

THE STM PERMISSIONS GUIDELINES (2009)

Preface

These Guidelines are an updated version of the original 2003 STM Permissions Guidelines. They concern the granting of permission by one signatory STM publisher to another signatory STM publisher to re-use limited amounts of material from published works in subsequent publications (print and/or electronic). STM publishers who are participating in this programme and adhering to these Guidelines are listed at the end of the Guidelines (with any restrictions noted on that list). The Guidelines set out general principles for working practice based on custom and practice, common decency and fairness. Adherence to the Guidelines is purely voluntary and it is not intended that they should in any way affect the ability of STM publishers to make commercial judgements about the re-use of their material. These Guidelines are to be used by signatory publishers in the process of clearing permissions for an individual article, not as a substitute for licensing arrangements or multi-article permissions.

In addition to these Permissions Guidelines (which deal with publisher-to-publisher permissions), it may be useful to review the STM/PSP Guidelines for Quotation and Other Academic Uses of Excerpts from Journal Articles, which were published in February 2008¹. The STM/PSP Guidelines are concerned with the granting of permission by signatory STM/PSP publishers to researchers, other scholars and educators to re-use limited amounts of material from published journal articles in subsequent publications and for educational use including course-packs. Another useful resource is the Publishers Association guide on seeking permission to use published content, which is helpful in framing permission requests².

In this 2009 version of the STM Permissions Guidelines we recognize that some publishers may no longer wish to receive express permissions requests for re-use which otherwise are in accordance with these STM Permissions Guidelines, but that others wish to continue receiving and granting express permission requests. The list of publisher signatories must be reviewed carefully to confirm whether the permissions process for an individual publisher requires express permission requests or not. In some cases, those publishers who have opted out of an express permission request process will nonetheless have exceptions to this policy (i.e. will indicate where written permissions should still be sought for certain materials).

When using these Guidelines STM publishers should regularly check the STM web site to ensure they are using the most up to date version and list of publishers (including checking to see if they have opted out of receiving express permissions).

In the text below, the publisher is assumed to be the rightsholder. When the publisher is not the rightsholder, the principles may still provide useful guidance.

¹ See <http://www.stm-assoc.org/documents-statements-public-co/2008.2%20Scholarly%20Publisher%20Guidelines%20for%20Quotation%20%20Other%20Academic%20Uses%20of%20Excerpts%20Ver%202.pdf>

² See http://www.publishers.org.uk/en/home/copyright/copyright_guidelines/

The Guidelines

STM believes it is in the interest of scholarly and professional publishers, their authors and the scholarly and professional community as a whole to facilitate the exchange of scholarly and professional information by setting out common general principles with respect to the granting of permissions between publishers. These principles are designed to encourage publishers to permit the use of limited amounts of material in other published works without charge, and with a minimum of administration.

STM publishers support an approach based on common decency and fairness as well as mutual trust. We recognize that scholarly works often require the direct reproduction of illustrative material (such as figures, tables, structures) for the purposes of discussion or comparison with other data, and that the electronic version of a book or article needs to contain the same illustrative material in order to maintain the authenticity of the record in both print and digital form. While database content is not covered in these Guidelines, we note that publishers are providing journal and book content through online systems, whether proprietary or third party, and that the distribution of such content through such systems is the type of electronic version contemplated by these Guidelines.

We therefore recommend the following Guidelines as the best working practice for dealing with permissions:

1. Quantity limits for gratis permissions

Permission is, or in the case of an express permission requirement should be, granted free of charge, with respect to a particular journal article or book being prepared for publication, to:

- use up to three figures (including tables) from a journal article or book chapter, but:
 - not more than five figures from a whole book or journal issue/edition; and
 - not more than six figures from an annual journal volume;
- use single text extracts of less than 400 words from a journal article or book chapter, but
 - not more than a total of 800 words from a whole book or journal issue/edition

Publishers can always seek express permission to go beyond such limits although in such instances the permission grant may require permission fees.

2. Exceptions and exception-handling

A signatory publisher should be mindful of the caps and limits noted above. It is recognized that these are broad Guidelines that will not necessarily apply to every situation. Some examples for which a charge might be appropriate even within these quantities would be the re-use of material essential to the character of the previously published work or when re-use could compromise the sale of the previously published work (e.g. complex illustrations such as anatomical drawings; cartoons; maps; works of art; creative photographs). Of course if the re-use is of amounts in excess of the above quantities permission should be requested. As noted, a publisher who has opted out of receiving express permissions may still specify (by commenting in the chart below) any exceptional material that requires express permission.

A publisher re-using material from a publisher who has opted out of receiving express

permissions must check carefully itself or ensure that its authors check) that copyright in the material to be re-used was in fact owned by the publisher who has opted out (checking the copyright notice/line) and not by a third party with whose permission it was published previously. Any such third party rightsholder should of course be contacted directly by the party seeking to clear the permission. It is also the case that in some countries, authors and artists will continue to have certain rights in electronic media (even if they are not identified in the copyright line), and the signatory publishers cannot guarantee that such authors or artists may not bring a claim for compensation.

3. Author or artist permissions

The granting of permissions is not contingent on receipt of written permission from the author or artist, except when the author or artist holds the copyright or specifically requests this right (as noted above, even for publishers that opt out of receiving express permissions, the party seeking permission should carefully review copyright notices and lines to see if a third party rightsholder is involved). The requesting publisher should be aware that in certain jurisdictions, claims for compensation may be made where authors and artists continue to have certain rights in electronic media (even if they are not identified in the copyright line). In such cases the signatory publishers cannot guarantee that such authors or artists will not bring a claim for compensation and, if such a claim is made it is understood that this will be settled and met by the requesting publisher. Any re-use must maintain the integrity of the quoted material, and should include the notices described below in Section 6.

4. Application to all media (including electronic) & means of distribution

Permissions given for the re-use of material automatically include re-use for any electronic version of that work, provided that the material is incidental to the work as a whole, the electronic version is essentially equivalent to or substitutes for the print version, and embedded material (or a specific link to it) remains in situ and is not separately exploited (although an online “database” of electronic journal or book content is not considered a separate exploitation). Permissions given for re-use includes publisher-authorized distribution by third party distributors, aggregators or other licensees of the work as a whole (again with the work remaining in situ and the individual illustrations or extracts not being separately exploited).

5. Further editions

Any permission granted for a first edition will apply also to a second and subsequent editions and for editions in other languages, provided such editions are for the work as a whole in situ and does not involve the separate exploitation of the permitted illustrations or excerpts. It should be noted that permission to use a figure in a book does not constitute permission to use it as a cover or other promotional design. Such permission needs to be sought separately and explicitly.

6. Complimentary copies

When granting permissions, STM publishers agree not to request a complimentary copy of the newly published work except in limited circumstances, for example where an author requests a copy because of the extent or character of the republished material.

7. Proper credits

Full credit will be given to the author(s) and publisher(s) of the material(s) re-used. The “quoting” publisher should include the following information clearly referenced to the republished material:

- For material republished from books: author, title, edition, publisher, city, Copyright © year;
- For material republished from journal articles: author, title of article, title of journal, volume number, issue number (if relevant), page range (or first page if this is the only information available), date, publisher;
- For material being published electronically a link to the version of record (in particular for journal articles) should be provided back to the original article (via DOI).

8. Prompt response to express permission requests (including via e-mail)

Requests for permission (if necessary—note that some publishers have opted out of the requirement for an express permission) will be responded to promptly, even if the publisher receiving the request will have to refer the request or does not control the rights itself.

E-mail or Web requests and grants (again, if necessary) may be made as long as the granting publisher has a system and policy that accommodates this.

9. Procedures for participating

Publishers may add their names to the list of signatories of these STM Guidelines. To join, an STM member publisher should send a communication to the STM secretariat (email preferred at beadle@stm-assoc.org, or physical correspondence), indicating whether they do so on the basis of requiring express permission requests or opting out of such requests (and if the latter, whether there are any exceptions that should be identified).

In joining as a signatory, publishers are supporting the spirit of the Guidelines in facilitating the exchange of scholarly and professional information. For those publishers who indicate below that they would want to continue to receive express permission requests, these publishers are committed to following these principles but may decide against granting a specific request, or doing so on a gratis basis, as a matter of specific copyright policy or concerns. Those publishers who have opted out of receiving express permissions by signing up to these Guidelines they grant permission to other signatory STM publishers to re-use material strictly in accordance with all the above provisions, with any exceptions noted below.

Signatories to STM Permissions Guidelines June 2009

Name of Publisher-STM Member	Opting out of receiving express permissions ("automatic" process)	Not opting out, requiring "express" permission requests	Permissions contact (or general web site)/ Other comments for specific journals or other concerns
American Chemical Society		√	http://pubs.acs.org/copyright/index.html
American Institute of Physics		√	http://journals.aip.org/copyright.html
American Physical Society		√	http://librarians.aps.org/permissionscopy.html
BMJ Publishing Group Ltd		√	http://journals.bmj.com/misc/permissions.dtl
CABI	√		enquiries@cabi.org
Cambridge University Press		√	http://journals.cambridge.org/action/rightsAndPermissions
Carl Hanser Verlag		√	http://www.hanser-publishers.com/
Co-Action Publishing	√		www.co-action.net
Elsevier	√		For anatomical charts (especially "Netter" charts), Elsevier will continue to request express permission requests. http://www.elsevier.com/wps/find/authorsview.authors/permissionsguide
Future Science Group		√	http://www.future-science-group.com/contact/
Hogrefe Verlag GmbH & Co. KG		√	http://www.hogrefe.de http://www.hogrefe.com/?mod=rights http://www.verlag-hanshuber.com
Igaku-Shoin Ltd		√	http://www.igaku-shoin.co.jp/top.do
Institute of Physics Publishing		√	permissions@iop.org
John Benjamins Publishing Company	√		http://www.benjamins.com/cgi-bin/show_html.cgi?file=/jbp/rightsinfo.html
Koninklijke Van Gorcum BV	√		http://www.vangorcum.nl/EN_Webwinkel.asp
Lucius & Lucius Verlagsgesellschaft mbH		√	www.luciusverlag.com
Mainichi Newspapers - JP		√	< http://mainichi.jp/ >
Multi-Science Co Publishing Ltd		√	http://www.multi-science.co.uk/index.htm
Nature Publishing Group	√		http://www.nature.com/reprints/index.html
nowPharma Ltd	√		http://www.nowpharma.co.uk/
OECD Publishing	√		www.oecd.org/rights < http://www.oecd.org/rights >
Ohmsha Ltd		√	kaigaika@ohmsha.co.jp
Oxford University Press		√	For books: http://www.oup.co.uk/rights/ For journals: http://www.oxfordjournals.org/access_purchase/rights_permissions.html
Pharmaceutical Press		√	http://www.pharmpress.com
Portland Press	√		http://www.portlandpress.com/pp/journals/rights.htm
Royal Society of Chemistry		√	http://www.rsc.org/AboutUs/Copyright/Permissionrequests.asp

SAGE Publications		√	http://www.sagepub.com/permissions.nav
Society for Endocrinology & BioScientifica Ltd		√	http://www.endocrinology-journals.org http://www.bioscientifica.com/products/prod_journals.html
Springer Science+Business Media		√	http://www.springer.com/rights?SGWID=0-122-0-0-0
Taylor & Francis	√		http://www.informaworld.com/authors_journals_copyright_permissions
Wiley-Blackwell	√		http://www.wiley.com/WileyCDA/Section/id-301703.html
Woodhead Publishing		√	www.woodheadpublishing.com
World Health Organization		√	http://www.who.int/en/

Note many of the member-publishers are routing permissions including STM Permissions Guidelines permissions through the CCC's Rightslink program, please see www.copyright.com/rightslink.