



THE OHIO STATE UNIVERSITY PRESS COPYRIGHT AND PERMISSIONS GUIDELINES

It is OSU Press's approach to err on the side of caution in obtaining permission for copyrighted material. Please check if your manuscript contains any of the following and document your permission to use each on our [Permissions Log](#).

- Your previously published work
- Images
- Epigraphs (not allowed at beginning of book)
- Song lyrics
- Poetry extracts
- Quotes from study participants

TRADE
PROJECTS have
more stringent
rules. Consult
with your editor.

Determining If Permission Is Required

Use the following considerations in determining if you need to seek permission.¹

Is the material in the public domain ⇒ If so, you can reproduce any of the above items
(anything published before 1923)?² without permission.

Is the material fair use? ⇒ Apply this cautiously! Given the 4 criteria, note
See U.S. Copyright fair use our policy on the following:
considerations:

- (1) Purpose and character of use (commercial vs. nonprofit educational purposes;
- (2) the nature of the copyrighted work;
- (3) the amount and substantiality of the portion used in relation to the copyrighted work as a whole; and
- (4) the effect of the use upon the market for or value of the copyrighted work.

Your previously published work: Does not fall under fair use; you must hold rights (check your contract).

Images: Difficult to apply fair use in most cases BUT film stills okay under fair use.

Epigraphs: Must be from long-form prose (articles, books) AND must be discussed in scholarly manner directly in text.

Poetry and song lyrics: When set aside as a block quote, must be less than 10% of original. Permissible when embedded in your text and accompanied by criticism and analysis.

If neither public domain nor fair use apply, you must seek permission from the rights holder.

¹ None of the information provided here is intended as specific legal advice.

² See the [Cornell Copyright Center's guidelines](#) about other material that falls into the public domain.

³ For more information on fair use, see the relevant [paragraph in the copyright law](#) and [AUP's Permission FAQs](#).

Getting Permission

- (1) Seek permission using the rights holder's form or our [Permission Request Letter Template](#).
- (2) Keep copies of *all* correspondence requesting permission. Be prepared to ask multiple times for permission. We recommend using increasingly official and documentable forms of communication (such as registered mail) to record your efforts.

Bear in mind that the rights holder of an image or text may not be the same as the author/creator or the publisher of the book where you found the material. In addition, for artwork, the gallery rather than the artist may in some cases hold the copyright.

Specific Considerations for Images

- **Photographs:** May require permission from two parties: (1) the photographer and (2) copyright holder of the original work shown in the photo.
- **Obtaining high quality:** Even if an image is fair use or in the public domain, you may still have to pay the owner of the image for a HIGH QUALITY version. In these cases, you are purchasing *access*, not paying a copyright permission fee. If you purchase access to an image, you will then be subject to whatever terms the owner may want to impose.
- **Image for cover:** If asking for permission to use a copyrighted image on the cover of your book, make sure to note that the image will be used for marketing purposes.

Documenting Permissions for OSUP

1. Complete the [Permissions Log](#) for all images, previously published text, epigraphs, poetry extracts, and song lyrics even if the material is public domain or fair use.
2. Collect all supporting documentation and follow these steps:
 - Clearly label each document with the Figure ID or Text Description.
 - If the supporting documentation is email communication, make sure it clearly indicates who has offered permission.
 - Scan all papers as one pdf document.
3. Submit both (a) the completed permissions log and b) the supporting documentation to your acquisitions editor as soon as possible but before submission of the final manuscript files (which should contain any required credit lines).

Instructions on Completing the Permissions Log

In the Permissions Log, you must account for all images and any reprinted text in your manuscript—including: images, previously published work, epigraphs, poems, and song lyrics.

Worksheet 1 of the Excel file pertains to images/figures in your manuscript. The Figure ID in column 1 must match (1) the file name of the figure file and (2) the Figure ID at top of your supporting documentation. **Worksheet 2 of the Excel file pertains to copyrighted text in your manuscript** (epigraphs, song lyrics, poetry, your previously published work). Label all supporting documentation with what you provide for “Description” in the first column. On both worksheets, whichever box you choose under “Permission Status” (“Permission Acquired” or “Permission Not Provided”), please provide supporting documentation. **Worksheets 3 and 4 provide examples** of an accurately completed log.