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Formerly, copyright in the United States held for 28 years and was renewable for another 28 years. In writing the new law, however, Congress extended the protection of works in their second term of copyright to 47 years after the date of renewal. The Copyright Office can tell you whether or not copyright was renewed.

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All prose quotations of more than 500 words in one passage or 2,000 words throughout a manuscript, if from a single copyrighted source, must be cleared. It is not advisable to use more than three or four lines of poetry without permission. If the material quoted – poetry or prose – represents a significant portion of a work (such as an excerpt from a newspaper column), permission must be secured regardless of the total number of words.

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These materials are also protected by copyright, and if you wish to reproduce them, you must secure permission. If you have modified someone else's map, table, or line drawing, your credit line should include a phrase such as "adapted from," "based on," or "modified from." If you have used data from a number of sources to make your own table, you do not need permission, but your credit line should contain a phrase such as "data from" or "sources."

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You must obtain permission to reprint your own work if it has appeared—or will appear before publication of the book—in a copyrighted book or journal. Under the 1978 copyright law, however, a contribution to a journal or book published after January 1, 1978, remains the property of the author unless rights are assigned to the publisher by written agreement. (Most academic journals and publishers require assignment.)

If any part of your book has appeared, or is expected to appear, in another publication or in other media, in any language, you should let us know so that we may register the copyright correctly.

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Quoting from unpublished archival material presents special problems. In the United States, the right to reproduce even a few words from material written before 1978—no matter how old that material—belongs to the writer or the heirs, unless that right has been transferred to the institution holding the material. The 1978 copyright law can be interpreted as applying the doctrine of “fair use” to unpublished material (such application was not possible under the old law). Although this interpretation has not yet been endorsed by the courts, it is referred to on the permissions forms from the Library of Congress. You are probably safe in quoting a sentence or two from unpublished work if the material cannot be construed as libelous, as an invasion of privacy, or as giving rise to some other actionable offense unrelated to copyright law.

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Some archives require that you observe certain conditions if you use their material; most request a specific form of acknowledgment. Archives that possess copies or microfilms of original materials, even though they do not control reproduction rights, sometimes charge a fee for services.

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Unpublished work created in or after 1978 in the United States will go into the public domain 50 years after the death of the author. In Britain, however, unpublished material – if over 100 years old – is out of copyright 50 years after the death of the author if the material is open to public inspection. The Public Record Office issues guidelines on the use of public documents.

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Most museums and other collections set strict requirements for the use of photographs of objects in their possession, in respect to the quality of reproduction, fee, and form of acknowledgment. The fact that you have secured a photograph from a picture service or other source usually does not relieve you of the responsibility of obtaining written permission from the museum. Some photographs of works of art are the property of photographers or other private persons, whose permission must be sought. Under the 1978 U.S. copyright law, the copyright to a work of art created in or after 1978 may still reside with the artist even if another party has purchased the work. You should, of course, investigate this possibility: you may need to write to the artist, the collector, and the photographer.

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You may not be free to translate passages from copyrighted foreign-language works if the original publisher has sold exclusive English translation rights to a British or American publisher, who can insist that you use the authorized translation. If you wish to use your own translation, check with the original foreign-language publisher to see whether or not exclusive rights have been sold and are still in force. (It is possible, too, that a translation under contract may not yet be in print.) In some cases, publishers will grant you the right to make your own translation, particularly if the existing translation is known to be controversial. In other cases, publishers or trustees can be very strict.

When a copyrighted foreign-language work has not been translated into English, translation of small amounts of material may be considered “fair use.” Translations of long passages or several lines of poetry should be cleared with (and may even have to be approved by) the foreign publisher.

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