

Wesleyan
UNIVERSITY PRESS

AUTHOR GUIDELINES

Developed by
UNIVERSITY PRESS OF NEW ENGLAND,
where all
WESLEYAN UNIVERSITY PRESS
books are currently designed and produced

Modified May 2013

PERMISSIONS SUBMISSION CHECKLIST

- Written permissions for all images are included with the manuscript materials.
- Written permissions for all quoted matter (for example, quotations from poetry, song lyrics, letters, or journals) and for any reprinted material (including your own previously published work) are included.
- All written permissions explicitly include ebook rights and allow distribution worldwide.*
- Each permission is labeled clearly as to which figure, quotation, etc. it applies to.
- For an outstanding permission where a reply has not been received, a copy of detailed notes regarding your attempts to contact copyright holders is included.
- For any outstanding permissions, discuss the timeline for anticipated completion with your acquisitions editor.

TEXT PREPARATION AND FORMATTING

(For more information see your author packet or the UPNE website: www.upne.com)

- Text files are Microsoft Word files, grouped (frontmatter, text, backmatter, image captions, tables) according to UPNE preferences.
- File names follow UPNE conventions.
- Text files are free of special formatting.
- Text files are the *final* version of the manuscript; the files do not contain tracked changes, Word “comments,” or notes to yourself, your editor, or the designer.
- Continuous section break inserted at end of each chapter.
- Headings and subheadings in text are coded for designer.
- One complete printout has been made from *final* text files.
- Pages of printout are numbered consecutively from beginning to end.
- Printout is in 12-point Times New Roman, double-spaced, with at least 1-inch margins on all sides.

REFERENCES AND REFERENCE CITATIONS

- Notes and bibliography are complete, with no missing citations.
- Citation style is consistent, in notes and in bibliography. Style follows *CMS 16* or another accepted style (specify).
- Notes are embedded in files using Microsoft Word’s “footnote” function.

FOREIGN-LANGUAGE MATERIAL

- Foreign-language material is correctly entered and diacritical marks inserted.
- Foreign-language text that requires non-Roman characters has been typed directly into the manuscript file using a true-type font. A sample file has been approved by your acquiring editor.

TABLES

- Tables are Microsoft Word tables or Microsoft Word text.
- Tables have been placed in separate file.
- Tables are numbered consecutively by chapter according to UPNE style.
- Table placement is indicated in text files.

ILLUSTRATIONS

- All images (digital and nondigital) are provided, along with non-original hard copies (printouts, photocopies) of each.
- Illustrations are numbered consecutively by chapter using UPNE style.
- Figure placement is indicated in text files.
- List of images indicating relative importance is provided.
- All necessary permissions for art have been obtained, *including e-book rights*, and copies of all permissions are provided.

FINAL STEPS

- Entire MS has been proofread and spell-checked.
- Printout of complete MS is provided (made from final set of files).
- Text files, art, and tables have been placed on separate CDs or DVDs, with files correctly labeled.
- Permissions for previously published text (including quoted matter and epigraphs, as well as previously published chapters, your own or others') have been obtained, *including e-book rights*, and copies of all permissions are provided.
- Copies of permissions have been organized sequentially (or alphabetically by grantor).
- For multi-author books, signed contributor agreements have been provided.

ART SUBMISSION CHECKLIST

- Locations of images are clearly and consistently indicated in the MS text files.
- Image files are labeled correctly and submitted on a CD/DVD containing only art files.
- Hard copies of images are included, and labeled with figure numbers.
- All figure numbering conforms to UPNE style preferences.
- Original art is clearly and appropriately labeled.
- Captions are in a Microsoft Word file on a separate CD/DVD, along with the electronic MS files.
- Any notes concerning special issues of images or design are included in a separate memo, not placed in the text or caption files.

The following guidelines for manuscript preparation express UPNE's "house preferences," and apply to most of the manuscripts we publish. However, UPNE has a varied list, and your manuscript may have special needs that are not addressed here. In such case, discuss these special needs with your acquiring editor before submitting your manuscript. Once you have submitted your manuscript, it will move through the production process, from copyediting through proofreading to bound book. The last section of these guidelines outlines the key stages in production of your book.

An excellent overview of the publishing process is given by William Germano, *Getting It Published*, 2nd edition (Chicago: University of Chicago Press, 2008). For more detailed information on manuscript preparation, the parts of a book, publishing terminology, and the publishing process, please refer to the *Chicago Manual of Style, 16th edition (CMS 16)*. For matters of editorial style, UPNE, like other university presses, generally follows *CMS 16*. However, various academic disciplines and subdisciplines may have a preferred style particular to their field; if this is the case in your field, please be sure to inform your acquiring editor of your preferred style.

To ensure that the publishing process goes smoothly, it is important for you to follow these guidelines. *Failure to prepare your manuscript according to these guidelines may mean that the MS files will be returned to you for proper preparation, which can delay publication of your book.*

First and most important: *submit your manuscript only when it is finished*. You should be satisfied with both the text and the images, and confident that citations are accurate and the bibliography is complete. Changes and corrections made to your MS at later stages in the production process become increasingly problematic and costly. (For more information on the author's responsibilities in preparing the manuscript, see *CMS 16*, chapter 2.)

PREPARATION AND FORMATTING OF TEXT FILES

- The text files should be Microsoft Word documents. Your MS will be copyedited in Microsoft Word, and you will be asked to conduct your review of copyediting using Microsoft Word files. Make sure that the file extension for every file is ".doc" (Word 1997–2004). Newer versions of Word automatically assign the extension ".docx"; this is also acceptable. If you are not using Microsoft Word, contact your acquiring editor to find out if your files will be readable. UPNE will not accept files in page layout programs, such as InDesign or Quark.
- The text files must be the *final* version of your manuscript. These files should not contain tracked changes, Word "comments," or notes to yourself, your copyeditor, or your designer.
- Identify what version of Microsoft Word you are using, and what platform (e.g., "Word 2008 for Mac" or "Word 2004 for Windows").
- The MS should consist of several separate Microsoft Word files: (1) front matter (including title page, table of contents, and other prefatory material, such as dedication, acknowledgments, and preface); (2) all text and notes (including the introduction, all chapters, and conclusion or epilogue); (3) back matter (appendices [if any] and bibliography); (4) image captions; and (5) tables. Be sure to insert a "continuous section break" at the end of each chapter in the "text" file. For more information on the parts of a book, see *CMS 16*, chapter 1.

- Each file should be named using the following format: Author’s last name plus file content description, e.g., “Smith_frontmatter.doc”; “Smith_text.doc”; “Smith_backmatter.doc.” (Use a single underline rather than a space, hyphen, or slash to connect the author name and content description.)
- Notes should be embedded in each file, using the Microsoft Word “footnote” function. This allows for easy renumbering by the copyeditor if needed. See “References and Reference Citations,” below.
- All Microsoft Word files should be free of formatting, such as multiple fonts, colors, or indents (except for paragraph indents). Use 12-point Times New Roman or a similar font for text, and be sure to use double line spacing throughout—not only for text, but also for notes, bibliography, and so on. Leave 1-inch margins on all sides of page. Do not attempt to design your book; design will be done by a professional book designer. Do not use Microsoft Word stylesheets to prepare your MS.
- Use Microsoft Word italics for italics (all forms of emphasis); do not use underlining; do not use boldface except in chapter number/titles or subheadings. Do not type in all capital letters.
- If your text contains more than one level of subheadings within chapters, please code each level of heading (e.g., <<1>> for a first-level subhead, <<2>> for a second-level subhead). Similarly, make sure that any other special material (block quotation; poetry; dialogue, and so on) is clearly indicated. For example, an extract (block quotation) can be coded as <<ext>>; a poetry extract can be coded as <<poetry>>; a displayed equation can be coded as <<equation>>; and so on. Do not use formatting (e.g., indents, tabs, extra spaces, or hard returns) to distinguish elements. Place each code on a separate line, *preceding* the coded element, as in this example:

<<1>>

Stellwagen

<<text>>

On October 22, 1854, Navy Lieutenant Henry S. Stellwagen, commander of the Coast Survey Steamer *Bibb*, reported:

<<ext>>

I consider I have made an important discovery in the location of a 15 fathom bank lying in a line between Cape Cod and Cape Ann—with 40 and 50 fathoms inside and 35 fathoms outside it. It is not on any chart I have been able to procure. We have traced nearly five miles in width and over six miles in length, it no doubt extending much further.¹

<<2>>

The Coast Survey

<<text>>

At the time of his “discovery,” Stellwagen was on loan to the Coast Survey (the earliest forerunner of today’s National oceanic and Atmospheric Administration)

- Avoid multiple uses of the tab key and/or spacebar to make visual elements line up correctly. Such extra spacers pose problems for editing and typesetting. Leave only a single space after a period, and do not leave extra space following paragraphs. Paragraphs should be indented using the Microsoft Word “first line indent” selection in the paragraph formatting menu, though a single tab is also acceptable. For tables, see the “Tables” section, below.

REFERENCES AND REFERENCE CITATIONS

- Choose and apply a consistent style of citation for notes, in-text (parenthetical, author-date) citations, and bibliography or reference list. UPNE prefers *Chicago Manual of Style* formats for citation, but you may use a different style (e.g., MLA, APA, CBE, and so on) if standard for your field. Most important is consistency of style. Please tell your acquiring editor what citation style you have followed, so that we can inform the copyeditor and prevent unnecessary editorial changes and misunderstandings.
- Notes should be embedded in text files, using the Microsoft Word “footnote” function. UPNE style is to use endnotes, not footnotes. Endnotes will be placed at the back of the book, or occasionally (for some multi-author books) at the end of each chapter. Use of footnotes is rarely allowed, for design and cost reasons.

CITATION OF URLS, WEBSITES, AND E-MAIL

- When citing electronic materials, you can best serve your readers by citing the source as well as the medium. This means that, in addition to providing the URL, you should also cite the author and title of the material, and the date you accessed the website.
- Give the briefest possible version of each URL address. In addition to being difficult for readers to type accurately, URLs have a short shelf-life and may not be correct by the time your book is published. Consider shortening them to domain home info only (e.g., www.upne.com, rather than http://www.upne.com/TOC/TOC_1584657477.html). Most websites now have accurate search engines that will allow readers to find the specific information you’re citing.
- Don’t use bit.ly, tinyurl.com, or other services to shorten URLs; these types of sites may not be stable or trustworthy over the long term.
- E-mail addresses other than your own should not appear in manuscript text, notes, citations, or author biographies, for obvious reasons of personal privacy.

SPECIAL FORMATTING, INCLUDING FOREIGN-LANGUAGE MATERIAL

- If your MS requires any special formatting (e.g., mathematical equations or Greek text), be sure to tell your acquiring editor. This will help prevent misunderstandings of your intent.
- If your text includes foreign-language material, make sure that all diacritical marks (accent marks) are entered correctly (see the Microsoft Word “symbols” menu for accented letters). Although our copyeditors may point out mistakes or inconsistencies in foreign terms or names, *correct spelling of all foreign names and terms is the author’s responsibility*. Tell your acquiring editor what foreign languages and fonts are involved.
- Foreign-language text that requires non-Roman characters should be typed directly into the manuscript file using a true-type font such as Times New Roman or Gentium. Before submitting the final manuscript, send a sample of this text to your acquiring editor for approval.
- If your text includes material in a language that uses a non-Roman alphabet (e.g., Greek, Russian, Hebrew, Chinese), you will have to decide whether to transliterate or to use non-Roman text. If you prefer to use non-Roman text, please consult your acquiring editor before you submit your MS.

TABLES

- UPNE generally discourages use of tables. Use tables only where necessary. If the material can be expressed as ordinary text, do not place it in a table.
- Use Microsoft Word's "tables" capability to create tables if they are long or complex, or consist of numerical data.
- For text tables (as opposed to tables of numerical data), use one "tab" between columns to separate tabular material. Indicate the end of each row with a single "enter/return." It is not important that material line up exactly on screen, as the "tab" and "enter/return" characters are sufficient to indicate column and row relationships to the designer.
- Tables should be numbered in the same way as figures: table 1.1 (chapter 1, table 1), table 1.2 (chapter 1, table 2), table 2.1 (chapter 2, table 1).
- Place all tables in a separate file. Label the file using the same conventions as for the other files in your MS, e.g., "Smith_tables.doc."

ILLUSTRATIONS

- Make sure illustrations of each type (figures, charts, or maps) are numbered consecutively within each chapter (e.g., "figure 3.1, figure 3.2"; "map 1.1, map 1.2"). Check with your acquiring editor to find out whether the art for your book will be gathered in a section or dispersed throughout the book. If your illustrations are to be dispersed, be sure to indicate approximate placement for each figure, by inserting a "callout" in the text on a separate line between paragraphs: <<FIGURE 3.4 about here>>. Make sure that figure callouts reflect the consecutive numbering of figures (i.e., callouts in chap. 4 should occur in order: figure 4.1, 4.2, 4.3, etc.). If you refer to illustrations in the text, use the figure number (e.g., "See figure 6.3"). Do not refer to illustrations by physical location, such as "See table below" or "See photo on p. 12."
- Unlike figures, charts, or maps, which are numbered consecutively by chapter, plates may be numbered consecutively throughout the book (e.g., "Pl. 1, Pl. 2"). For definitions of terms such as "figure" and "plate," see Art Submission Guidelines.
- Provide a list of the approximate size for each numbered image as it should appear in your book, e.g., "small" (quarter-page), "medium" (half-page), or "large" (full-page). This will help our designers gauge the level of relative importance of the images you've provided and create an appropriate design for your book.
- Review Art Submission Guidelines for discussion of specific requirements for illustrative matter of all kinds (photos, drawings, graphs/charts, maps, and so on).

PERMISSIONS

- Provide copies of all necessary permissions for art or text that you have drawn from an outside source. (See Permissions and Copyright Guidelines.) This includes not only photographs, but also quoted poetry, song lyrics, and so on, whether used in your text or as epigraphs. You will need a publisher's permission to reprint previously published material, even if you are the author, as well as permission to use lengthy quotations (beyond the accepted extent of "fair use"). (For more information on fair use, see *CMS 16*, chapter 4; and the Permissions and Copyright Guidelines.)

If you have further questions about what permissions are needed, or how to obtain them, discuss these issues with your acquiring editor in advance of MS submission.

- For multi-author books, the volume editor must supply signed contributor agreements for all contributed chapters, along with permissions for any previously published portions of the book.

FINAL STEPS

- Proofread your MS carefully and run a final spell-check on each file. As production proceeds from manuscript to page proofs, corrections become more and more costly to make, and can also delay production.
- All text files should be submitted on a CD that contains *only* the text files. Art (photos, drawings, graphs) must be submitted on separate CDs or DVDs. (See Art Submission Guidelines.)
- Along with the text CD, please provide *one* complete printout of the MS, with pages numbered consecutively throughout. Be sure to make the printout from the *final* set of files, as it is important that the printout match the contents of the files exactly. This will help prevent misunderstandings over, for example, which version of a chapter is the correct, final one. Your text should be in 12-point Times New Roman or a similar font, with double line spacing and 1-inch margins on all sides. Do not place the printout in a binder, folder, or plastic sleeves; a sturdy rubber band and/or a cardboard box is sufficient.

The following guidelines address the different types of images that might appear in your book, labeling those images in the manuscript (MS), the procedure for submitting both original and digital art, and digital art reproduction requirements.

Please carefully consider your ability to understand and adhere to the guidelines. While the Press is happy to answer questions, if you feel that you will not be able to produce files that meet our requirements, please seek out the advice and assistance of someone who can. Often university computing departments and libraries can help.

GENERAL ART SUBMISSION GUIDELINES

All art and permissions should be submitted with the manuscript text. If this is problematic, speak with your acquiring editor at the earliest possible moment so arrangements can be made. (For information on copyright and permissions issues and procedures, see the separate Permissions and Copyright Guidelines.)

Submit hard copies of all images, either printouts or photocopies. Label each with the figure number. Do not include captions or credit lines on the hard copies.

Do not use blank pages as placeholders in the MS printout. No additional space needs to be left in the text file for images. A consistent style should be used to mark image placement in the text. For example:

 Lorem ipsum dolor sit amet, consectetur adipiscing elit. Maecenas rutrum consectetur ipsum. Vivamus aliquam.

 <Fig. 1.1 about here>

 Nulla venenatis placerat sapien. Quisque sit amet orci ac erat porttitor tempus. Suspendisse rutrum porta turpis.

TYPES OF ILLUSTRATIONS AND LABELING

The terms *illustration* and *figure* are virtually interchangeable and refer to a variety of materials, including paintings, photographs, line drawings, maps, and charts. The term *chart* refers to graphs, diagrams, flow charts, bar graphs, and so forth.

Figures may be interspersed in the text or gathered into a section, and can be black & white or color, halftones or line art. Most types of illustrations fall into this category, and should be labeled as “Fig.” Figures numbers should be numbered both by chapter and consecutively within a chapter, as in these examples:

 Fig. 1.1 (chapter 1, figure 1)

 Fig. 1.2 (chapter 1, figure 2)

 Fig. 2.2 (chapter 2, figure 2)

Two types of items that may appear in your book but fall outside the figure category are *tables* and *plates*.

The *Chicago Manual of Style (CMS)* devotes an entire chapter to the use and formatting of tables,

including style, consistency, and content . Please see the separate Manuscript Submission Guidelines for specific UPNE requirements for tables.

A plate is typically a large-scale illustration that is printed separately, usually on coated paper. Plates can appear individually between certain pages but are more often gathered into an insert. Plates follow the same labeling conventions as figures, but with the abbreviation “Pl.”: Pl. 1.1, Pl. 2.1. If plates are gathered into a section located between chapters, the first number is the chapter immediately *preceding* the plate(s). It is also possible for plates to be numbered consecutively throughout the entire manuscript (e.g., Pl. 1, Pl. 2).

DIGITAL ART

The AAUP Digital Art Submission Guidelines (a copy of which is provided in your author packet) provide information regarding the correct size and resolution of digital images, and explain the difference between the various types of images you may be including in your book. *Adhering to the specifications provided by the AAUP, and in the list below, is critical.* Minimum standards *must* be met to ensure quality art reproduction. If you have questions or do not understand these requirements, please contact your acquiring editor as soon as possible. Correcting problems at later stages is time-consuming and often costly.

FILE FORMAT AND SUBMISSION

Digital images should be saved as “tiff” files, with the file extension “.tiff” or “.tif”. This format will ensure the best quality reproduction. If necessary, UPNE can accept digital images as a “.jpeg” (or “.jpg”) file.

Do not submit images embedded in a Word document, “pdf” images (“.pdf”), or images in a PowerPoint presentation. These formats are not suitable for publication and are unnecessary for reference purposes.

Be wary of using images taken from the Internet. Standard resolution for such images is only 72 pixels per inch (ppi; or “dots per inch,” dpi), far below the minimum requirement for publication. While the image may look acceptable on your screen, it will not be sufficient for printing.

Images should be submitted on a CD or DVD. This disk should contain art files only. All text files, including captions, should be submitted on a separate disk.

DIGITAL ART FILE NAMING CONVENTIONS

Digital image files should be named using the following convention:

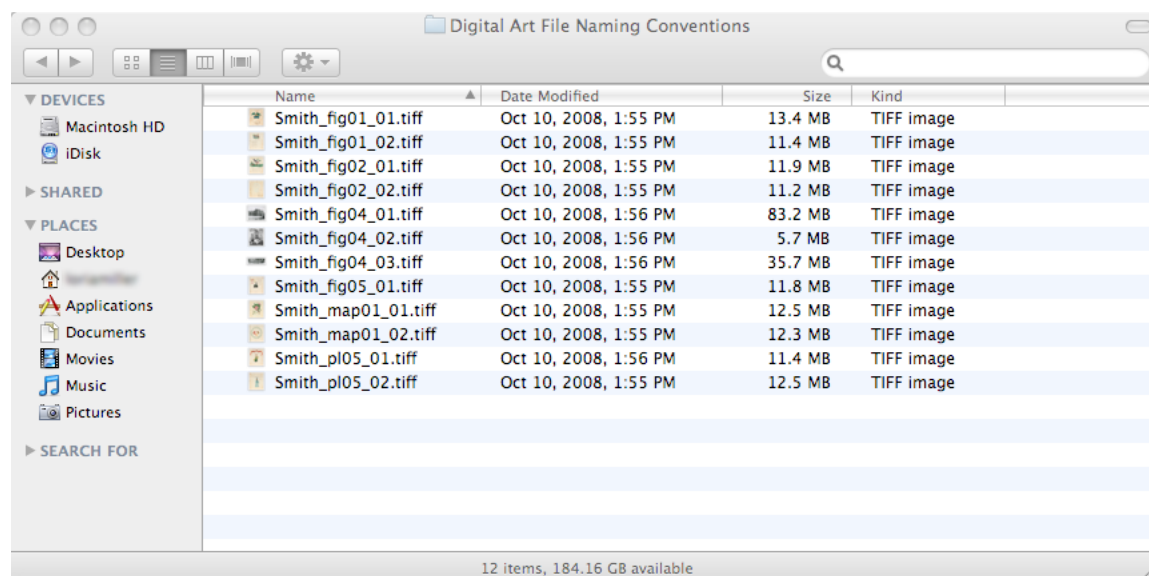
Author last name[underscore]Image number.tiff

Thus, for an ordinary illustrated book, the first image in chapter 1 would be labeled as follows: Smith_fig01_01.tiff. Subsequent images would be labeled accordingly: Smith_fig01_02.tiff (chapter 1, image 2); Smith_fig02_01.tiff (chapter 2, image 1), and so on. For a book with 100+ images in a single chapter, the numbering would look like this: Smith_fig01_001.tiff ... Smith_fig01_103.tiff. For a book with several categories of illustrations, the numbering would look like this: Smith_fig01_01.tiff, Smith_map01_01.tiff, Smith_plo1_01.tiff (but note that plates, unlike other types of illustrations, may

be numbered consecutively throughout a book, e.g., “Pl. 1, Pl. 2,” and so on).

Do not use slashes, dashes, or additional periods in the file name. One period should set off the file extension, and one underscore is used for the two-part figure number. Usually the period and file extension are automatically added.

Below is an example of properly named image files.



If the images in your book will appear in the final text *without* accompanying figure numbers, these file-naming conventions still apply. Proper file names for digital art files and captions are necessary through the editing and production processes for identification purposes.

DIGITAL IMAGE SIZE AND RESOLUTION

While the AAUP guidelines address this aspect of electronic images in detail, the basic minimum requirements are these:

Image Size and Resolution

For halftones, a *minimum* of 300 ppi, at the following sizes; for line art (bi-tonal scans), a *minimum* of 1200 ppi, at the following sizes:

BOOK TRIM SIZE	6 x 9"	7 x 10"	8.5 x 11"
quarter-page	2.5 x 3.5"	3 x 4"	4 x 4.5"
half-page	5 x 3.5"	6 x 4"	7.5 x 4.5"
full page	6.25 x 9.25"	7.25 x 10.25"	8.75 x 11.25"

In general, for digital art, bigger is always better. Reducing the size of an image does not affect the quality of a printed image, and often will improve the look of it. Enlarging an image will reduce the quality and generally cannot be successfully accomplished.

Do not resample images to make them fit the minimum size and resolution requirements. The quality of the image will be greatly diminished and it will often be unsuitable for publication.

SUBMITTING NON-DIGITAL MATERIALS

Examples of non-digital art include photographic prints, transparencies, slides, and original artworks. If it is necessary to submit original art, please follow these guidelines.

- Do not mount original art.
- Do not write on the front of the art. Be careful when you write on the back of original photographic prints; do not use a ballpoint pen that will permanently indent the photograph.
- Labels are acceptable for writing the figure number (first write it on a small self-adhesive label, and then affix it to the back of the photograph), but do not use Post-Its or other “stickies” as they easily fall off.
- Please try not to submit oversized art because of difficulties in handling.
- Be sure to consider the size your art might get reduced to when in final form in your book. This is especially important when specific elements within a photo, such as handwriting or printed signs or particular objects, must be visible and/or legible to readers (e.g., signs on a building, handwriting, a building in the background).
- Please do not use binders, plastic sleeves, or other similar methods when submitting your materials. The simplest approach is the best – a stack of hardcopies, rubber banded together, or held together using a binder clip or paperclip. However, if original art pieces have protective sleeves or coverings, these are acceptable.

Copyright is a statutory grant to an owner of intellectual property, giving exclusive rights for all uses of the material. Obtaining written permission for use of previously copyrighted articles, essays, literary works, artwork, and other forms of intellectual property (such as song lyrics) that exceed the bound of fair use (see “What Is Fair Use?” below) is the responsibility of the author/volume editor.

Permissions for use of copyrighted material should be sought, obtained, and paid for *before* the final manuscript is submitted to the Press. Unless you have reached a separate agreement with the Press, all fees in connection with permissions are the responsibility of the author/volume editor. If, at the time of submission, all permissions are not complete, write a note to accompany your MS submission, stating which permissions are still missing, whether you have applied for them, and when you expect to obtain them.

Obtaining permissions can be intensive, time-consuming work. We urge you to begin the process as soon as possible—it is never too early. When you submit the final MS to the Press, you should have most, if not all, the permissions in hand, paid for, and organized sequentially. Please note which permission form applies to each specific quotation, image, and so on.

In your author packet, you will find sample permission forms. Contact your acquisitions editor for information concerning the anticipated print run, price, and publication schedule for your book. Forms generated by the copyright owners are acceptable as well. Pay careful attention to any conditions or limits placed on permissions—for example, it may be necessary to obtain separate permissions for the four-color reproduction of an image and its use in black and white, or for use of an image on the cover of a book vs. its use in the interior of the book.

Note that museums often assert rights in works in their possession, sometimes on the basis of mere assumption. Rather than challenge these assertions, authors generally accede to a museum’s fee and credit requirements in order to obtain access to the work to photograph it, or to obtain access to the museum’s own transparencies. Authors are increasingly encouraged, when publishing two-dimensional artworks in the public domain, to seek alternative versions of the artwork rather than submit to unenforceable reproduction claims made by museums or other owners of those works.

ASKING FOR E-BOOK RIGHTS

Due to the increased emphasis placed on electronic publishing, it is necessary to explicitly ask for world distribution rights and e-book rights to text and images. You may assume that your book will be produced in an e-book version.

UPNE has updated our permissions and contributor agreement forms to reflect this. However, each granting institution may use their own forms. Please be aware that their forms might not grant e-book rights, even if you requested them. Read permissions agreements carefully when you receive them to be sure that all requested rights are included and stated explicitly. If you do not see e-book rights granted, or are unsure if the language of the permission covers e-book rights, please ask your acquisitions editor. We are happy to help you with this.

It is possible that an institution or individual will not grant e-book rights for an image or text, or

perhaps a number of restrictions would be placed on e-book use. Contact your acquisitions editor at this point to discuss options.

We are currently in a period of transition for authors, publishers, and rights holders regarding e-book rights. If you have any questions or need clarification, please ask.

GENERAL GUIDELINES FOR WORKS COPYRIGHTED IN THE UNITED STATES

- Under current copyright law, rights to *unpublished manuscripts* belong to the author and his/her heirs during the author's lifetime and for 70 years thereafter, even if the physical property has been sold or given away, unless copyright was specifically transferred to the new owner.
- There is a special provision in the act for *works created before January 1, 1978, but published between then and December 31, 2002*. Copyright in such works will not expire before December 31, 2047, or 70 years after the death of the author, whichever is later.
- *Works created January 1, 1978 or after* are protected by copyright for the life of the creator plus 70 years. Corporate authorship is protected for the shorter span of 95 years from publication, or 120 years from creation.
- *Works published before 1923* are in the public domain.
- *Works published between 1923 and 1963*, when published with copyright notice, are protected for 28 years, and this protection could be renewed for 47 years, now extended by 20 years for a total renewal of 67 years. If not so renewed, they are now in the public domain.

WHAT IS FAIR USE?

Fair use is a complicated and confusing aspect of copyright that allows for use of copyrighted materials, for particular purposes, without permission. The case law governing fair use is contradictory at best, and the only way to know for sure if your case falls under fair use is to have a federal judge make a ruling. Detailed below is a working definition of fair use, the four major factors used to determine fair use, a brief discussion of the De Minimis Defense, and source acknowledgment.

Defining Fair Use

While fair use is certainly a legal grey area, this definition is a common understanding of the concept:

The right set forth in Section 107 of the United States Copyright Act, to use copyrighted materials for certain purposes, such as criticism, comment, news reporting, teaching, scholarship, and research. Section 107 sets out four factors to be considered in determining whether or not a particular use is fair: (1) the purpose and character of the use, including whether such use is of commercial nature or is for 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 potential market or value of the copyrighted work.

Fair Use: The Four Factors

1. The Purpose and Character of Your Use

At issue is whether the material in question has been used to help create something new, or merely copied verbatim into another work. When taking portions of copyrighted work, ask yourself the following questions:

- Has the material you have taken from the original work been transformed by adding new expression or meaning?
- Was value added to the original by creating new information, new aesthetics, new insights and understanding?

Purposes such as scholarship, research, or education may qualify as transformative uses because the work is the subject of review or commentary.

2. The Nature of the Copyrighted Work

Because the dissemination of facts or information benefits the public, you have more leeway to copy from factual works such as biographies than you do from fictional works such as plays or novels.

In addition, you will have a stronger case of fair use if the material copied is from a published work than an unpublished work. The scope of fair use is narrower for unpublished works because an author has the right to control the first public appearance of his expression.

3. The Amount of Substantiality of the Portion Taken

The less you take, the more likely that your copying will be excused as a fair use. Bear in mind the relative portion being used. One half page from a hundred page work is very different than using 99 pages out of 100.

However, even if you take a small portion of a work, your copying will not be a fair use if the portion taken is the “heart” of the work. In other words, you are more likely to run into problems if you take the more memorable aspects of a work.

4. The Effect of Use upon the Potential Market

Another important fair use factor is whether your use deprives the copyright owner of income or undermines a new or potential market for the copyrighted work. Depriving a copyright owner of income is very likely to trigger a lawsuit. This is true even if you are not competing directly with the original work.

The De Minimis Defense

The de minimis defense argues that such a small portion of a copyrighted work is used that a court would permit its publication even without conducting a fair use analysis. As with other aspects of fair use, there is no bright line test for determining a de minimis use. Case law using the de minimis defense varies widely in regard to how much is too much of a copyrighted work.

SOURCE ACKNOWLEDGMENT

It is not true that simply acknowledging the source of a work, or portion of a work, makes the use permissible. Acknowledgment of the source material (such as citing the photographer) may be a consideration in a fair use determination, but will not protect against a claim of infringement. When in doubt as to the right to use or acknowledge a source, the most prudent course is *always* to seek permission of the copyright owner.

HELPFUL COPYRIGHT RESOURCES

- Association of American University Presses (AAUP) Copyright Resources. Excellent source for information on copyright and permissions, especially as they relate to scholarly publishing. (www.aaupnet.org/aboutup/issues/copyright)

- Association of American Publishers (AAP) Copyright Resources. General resources including imprints list, contact names, and best practices in processing permission. (www.publishers.org/main/Copyright/copyPermission_01.htm)
- Copyright Clearance Center (CCC). Permission agency online site. Their copyright resources selection includes compliance guidelines, articles on rights management, and links to many useful sites including other intellectual property associations and licensing organizations. (www.copyright.com)
- WATCH File (Writers, Artists, and Their Copyright Holders). Permission agency online site. Their copyright resources section includes compliance guidelines, articles on rights management, and links to many useful sites, including other intellectual property associations and licensing organizations. (<http://tyler.hrc.utexas.edu>)
- American Society of Composers, Authors, and Publishers (ASCAP). Excellent resource for materials created and controlled by composers, songwriters, and music publishers. (www.ascap.com)
- United States Copyright Office (www.copyright.gov)

WORKS COPYRIGHTED OUTSIDE THE UNITED STATES

While copyright has been internationally standardized to a point, regulations do vary from country to country. A good starting point for questions of copyright pertaining to individual countries is the Collection of National Copyright Laws provided by UNESCO (the United Nations Educational, Scientific, and Cultural Organization). While their list is not all-encompassing, it does provide information for 100 UNESCO Member States and will likely prove helpful. (www.unesco.org/culture/copy)

IF YOU ARE UNABLE TO FIND THE COPYRIGHT HOLDER OR RECEIVE NO REPLY

As the author, you are required to make every reasonable effort to contact all persons or organizations with a copyright claim on the work you wish to reproduce. *Document your efforts to contact these sources.* Silence on the part of a copyright owner, even if they have been given a deadline, does not imply consent. Failure to locate a copyright owner will leave you liable for copyright infringement, but a documented “good faith” effort can help to mitigate damages.

UPNE considers a documented “good faith” effort to include all of the following criteria:

- Written record of at least three attempts to contact the copyright owner, one of which should be a certified letter
- Reasonable lapse of time (4 weeks) between attempts
- A log of all telephone calls, and copies of fax attempts, letters sent, etc.
- Confirmation that, to the best of your knowledge, you are attempting to contact the correct party

GENERAL PERMISSIONS GUIDELINES

- Start as early as possible.
- Mention that your publisher is a nonprofit organization and a scholarly press. This will sometimes result in a lowered fee for use.
- Know what a reasonable usage fee is for an image, quotation, etc. Discuss prices with your acquisitions editor if an asking price seems high.

- A single work can have multiple copyright holders. In such case, all will need to grant permission. Be sure you are asking all of the relevant individuals or institutions for permission.
- There may be separate fees for permission and to obtain a digital file or transparency of an image. For instance, a museum may not hold copyright for a painting, however they can provide a transparency of the work. In this case, two different fees may apply.
- All permissions to reprint text or art must explicitly state that the material may be reproduced in both print and e-book formats and may be distributed around the world. If these rights are not granted, the image or text item cannot be included in your book. Contact your acquiring editor with any questions or problems related to this requirement.

PREVIEW: WHAT TO EXPECT DURING THE PRODUCTION PROCESS

COPYEDITING

- Your UPNE production editor will be available throughout the production process to respond to your queries and concerns. Questions concerning other matters (e.g., contract issues) should be addressed to your acquiring editor. For sales/marketing questions, please refer to the marketing letter in your author packet.
- Your UPNE production editor will assign your MS to a freelance copyeditor. The copyeditor will carefully read your entire MS and edit the frontmatter, text, appendixes (if any), notes, references, and figure captions. He or she will try to ensure a smooth narrative flow, clarity of expression, and clear logical argument. The copyeditor will also check grammar and spelling; establish a consistent editorial style (for example, capitalization of terms, use of numerals vs. spelled-out numbers, and so on); point out inconsistencies of style or content (for example, different spellings of a person's name, different versions of the name of an organization or book title, and so on); and insert typemarking codes for the use of the designer and typographer. Please be aware, however, that the copyeditor is not a “fact checker”; *all matters of factual accuracy are the author's responsibility*.
- The copyeditor will edit your book on-screen, using Microsoft Word's “track changes” feature to make editorial changes visible to you. Most copyeditors will use “track changes” selectively, to highlight significant changes; minor changes that do not affect content may be made “silently” (that is, without highlighting). Thus, when you review the copyedited MS, you should plan to reread the entire MS carefully, not just passages that include highlighted edits.
- You will be expected to review the copyedited MS on-screen; your copyeditor will provide helpful guidelines for this process. Please be aware that this will be your last chance to make any final changes, corrections, or revisions to your book. Changes made at later stages in the production process (e.g., in page proofs) are expensive and likely to delay production of your book.
- Once you've completed your review of the copyedited MS, you will return the files to the copyeditor for editorial cleanup. He or she will review the changes/corrections you've made to the MS; evaluate and act on your responses to author queries; and attempt to resolve any outstanding editorial issues or problems. The copyeditor will then return the edited MS files to UPNE, where your production editor will prepare them for the designer and compositor.

PAGE PROOF AND INDEXING

- The next time you will see your book will be in page proofs, ready for proofreading. Please note that *the author bears full responsibility for proofreading the page proofs*. This is your last chance to catch errors that may have been introduced during composition or that may have slipped past both you and the copyeditor. If errors are not caught at this stage, there is a high likelihood that they will appear in the printed book. Consider carefully whether you have the time and sufficient distance from the material to do the proofreading yourself. If you wish to hire a professional proofreader, please ask your production editor for a list of names. Note also that changes you make at this stage in production can delay the project and will be charged to you once you exceed the alterations allowance provided in your contract.

- This will be the one and only time you will see page proofs. All alterations that you make will be checked for accuracy by your production editor.
- Authors are responsible for index preparation, which takes place concurrently with proofreading. Although you may choose to prepare your own index, UPNE encourages authors to hire professional indexers; please ask your production editor for a list of names. Hiring and paying an indexer is the author's responsibility. If you are affiliated with an educational institution, you may wish to check with your department regarding availability of department or institutional funds for this purpose. You should decide whether to hire an indexer, and then select an indexer and make your arrangements with him or her, well in advance of receipt of page proofs.
- Staying on schedule is crucial for both proofreading and indexing. Failure to maintain schedule will delay publication of your book. Throughout this process, your production editor will stand by to answer your queries or concerns and to ensure that the schedule is maintained.