

# EVALUATING COPYRIGHT FOR SERIALS AND JOURNALS CASE STUDY #1

TUTORIAL BY THE PHILADELPHIA WIKISALON

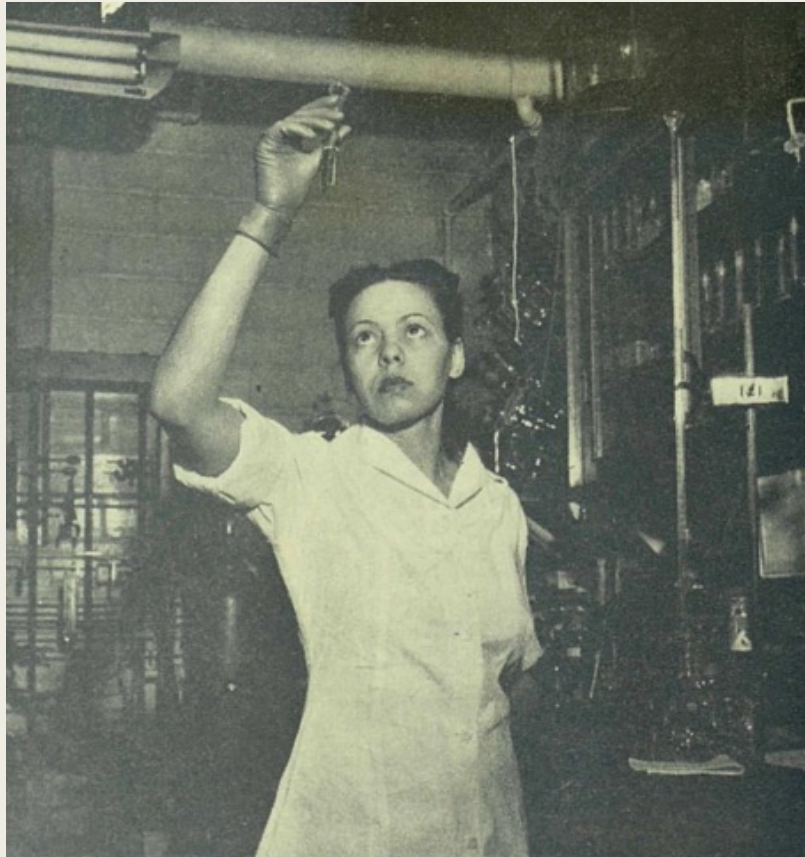
# Challenge – Finding Public Domain Images



[Frustration by Pictofigo](#)

- Have you ever wanted to illustrate a biography in Wikipedia but you could not find a public domain or appropriately licensed image for upload to Wikimedia Commons?
- Here's how you can unlock a treasure trove of hidden content, by mining images from journals and serials that are out of copyright in the US.

# Overview – Copyright Evaluation

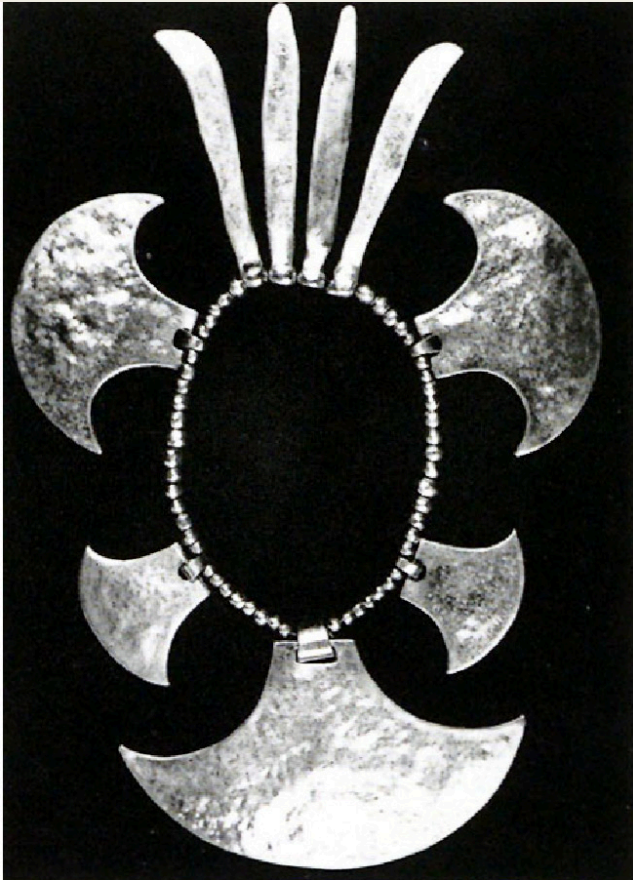


[Blanche Lawrence](#)

Scientist at Argonne Lab. *Ebony* magazine, September 1949,  
pp. 26-28. Copyright not renewed.

- Public Domain Day –Anything published in the United States **before January 1, 1926** is in the public domain and can be freely used. Each calendar year, new items age out into the public domain on January 1st.
- However, US Copyright can be very complex for items published between 1926 and 1988, depending upon some of the following factors:
  - *Whether the work is a book or a serial*
  - *Express renewal of copyright with the US government*
  - *Stated copyright notice on the work*
  - *Presence of syndicated material or songs, lyrics, maps in the work*
  - *Presence of copyright attribution to third party artists or photographers*

# Overview – Copyright Evaluation



*Figures of Growth*, by Millicent Rogers

[Craft Horizons](#), Autumn 1949, Volume 9, Number 3 (page 15).

Copyright not renewed.

- By reviewing what kind of content is found inside the journal, we can know if there are any separate copyrights that need to be cleared.
- By learning the differences between serials and monographs (books), we can learn how to evaluate specific copyright cases by consulting US Government copyright databases.
- By carefully reviewing dates of publication and the existence of copyright symbols or statements, we can make decisions about the copyright status of a particular magazine, journal, or serial issues.
- In this demonstration we will provide a case study that goes step-by-step through a workflow to determine copyright status for one journal issue.

# Important Definitions

- [Monograph](#) = non-serial publication that is complete in one volume (aka book) or a definite number of volumes
- [Serial](#) = publication issued under the same title in a succession of discrete parts, usually numbered (or dated) and appearing at regular or irregular intervals with no predetermined end (also – [Periodical](#))
- [Title page](#) = page near the front of the book that contains title, subtitle, author, publisher and edition details
- [Verso](#) = back page of title page
- [Masthead](#) = printed list of the journal owners, departments, staff and address details, published in a fixed position in each issue. (= UK imprint)
- [Table of contents](#) = list of contents contained in a published work
- [Annual](#) = periodical published once per year
- Biannual = published twice per year
- Quarterly = published four times per year
- Monthly = published each month of the year
- [Copyright notice](#) = notice that informs users of the underlying claim to copyright ownership in a published work
- [Copyright attribution](#) = acknowledgement or credit to the copyright holder of a work

# Requirements – Copyright Evaluation

- Have the book or serial/journal issue in hand, in either paper or full digital format.
- It is useful to have additional issues of the serial/journal from a range of years, if you have access to some.
- Copyright renewal online resources:
  - [Online Books Page – First Copyright Renewals for Periodicals](#)
  - [US Copyright Office - Registered Works Database](#)
- The University of Pennsylvania Libraries has produced this step-by-step guide to serial/journal copyright evaluation, which we will follow:
  - <https://onlinebooks.library.upenn.edu/cce/decisions.html>



*Blind tooling*  
[Craft Horizons](#), Autumn 1949, Volume 9,  
Number 3 (page 12). Copyright not renewed.

# Decision Tree – Step-by Step Guide

The University of Pennsylvania Libraries has produced this step-by-step guide to serial/journal copyright evaluation, which we will follow in our case studies:

<https://onlinebooks.library.upenn.edu/cce/decisions.html>

The WikiSalon has produced a flow chart that presents these steps in graphical format:

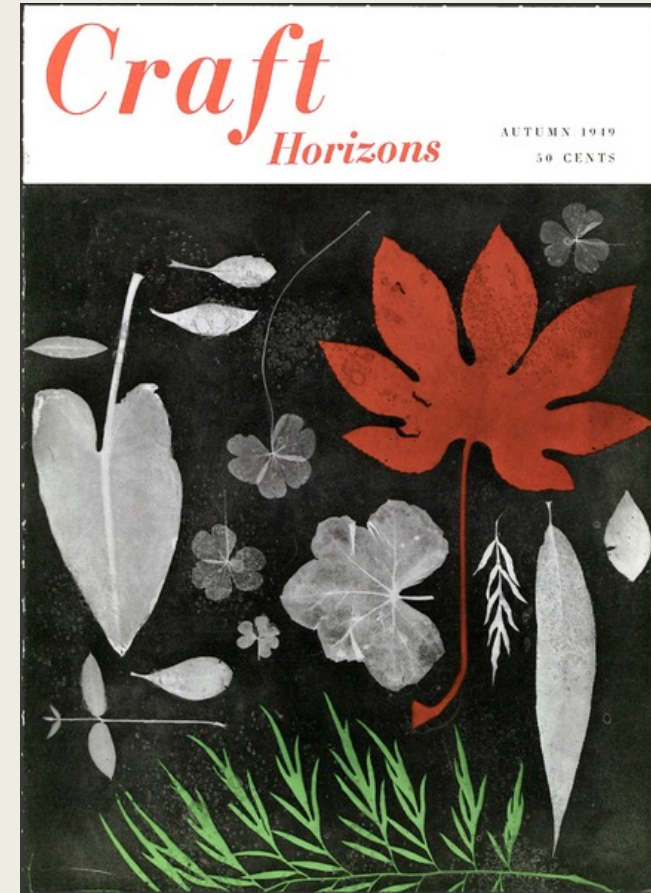
[Serial and Journal Copyright Evaluation Flowchart](#)

Download these to help you follow the presentation and make copyright decisions. Each case is different, so you need to follow the steps in order, to reach a correct decision for a given case.

**Disclaimer: WikiSalon Facilitators are not copyright lawyers. We cannot provide legal advice.**

# Case Study 1 – *Craft Horizons* 1949 Cover



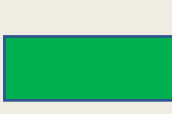

- Question: Is this image in the Public Domain?
- Art by Emile Norman
- Cover of Autumn, 1949 Cover of *Craft Horizons* journal
- Source:  
<https://digital.craftcouncil.org/digital/collection/p15785coll2/id/235/rec/28>



*Craft Horizons* Cover by Emile Norman  
[Craft Horizons](#), Autumn 1949, Volume 9,  
Number 3 (Cover) Copyright not renewed.



# Section 1: Country and Publication

- Question 1: Is this a US Publication?
  - If NO, this is **out-of-scope** for today's workflow. STOP. 
  - If YES, Go to Section 2.
- Guidance:
  - Check masthead or table-of-contents of journal.
  - Check [www.worldcat.org](http://www.worldcat.org) for serial publication information.
- Answer 1: YES
  - US Publication, New York [See masthead (p.3)]   

# Section 2: Old and New Publications

- Question 2a: Was the serial issue of interest published *before* 1926?

- *If YES, CONGRATULATIONS! STOP, as this journal is in the Public Domain in the US, and you can use it!*



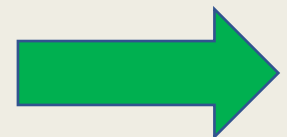
- *If NO, Go to Question 2B.*

- Guidance:




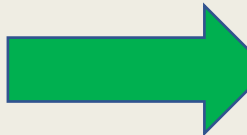

- *Check cover page, masthead or table-of-contents of journal for publication date.*

- Answer 2a: NO

- *1949 publication [See cover and masthead (p.3)]*



# Section 2: Old and New Publications

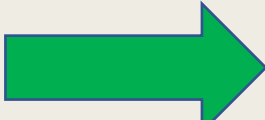
- Question 2b: Was the serial issue of interest published *in or after* March 1989?
  - *If YES, this journal is in copyright in the US. STOP. You cannot use it.*  
  - *If NO, Go to Section 3.*
- Guidance:
  - *Check cover page, masthead or table-of-contents of journal for publication date.*
- Answer 2b: **NO**
  - *1949 publication [See cover and masthead (p.3)]*   

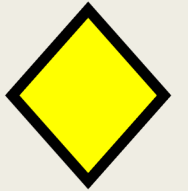
# Section 3: Publications Registered as Books

- Question 3a: Is the serial an [annual](#)?
  - *If YES, do a [book copyright clearance check](#), as the journal might have been registered as a book. CHECK. Return to the next question if there is no book copyright registration.*
  - *If NO, Go to Question 3b.*
- Guidance:
  - *Check cover page, masthead or table-of-contents of journal for publication frequency. Consult other issues or worldcat.org.*
- Answer 3a: NO
  - *Quarterly [See cover and masthead (p.3)]* ✓ →



# Section 3: Publications Registered as Books

- Question 3b: Are issue dates unclear?
  - *If YES, do a [book copyright clearance check](#), as the journal might have been registered as a book. CHECK. Return to the next question if there is no book copyright registration.*
  - *If NO, Go to Question 3c.*
- Guidance:
  - *Check cover page or masthead of journal for publication dates. There should be clear dates or seasons referenced.*
- Answer 3b: **NO**
  - *Clear dates [See cover and masthead (p.3)]* ✓ 



# Section 3: Publications Registered as Books

- Question 3c: Do issues have distinct titles of similar or greater prominence than the serial title?
  - *If YES, do a [book copyright clearance check](#), as the journal might have been registered as a book. CHECK. Return to the next question if there is no book copyright registration.*
  - *If NO, Go to Question 3d.*
- Guidance:
  - *Check cover page and masthead. The serial title should be the most prominent one on the cover.*
  - *Distinct titles: e.g., retrospectives, festschrifts, special themed editions*
    - Examples: [Time Alternative Medicine](#)
- Answer 3c: NO
  - *Single title [See cover and masthead (p.3)]*



# Section 3: Publications Registered as Books

- Question 3d: Are issues irregularly published? (Or, is the serial not a periodical?)
  - *If YES, do a [book copyright clearance check](#), as the journal might have been registered as a book. CHECK. Return to the next question if there is no book copyright registration.*
  - *If NO, Go to Question 3e.*



- Guidance:
  - *If the serial is not obviously an annual, biannual, quarterly or monthly publication, check a number of issues to determine publishing patterns.*
  - *Check the [worldcat.org](http://worldcat.org) catalog for the serial. Look at publication information for publication frequency. Look at ranges of holdings to see patterns of issues collected.*

- Answer 3d: **NO**

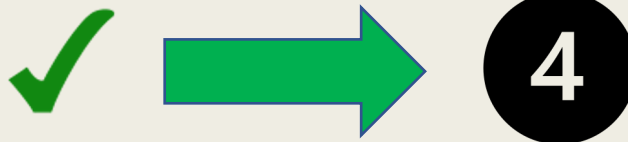
- *Regularly published – quarterly*



- <https://digital.craftcouncil.org/digital/collection/p15785coll2/search>

# Section 3: Publications Registered as Books

- Question 3e: Is the serial a law reporter, or a collection of laws, regulations, or court case documents?
  - *If YES, do a [book copyright clearance check](#), as the journal might have been registered as a book. CHECK. Return to the next question if there is no book copyright registration.*
  - *If NO, Go to Section 4.*
- Guidance:
  - *Read a few issues of the journal to ensure that it is not a law journal or collection of laws, regulations or court cases. This should be fairly obvious for serials with no legal content.*
  - *The [first renewals inventory](#) might have additional helpful information.*
- Answer 3e: NO
  - *No legal content found.*




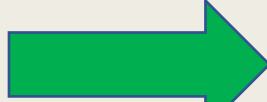


## Section 4: Publications containing music, maps, or drama

- Question 4a - Does the serial include sheet music, chords for songs, and/or song lyrics?
  - *If YES, do a separate [copyright clearance check](#) for any items containing sheet music, song chords or lyrics before you continue to the next question. CHECK. If all copyrights are cleared, then continue to Question 4b.*
  - *If NO, Go to Question 4b.*
- Guidance – Check the entire issue for any sheet music or song lyrics or chords.
- Answer 4a:
  - *NO (No sheet music or songs present.)*



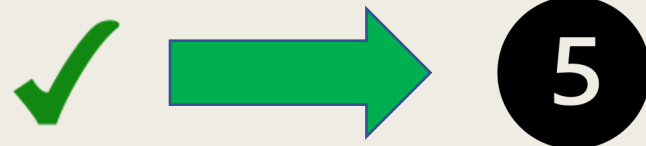
## Section 4: Publications containing music, maps, or drama

- Question 4b -Does the serial include scripts of plays, movies, or radio or TV programs, or transcripts of speeches or oral presentations?
  - *If YES, do a separate [copyright clearance check](#) for any items containing movie, TV, or radio scripts, speeches or oral presentations. CHECK. If all copyrights are cleared, then continue to Question 4c.*
  - *If NO, Go to Question 4c.*
- Guidance – Check the entire issue for anything that looks like the transcriptions of speeches or oral presentations, or dialogue from major media.
  - *Examples: keynote, commencement, memorial, or political speeches*
- Answer 4b: NO
  - *(No scripts or speeches present in the volume.)*  


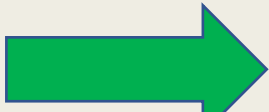



## Section 4: Publications containing music, maps, or drama

- Question 4c - Does the serial include maps?
  - *If YES, do a separate [copyright clearance check](#) for any items containing maps. CHECK. If all copyrights are cleared, then proceed to Question 5.*
  - *If NO, Go to Question 5.*
- Guidance – Check the entire issue for anything that looks like a map.
  - *Examples: map diagrams, inserted maps*
- Answer 4c:
  - *NO (No maps are present in the volume.)*



# Section 5: Syndicated content in newspapers

- Question 5 - Is the serial a newspaper that includes nationally syndicated comics or features?
  - *If YES, do a separate [copyright clearance check](#) for any comics or columns that have syndicate credits or copyright notices, or are from sources known to have been nationally famous (e.g., Disney, Tarzan, DC/National Comics, Marvel, or United Feature Syndicate.). CHECK. If all copyrights are cleared, then proceed to Question 6.*
  - *If NO, Go to Question 6.*
- Guidance – Check the entire issue for any comics or syndicated content. Then check early and late issues of the serial for the same.
  - *Examples: Disney, Tarzan, Garfield, Ann Landers, Dear Abby*
- Answer 5:
  - *NO (No comics or syndicated columns present.)*   



# Section 6: Reprints

- Question 6 - Does the serial reprint or condense material originating elsewhere?
  - *If YES, do a separate [copyright clearance check](#) for the original material that was reprinted in the issue you are interested in. CHECK. If all copyrights are cleared, then proceed to Question 7.*
  - *If NO, Go to Question 7.*

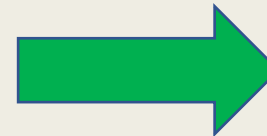


- Guidance

- *Scholarly and professional journals generally publish original content. Popular magazines may include some reprinted or condensed materials.*
- *Watch for “Digest” or “Best of” in the title.*
- *Check the article or the table of contents for reprint information.*

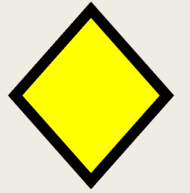
- Answer 6:

- *NO (No condensed or reprinted content.)*



# Section 7: Photographs and artwork

- Question 7 - Does the serial include images (photographs or artwork) with their own copyright notices?
  - *If YES, do a separate [copyright clearance check](#) for all images found with separate copyright notices. CHECK. If all copyrights are cleared, then proceed to Question 8.*
  - *If NO, Go to Question 8.*



- Guidance
  - *Check for any copyright notices on images (photographs or artwork) in the text.*
    - *“Photograph copyright” or “© <name>” would lead to further investigation.*

- Answer 7:   

- *NO (No copyrighted images found. Occasional images printed with permission.)*

# Section 8: First Renewal

- Question 8 - What is the earliest issue or contribution renewal mentioned for the serial, if any, in the [first renewals inventory](#)?
  - **CHECK.** *If no first issue or contribution renewal is mentioned for this serial, and the issue was published before 1950, then there was no issue or contribution renewal filed for that issue. Go to Section 11.*
  - **CHECK.** *If no first issue or contribution renewal is mentioned for this serial, and the issue of interest was published in 1950 or later, Go to Section 9.*
  - **CHECK.** *If a date is mentioned matching the date of the issue of interest, there was a renewal filed for it. STOP. The issue is most likely copyrighted. You cannot use it.*
  - **CHECK.** *If all the dates mentioned for this serial in the first renewals inventory are after the date of the issue, there was no renewal filed for it. Go to Section 11.*
  - **CHECK.** *If any of the dates mentioned are before the date of the issue of interest, there may have been a renewal filed for this issue. Go to Section 9.*

- Answer 8:

- *NO (No renewals found for this journal in the inventory. Published in 1949.)*
  - <https://onlinebooks.library.upenn.edu/webbin/cinfo/crafthorizons>



# Craft Horizons

## Copyright information

**Title:** *Craft Horizons*  
**Online content:** [Free online material via The Online Books Page](#)  
**First renewed issue:** no issue renewals found in CCE or registered works database  
**First renewed contribution in:** no contribution renewals found in CCE or registered works database  
**Page responsibility:** John Mark Ockerbloom (ockerblo (at) pobox (dot) upenn (dot) edu)  
**Last updated:** June 10, 2018  
**Machine-readable format:** [JSON](#)

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[Copyright registration and renewal records](#) -- [First periodical renewals](#) -- [Deep backfile knowledge base](#)

*Edited by John Mark Ockerbloom (onlinebooks@pobox.upenn.edu)  
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# Section 11: Researcher Notes

- Question 11 - Do you know of any research that indicates that the issue of interest would be under copyright despite appearances otherwise?

- *If you haven't done so already, check the [first renewals inventory](#) to see if there is any other information relevant to this journal that suggests the issue is copyrighted.*

- If YES, CHECK. Seek advice from an expert to determine if the issue is in the public domain.

- If NOT, STOP. **CONGRATULATIONS!** This issue is in the public domain. You can use it!



- **Guidance:**

- *If there are copyright notes unrelated to renewal dates in the [first renewals inventory](#), then consult with an expert.*

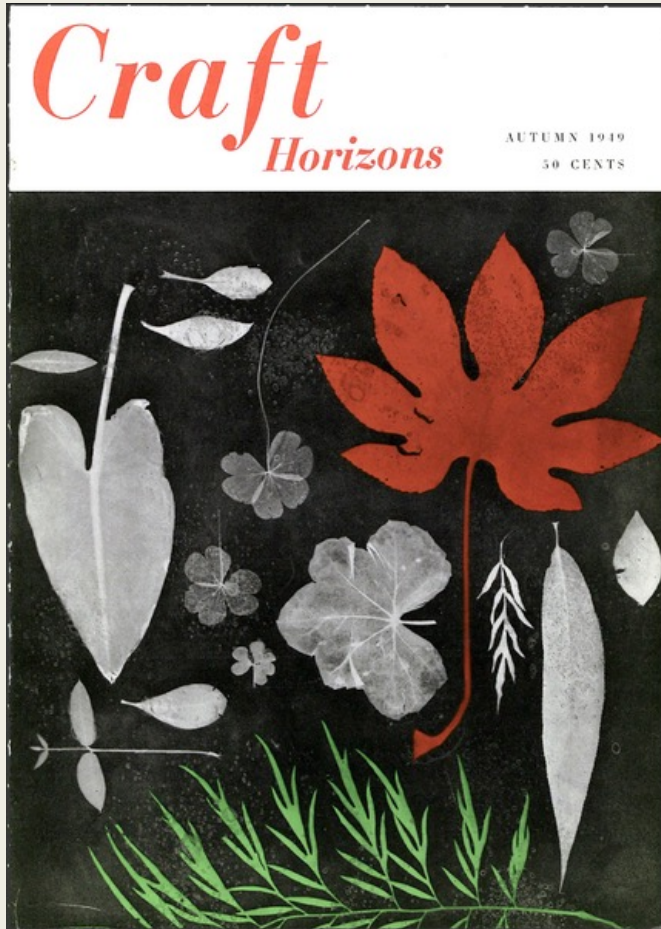
- **Answer 11:**

- *NO (No copyright notes found for this journal in the inventory.)*



- <https://onlinebooks.library.upenn.edu/webbin/cinfo/crafthorizons>

# Outcome: Public Domain



[Craft Horizons cover 1949 by Emile Norman](#)



**Success!** This issue was found to have no copyright renewal and therefore is in the public domain. You can use it!

Upload to Commons with the tag `{{PD-US-not renewed}}`

[Wikisalon PD Image Demonstration](#)

# For More Information

## ■ Copyright Resources

- [University of Pennsylvania Libraries Deep Backfile Project](#)
  - Decision Tree: [Determining Copyright Status of Serial Issues](#)
  - Additional Documentation: [Doing Serials Copyright Research](#)
- [Copyright Term and the Public Domain in the United States](#) (Cornell University Library)
- [Finding the Public Domain – Copyright Review Management System Toolkit](#) (University of Michigan)
- [PA Digital Rights Statement Selection Tool](#)

## ■ Demonstrations

- [Philadelphia WikiSalon Demonstration Archive](#)
  - [Adding a Public Domain Image to Wikimedia Commons](#)
  - [Adding Your Own Photo to Wikimedia Commons](#)

## ■ Join us at the monthly Philadelphia WikiSalon!

- Wikipedia: Meetup/Philadelphia - <https://en.wikipedia.org/wiki/Wikipedia:Meetup/Philadelphia>