

## STM Permissions Guidelines (2020)

### What are the Guidelines?

STM Publishers support an approach to research based on common decency, respect, fairness and mutual trust. These are the principles that the STM Permissions Guidelines are built upon to allow Signatory STM Publishers to use limited amounts of material in other original published works without charge, and with a minimum of effort needed for permissions clearance.

The STM Permissions Guidelines offer **voluntary** and **reciprocal** guidelines amongst Signatory STM Publishers to reuse limited amounts of material from published works in **all languages** in other **print** and **electronic** and **audio** publications, including **subsequent editions** and **editions in other languages** by the same publisher. Not all STM Publishers are Signatories of the STM Permissions Guidelines, and not all content published by a Signatory STM Publisher is included in this agreement. Please see this link for the list of participating STM Publishers and identification of excluded titles and content of those Publishers: <https://www.stm-assoc.org/intellectual-property/permissions/permissions-guidelines/>

### 1. General Principles of the STM Permission Guidelines

This initiative deals with reuse in publications (“primary works”) where at least **70%** of the total work consists of newly commissioned, original, previously un-published material (hereinafter “Primary Material) and up to, but not more than, **30%** of the total work is made up of previously published material reproduced with the permission of the rightsholder, secured via the STM Permissions Guidelines or otherwise.

Under the STM Permissions Guidelines, editing of figures for style purposes is permitted, under the condition that this does not alter the meaning of the content and ensures that the new figures are still accurate and representative of the permissioned material.

### 2. Grant of rights under the STM Permissions Guidelines

Any permission granted for a particular edition will apply also to subsequent editions and for editions in other languages, provided such editions are for the work as a whole and do not involve the separate exploitation of the permitted illustrations or excerpts. The STM Permissions Guidelines do not cover reuse for covers or for other promotional designs. Such permission needs to be sought separately and explicitly.

In a case of rights for future editions which are transferred to a non-Signatory STM Publishers, the permission is invalid and separate permissions need to be sought. In a case of rights being transferred on a source work, permissions previously granted under these guidelines are still valid for future editions and translations, and the transfer of rights does not terminate any previous permission granted, nor does the new Rightsholder have the rights to revoke any permissions granted prior to the transfer.

See Section 7 below for additional information for Open Access licensed content and usage.

### 3. Quantity limit for gratis permission

Subject to formal approval by the individual publisher when required (please refer to the specific requirements of each publisher under the list of Signatories to the STM Permissions Guidelines), gratis permission is granted to use the following quantities of Licensed Content in a journal article or book being prepared for publication by another Signatory:

- Use a maximum of 3 (three) figures/tables/images from an individual journal article or book chapter, subject to the following limits:
  - A maximum total of 5 (five) figures/tables/images from a single book or journal issue/edition.
  - A maximum total of 6 (six) figures/tables/images from an annual journal volume.
  - A maximum total of 3 (three) figures/tables/images from works published by a single Signatory for use in any given journal article or book chapter.
  - A maximum total of 30 (thirty) figures/tables/images from a single Signatory for use in any given book, no matter how many authors, chapter contributors or volumes it has.
  
- Use a maximum of 400 (four hundred) words from an individual journal article or book chapter, subject to the following limit: A maximum total of 800 (eight hundred) words from a single book or journal issue/edition.

Permissions should be granted free of charge for republication in a single journal article or book in both print and electronic formats for content requested within the limits set out below. Permission may be requested for content quantities that exceed these limits; however, in such instances the permission may be granted with fees and with limited rights. The STM Permissions Guidelines do not apply to content requested beyond the gratis amount limitations, although in a case where a larger amount of content is requested, the gratis amounts will be honoured.

### 4. What is not covered by the STM Permissions Guidelines

The STM Permissions Guidelines do **not** cover the following reuses in:

- Databases or digital platforms which do not form part of the primary work as it was originally published
- Promotional use, including Medical or Agency Communication works
- Sub-licensed works to third parties who are not STM Permissions Guidelines Signatories, for instance, translation rights sales.
- Use on covers.

The following works are not covered by the STM Permissions Guidelines:

- Interactive works which are not part of the primary work
- Standalone digital platforms which can be sold as a subscription and are not part of the primary work
- Study workbooks, online lectures and guides published as an additional resource to the primary work
- Solutions manuals published as an additional resource to the original edition of the work

- Applications or PowerPoint presentations published as an additional resource to the primary work
- Learning management systems (online courses) published as an additional resource to the primary work
- Abridgements (short editions or mini-books) published separately to the primary work
- Regional editions/custom editions or publications (adapted or modified for a single market)
- Enhanced works which are published separately from the primary work
- Image galleries distributed to instructors

Please note this is not an exhaustive list, and if your intended use is not here, you must contact the Rightsholder of the material directly.

For the avoidance of doubt, no further permission is required for the following reuses:

- Chapter resale or rental
- Reuse in an ebook collection

## **5. Exceptions and exceptions handling**

A signatory publisher should be mindful of and adhere to the caps and limits noted above. It is recognized that these are broad guidelines that may not apply to every situation. If the requested amount of content exceeds the quantity limits outlined above, then the requesting publisher should contact the Rightsholder directly for permission even if the Rightsholder has opted to not be notified when content is reused. A publisher who does not require notice when content is reused may specify any exceptional material that requires written permission for reuse. Any exceptions will be outlined in the list of signatory publishers on the STM website. All requesting publishers must refer to this list for exceptions upon requesting content.

A signatory reusing material from a publisher must check carefully (or ensure that its authors check) that copyright of the reused material is owned by that publisher, and not by a third party. If the material is owned by a third party, then that Rightsholder should be contacted directly by the party seeking to clear the permission.

## **6. Author or artist permissions**

The granting of permission is not dependent on receipt of written permission from the author or artist, except when the author or artist holds the copyright or specifically requests this right. Even for publishers that do not require notice of permission requests, the party seeking permission should carefully review copyright notices and acknowledgements 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 reuse must maintain the integrity of the quoted material, and should include the notices described below in Section 7 .

## **7. Open Access content**

If the material requested is published under an Open Access licence, the publisher should reuse the material under the same terms of that Open Access licence. If the publisher that is requesting reuse

of the content wants to reuse the material using another Open Access licence or using other terms, they must contact the publisher of the requested content for permissions.

Republishing non-Open Access content in an Open Access publication is permitted under the STM Permissions Guidelines, and as such permission should be granted gratis for such use and for all rights included in these guidelines (e.g. all languages, all editions, etc.). The requesting publisher must, however, notify the Rightsholder of the requested content when it is proposed to be published as Open Access. If the new publication is to be published under an Open Access licence, but the requested content is not published under an Open Access licence, the requesting publisher must comply with the STM Permissions Guidelines when reusing content, which means that there must be a statement to indicate that the rights in the material are owned by a third party and that permission for any further reuse must be obtained from the relevant holder of the exclusive rights.

#### **8. Proper credits**

For material being published electronically, a link to the version of record (in particular for journal articles) should be provided when available.

#### **9. Responses to permission requests**

Before submitting your permission request under the STM Permissions Guidelines, check whether the publisher of the material requires you to contact them to clear permission. Some publishers (“notification not required”) do not require you to contact them in order to use their material. If the publisher of the material you wish to reuse falls into this category, you may use this material in accordance with the guidelines.

If a publisher does require a permissions request (“notification required”), publishers in the STM Permissions Guidelines agree that they will handle any permissions requests within a reasonable timeframe. There may be occasions where a publisher must refer the request to a society, or does not control the rights themselves, which may lengthen the time taken to grant the permission.

Permission requests may be made via permissions clearance platforms or by email; please refer to individual publishers’ websites to see their preferred method.

#### **List of the Participants and their rules**

The list of STM publishers that are adhering to these STM Permissions Guidelines can be found here: <https://www.stm-assoc.org/intellectual-property/permissions/permissions-guidelines/>. Each publisher has indicated whether permissions requests are required. Publishers who do not require permission requests have exceptions to this policy and have indicated where written permissions should be sought for certain materials.

#### **STM Permissions Guidelines: the history:**

Since their introduction in **1979** (with revisions and clarifications issued in 1998, 2003, 2008, 2009, 2011, 2012 and 2014), the STM Permissions Guidelines facilitate the reuse of limited amounts of material published by Signatory STM Publishers, thereby expediting the publishing process where delays and costs may otherwise have been incurred.

In the **2009 version** of the STM Permissions Guidelines, we recognized that some publishers no longer wished to receive requests for express permissions for reuse which otherwise are in

accordance with these STM Permissions Guidelines, while others wished to continue receiving notice and granting express permissions.

Please see this link for the most updated information on each publisher's rule <https://www.stm-assoc.org/intellectual-property/permissions/permissions-guidelines/>

In the **2012** version, additional clarifying language was added dealing with the volume of requests directed to an individual publisher. This is consistent with the notion that the use of permissioned third party excerpts and illustrations should be used carefully and respectfully.

In the **2014** version, clarification was provided about the continued validity of permissions granted for further editions of works where the signatory publisher transfers its rights in the work. Language relating to whether a signatory publisher requires permissions requests has been simplified.

### **Procedures for participating**

Each Signatory STM Publishers should nominate a person(s) who will be responsible for sharing the STM Permissions Guidelines information on the rights covered under the reciprocal agreement with all relevant colleagues. For example, any person who is responsible for clearing third party permissions or is a member of the rights and permissions licensing department.

If you are a member of STM and would like to join this programme, please email the STM secretariat at [info@stm-assoc.org](mailto:info@stm-assoc.org). In joining as a Signatory, publishers are supporting the spirit of the Guidelines in facilitating the exchange of primary scholarly and professional information. Any questions or specific requests should be directed to the signatory concerned.