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TEXT – spelling out clearances

What's this all about?

How long is a piece of text? What is it worth?

Like all things copyrighted, virtue stands in the middle — between the out-of-this-world value that the creator/owner places on three words that came out of their mouth, and the industry-led rate card that won't allow for more than XX pence to be spent per word.

And in licensing, as elsewhere, negotiation and common sense achieves more than legislation.

Why should I care?

The UK Government is currently discussing an exception to quotation that might affect the way we clear text (and affect the way we license quotations). The exception permits the use of a quotation from a work for purposes such as *criticism and review*. In one dimension this slightly narrows the current *criticism and review* exception by permitting use *only* for the purpose of quotation. In another it slightly widens it by allowing such quotations to be used for purposes other than, but similar to, criticism and review. In any case, what a quotation is and when reuse of text is to be considered 'quotation' is something the proposal doesn't bother to investigate, and that again brings on more doubt than it clarifies.

Conclusion

This however doesn't mean that quoting text (or music, for that matter) has suddenly become a free-for-all. The exception *only* applies when the use of the quotation is a "Fair Dealing" of the work, in accordance with current licensing parameters. Also, if an extract is greater than required for the specific purpose, the exception won't apply. No re-printing of all Quidditch chapters to illustrate sports rules in fantasy literature, then.

Those of you familiar with Zoid's research and licensing will be aware of our expertise in 3rd Party Rights and our experience in managing UK and US legal terms of "Fair Dealing" and "Fair Use", and these have change but little!

Please contact us for further information on text clearance services

Richard Philpott - ZOOID PICTURES LIMITED

Other related Zoid papers:

Copyright and IP + Due Diligence, Orphan works and Cheap Stock

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Demonstrating Due Diligence

Legacy & Integrity

Outsourcing, Offshoring & Outlaws

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Illustration and © Pitfalls

Digital Economy, Copyright and You

When Rights go Wrong

When the Right image is Wrong

Let's all do the 'Copyright Hub' ?

Exploring the musical jungle

Yet More Orphans

Sound Again – the echo of music rights

Get Animated!

Parody – it's a Rights larf!

Please call me on +44 20 7267 9990 if you would like to discuss any of the above

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