

AAFP Copyright Permission

Copyright permission, at its most basic, is this: if material is owned or produced by someone else or for someone else, and does not fall under the veil of fair use, *copyright permission must be obtained.*

Fair Use

You may be used to working in an academic setting, where the rules of fair use are more likely to apply. However, when you are creating material for sale, as much of our material is or may be, then “fair use” almost never applies (only in a case where you would be critiquing something in an image, and even then there are stringent requirements about what you can include and how much of it). It is imperative for you to understand differences in copyright protection between information used for educational purposes and items created for sale (commercial) in order to avoid legal trouble for both you and us.

Faculty Responsibilities Regarding Copyright

AAFP obtains permissions on behalf of faculty for the use of images and tables in their presentations. The faculty members do *not* have to do it themselves. As a faculty member, though, you *do* have to provide us with a list of images and tables that may require permission. You must also *provide us with the source information that we need in order to secure permission to use the image, table, or graph.* By giving us the most specific information possible we can more quickly obtain permission to use the item. *If we don't obtain the permission in time, or don't have the right information to locate the item, the image or table will be removed from your presentation.*

Many types of material can fall under copyright protection. Consider:

- Tables
- Images (including photos, clip art, and stock images)
- Graphs

In order for us to obtain permission to use an image, table, or graph that you did not create, *you must provide us with the “root source” of the item.* There are two main types of root sources: online and print.

Online: the Web

The web can be the most challenging in terms of finding a source. Many people mistakenly believe that anything on the web is in the public domain. The truth is that anything on the web (including images found in Google Images and even on certain medical websites), unless specified otherwise, *falls under copyright protection and we must obtain permission.*

The secondary challenge is that the image may have even originally been copied from someone else's webpage, such that there is no reasonable certainty that the image/table/graph is actually that of the copyright owner. At the very least, in order to obtain permission for items found on the

web, we need to have the exact link to the exact page where that image appears. If the image is of an individual or body part of an individual, we must have release forms, as well. It is best not to use images from the web unless you know the owner or author of the page and know in advance that the image/table/graph belongs to that person, or if you are certain that the image is free of copyright protection for commercial use (it will say so specifically). This also applies to clip art and stock photos, unless they come from a source that explicitly states that the images may be used commercially (many of these sites allow the images to be used for free, without permission, for *personal use only*, such as in a scrapbook—this does not apply in our case).

What we need from you:

- A direct URL to the image, table, or graph. The URL must link directly to the exact page on which the item appears.

We will *not* search through a website to locate a specific image, table, or graph, because there is an easy chance for us to select the wrong one, since we are not familiar with the material. If you cannot locate the original, then you must select an alternate image for which there is a direct URL.

Print: Journals, Books, Newspapers, and Magazines

These are much simpler. Unless the publication explicitly states that the material can be reused free of charge for commercial purposes and without the need to apply for permission (in which case, we need a copy of that statement), then all information contained within the cover (and even the cover itself) is covered by copyright and we must obtain permission. This is regardless of your affiliation with the publisher of the journal, book, or magazine. *Even if you wrote the book or article from which we are pulling an image, table, or graph, you may not own the copyright to that material.*

What we need from you:

- Title of the book, journal, or magazine.
- Author of the book or article.
- Exact edition number, if applicable.
- Date of publication (including month, edition, or quarter, in the case of journals and magazines).
- Exact page number(s) on which the item appears.

If you have published in journals before, it may help you to know that this is much the same information included in references.

Things to Remember:

Overall

- It is your responsibility to provide us with a list of sources for the copyrighted material that you choose to use in your presentation.

About Sources

- If you are unsure of where the item was obtained, *we cannot use the item*. You must provide us with an exact source, or select another image.
- Photos must have permission from both the copyright owner *and* the subject of the photo. This includes photos taken by you. You must always get release forms, even if the pictures are of relatives or friends. The written permission must include permission to repurpose the material and use it in print and online.
- If you obtained the image, table, or graph from a personal source of your own (ie, your friend is an illustrator and created the image for you), you still need to obtain written permission from the source to use the item in this particular presentation, including permission to use the item in a product that is for sale.

About Tables

- If you wish to use a table for which we do not have permission, or for which we are unsure of the source, you may not re-create it, doing so would be called an adaptation or derivative of someone else's work.

Quick View

If you did not *directly* create the image or table, or did create an image, but the image is of another individual, then permission *must* be obtained. This includes situations such as:

- Images or tables from the website or internal documentation from the hospital where you work.
- Images or tables used in a published work you wrote.
- Images or tables from the website or internal documentation from the university where you work.
- Images or tables created by a colleague.
- Images created for a presentation you did that was created for and/or funded by another organization.
- An image you are reprinting or adapting; permission must still be obtained. (However, if you create a table from information presented in text form in another work, this does not require permission.)
- If you use images of friends or family members; permission to sell and repurpose these images must still be obtained.