holder in every context, rather than risk the damages and costs that could result from a lawsuit.
- Another type of material that does not require a user to request permission to republish it is work existing in the public domain. A work in the public domain is not simply a work that is publicly available; rather it is either not currently protected by copyright or it never was protected by it. Public domain works generally fall into one of the following categories:
 - General information (e.g., facts or numbers)
 - Materials created by the U.S. government
 - Items that had copyrights that expired because of time or because the holder didn't renew the copyright
 - Materials created before 1989 that lacked proper copyright notices
- Provide as much information as possible to the copyright holder. They have the right to deny you the use of their property, and giving a clear picture of how their work will be used may make them more likely to give their consent.

- Consider that if you are using material that contains an embedded excerpt from yet another source, you will be required to obtain permission from the owner of the embedded excerpt as well as from the owner of the larger work.
- Determining who holds the copyright in a given work can be complicated, but there are certain basic steps that can help in most situations. If you are using material initially published in a book, the copyright holder is listed on the page after the title page. If you are using material initially published in a journal or periodical, contact the publisher of the work (which usually owns the copyright in all of that work's contents). Information on the publisher of a journal or periodical can usually be found in the masthead. If you cannot find information on the copyright holder of the material you wish to reprint, contact the U.S. Copyright Office or review the archives available on its website (www.copyright.gov).
- If you want to reproduce another company's trademark in your work, you will need to obtain their permission to do so. However, there may be a separate process that the company has in place to request trademark rights. Talk to the company to determine what information they may need from you to process this request.
- It may seem odd, but you can't use your own material if its copyright is owned by your publisher. You'll have to obtain the publisher's permission to reprint your own work.
- Make your request early in your process to avoid delays in your overall work. If you are submitting a manuscript or work to a journal, periodical, or publisher, you may be required to present evidence of permissions received together with this submission.
- The copyright holder may impose certain conditions on allowing the use of its material. This often includes a requirement that credit be presented in a specific way. The copyright holder may provide you with a separate Permission to Reprint Agreement that will address these and other conditions and requirements.
- The enclosed document requests permission to reprint the material in one edition or issue of the publication only. Most licenses to use material will only allow it to be used in one edition or issue. If there is a second or third publication of your work, you will need to obtain additional permissions for each such edition.

3. Request for Permission to Reprint Published Material Instructions

1. Describe the publication in which the material you wish to reprint originally appeared. Include the name of the author, the title of the piece, the title of the publication, and the date of the original publication. This date should be found in the first few pages of the work.
2. If you are only requesting permission to use a quotation or excerpt from an already published work, give specific details in the space provided. Include reference to the chapter, page, line opening and closing words, and approximate number of words. If you want to enclose a copy of the material for the publisher's convenience, include the sentence at the end of the paragraph. If you do not intend to do so – or if it isn't necessary because of information you've already provided – delete the bracketed sentence.

3. Write in the title of the publication that will reprint the previously-published work. Also include the author, editor, or compiler of the new work, the publisher and its address, and the use to which the material will be put. This can include a designation of the publication type (e.g., trade edition, paperback, hardback, CD-Rom, DVD, Intranet, magnetic media, etc.) and should include as many details as possible about the new publication. For example, consider providing relevant information about:
 - Publication date
 - Expected retail price
 - Total expected sales (or distribution) for the (edition of) publication
 - No. of pages (entire publication)
 - No. of pages (requested material)
 - No. of printed copies
 - Circulation (e.g., countries, special markets, etc.)
4. There are two options provided and you should choose the one that best characterizes how the excerpted material will be used. If the anticipated use will not be for educational purposes, select the first option. If it will be for educational purposes, use the space provided to explain specifically the academic purpose intended.
5. There are some options in the tagged sentence, and you should customize it to suit the request you are making. If you are asking that the reprint rights be granted worldwide, include that word. Select the word that best describes the type of publication you are anticipating (i.e., if you are publishing a book, the word 'edition' may be appropriate; if a journal, the word 'volume' might apply). If none of the suggestions seem relevant, describe any other limitations on the type of publication you will be creating.
6. This sentence asks the person or company to which you're directing the letter to confirm that they do, in fact, own the copyright to the requested material. If not, it asks for the name of the real copyright holder so you can direct further requests to the right party.
7. The last paragraph acknowledges that the enclosed document does not constitute permission to use the Material requested. Instead, it is a request for that permission. Other steps need to be taken (and fees paid) before the process is complete.

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Form Sample

REQUEST FOR PERMISSION TO REPRINT PUBLISHED MATERIAL

*[Your Street Address]
[City, State, and Zip Code]*

[Insert Date]

*Copyright Permissions Department
[Publisher's Name]
[Publisher's Company]
[Publisher's Address]
[Publisher's City, State, and Zip Code]*

RE: Request for Permission to Reprint Published Material

Dear _____:

I am writing to request permission to reprint the Material (as defined in the following publication): ❶

Author:

Title: