

Author Guide to Permissions

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What constitutes copyright?

Copyright provides exclusive rights to the creator of a piece of content regarding its use and distribution. Copyrighting affords legal protection against the unauthorized use of work belonging to copyright holders, who may range from authors, to publishers, artists, photographers, creators, and other parties.

- The publisher of a work is generally the copyright holder unless otherwise noted by the publisher or in work-for-hire agreements (in which case the author's employer may hold the copyright).
- Copyright is territorial, meaning that copyright in one jurisdiction does not necessarily extend beyond that jurisdiction.
- One's copyright here in the U.S. may not apply, or may be treated differently, in China (for example). Similarly, Sci-Hub is based in Kazakhstan, whose government isn't particularly interested in enforcing international copyright laws. There are some international laws that enforce copyright across jurisdictions, such as the Berne Convention and the Buenos Aires Convention.
- Copyright is time-limited; it generally expires 50-100 years after the end of the author's life. Generally speaking, if a work was published in the U.S. before 1923, then it is also in the public domain (see below)(<https://www.copyright.gov/circs/circ15a.pdf>). Content that is in the public domain does need permission. More information and guidance on public domain content can be found here: [Public Domain Confluence Page](#).
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What is permission and why is it needed?

Obtaining permission, or licensing, is the process of seeking legal consent from the copyright holder to reuse their content in your manuscript. In scholarly publishing, protected copyrighted material may vary from images of people to images of artwork or logos to excerpts of published and unpublished written works to music and lyrics, and more. It can also range from dissertations to screenshots of software or other programs to one's own work, if a copyright transfer agreement was transacted. If it does not belong to you, you can expect to need permission to use it in your manuscript.

In most cases, copyright owners will stipulate that the author specifically acknowledge the copyright holder(s) in the author's work. However, it's important to keep in mind that attributing the source and name of the copyright holder alone when reusing copyrighted material is not equivalent to having obtained permission. Additionally, in many cases where one may reuse content without having to pay a fee, it is still often required that you adequately acknowledge the source. It should also be noted that obtaining permission for several types of content will indeed cost the author a fee, though this varies from one case to the next.

Determining whether a work is copyrighted material is something the author should check prior to submission, and it is the author's responsibility to seek and obtain permission for any copyrighted material in his or her manuscript. Once you have received permission, please take the following steps:

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- Provide evidence of written (secure email correspondence is acceptable) consent from the copyright holder, licensing the author to use the content.
- Send all of these materials to the journal's Peer Review Coordinator.

Fair use

- Fair use is a legal doctrine that allows for the unlicensed use of copyrighted works, given that the user meets certain criteria (<https://www.copyright.gov/fair-use/more-info.html>):
 1. The purpose of the use (for example, is the material being used for commercial purposes? Non-profit, educational purposes?)
 2. Context of the copyrighted material (is it educational or technical in nature, and being used as a reference?)
 3. How much of the copyrighted work is being used? (The greater the amount of the work used relative to the size of the whole work, the less likely it is to meet fair use standards.)
 4. How much will the reuse of the copyrighted work impact the market for – or value of – the original work?
- Keep in mind that fair use relates most directly to copyright cases being litigated in court, so these criteria are fairly subjective, and it can be judicially risky to rely on the ever-evolving licenses of fair use, as the court may rule differently on a case-by-case basis, depending upon the subtleties involved with such cases.

Public Domain

- All creative works which are not subject to exclusive intellectual property rights – whether those rights have expired, been waived, or never existed – are in the public domain.
- Public domain status can vary between territories, based on different copyright laws and standards.
- Works with expired copyrights (published in the U.S. before 1923, or enough time has passed since death of author/creator) fall into the public domain; similarly, works created before copyright existed fall into the public domain (classical music, literature, and early silent films, for example).
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- The author must contact the copyright holder(s) and request written permission (an email is usually sufficient, too), in addition to fulfilling any associated financial obligations that may be a provision of being granted permission. The author will also be required to complete the APA permissions alert form (see below).
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When authors cannot obtain permission for reuse

If you are unable to obtain permission for the content you wish to reuse, you must appropriately adapt it (if possible), blur it out, or remove it completely.

A note on adaptation of works to make them eligible for fair use:

If you’re having difficulty securing permission, one option is to **adapt the work by 50% or more** so that it **appears clearly different from the original work**, i.e., reordering or changing some of the words in a phrase. Note that we still require permission for adaptations, as stated on our permissions form. If the original work is an image, you may adapt it with the following examples: cut part(s) of the image out, add more images (such as arrows or circles, especially when they obscure the original work), etc.

Replace the material with a generic, non-copyrighted or author-owned alternative (for example, if a test stimulus consisting of a copyrighted image is used in a procedural flowchart, the image can be replaced with an image taken or created by the author). The authors may be able to find a similar image that fits into their content from a database that has CC BY licenses which can be published. In the case of replacement, the editor must be notified and approve of the change.

Replace the material with descriptive language (for example, if a video shown to participants in a study is copyrighted, the authors may choose to simply describe the material rather than include it in the manuscript). Again, the editor should be contacted to approve of this change.

**Please see additional information and materials below:
Examples of Content That May or May Not Require Permission**

Google Images	<p>Most likely requires permission; expect to have difficulty finding original source and copyright holder. Not recommended for reuse.</p> <p>When searching for the original source for a Google image, first double click on the image. Through clicking on the image you'll be able to view where the image came from or who to contact. By clicking on the "Search by Image" link you'll be able to view where the image has been used for as well.</p>
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YouTube	Will require permission; expect to have difficulty finding original source and copyright holder. Not recommended for reuse. However, you can use a link to a YouTube video or any other content for free and without needing permission.
Facebook	Will need permission from several copyright holders and will have difficulty locating and securing permission from all of them. Not recommended for reuse. Blur out logos, faces, and other identifying imagery.
Instagram	Will need permission from several copyright holders and will have difficulty locating and securing permission from all of them. Not recommended for reuse. Blur out logos, faces, and other identifying imagery.
Logos/brands/product placement	Will likely have difficulty securing permission or will have to pay a large fee. Not recommended for reuse. However, thumbnail images of logos/brands/products are permitted.
Photos from Getty	Editorial photos from Getty are usually okay to use in your manuscript (always check), as long as you cite the source; creative photos are a more complex process that will likely involve high fees.
If a person is not identifiable in a photo	You do not need permission. However, be sure to look for identifying markers, such as tattoos or body modifications. If the person is wearing a shirt that has a logo or an artist-created design (for example), you should blur it out.
Photo releases – Any image in which a person's face is identifiable	Requires permission from that person or (if the subject is a minor) that person's legal guardian to publish their likeness. However, if it can be determined that there was no expectation of privacy when a photo of someone was taken, then this can justify not needing permission.
Photos of the deceased	You cannot receive permission to publish these images, unless you have permission from the deceased person's estate.
NimStim Face Stimulus Set	Only models #01, 03, 18, 28, 40, & 45 may be published, and these may only be published in scientific journals (such as APA journals).
The Karolinska Directed Emotional Faces (KDEF)	<p>KDEF stimuli may be used without charge for non-commercial research purposes only. Any re-distribution or publishing will need written consent from copyright holders, Karolinska Institutet, Department of Clinical Neuroscience, Section of Psychology, Stockholm, Sweden.</p> <p>Within the article, authors must reference the KDEF image as:</p> <p>Lundqvist, D., Flykt, A., & Öhman, A. (1998). The Karolinska Directed Emotional Faces – KDEF, CD ROM from Department of Clinical Neuroscience, Psychology section, Karolinska Institutet, ISBN 91-630-7164-9.</p>
Radbound Faces Database (RaDB)	<p>Pictures from the Radbound Faces Database can be used in "strictly scientific publications": https://rafd.socsci.ru.nl/RaFD2/RaFD?p=main</p> <p>Under FAQ (https://rafd.socsci.ru.nl/RaFD2/RaFD?p=faq):</p> <p>"Am I allowed to use the RaFD faces in publications, e.g. journal articles or presentations about my research?"</p> <p>Yes, in strictly scientific publications RaFD images can be presented as stimulus examples. If you want to use RaFD images in public media, you need to contact us at info@rafd.nl.</p> <p>"How should I refer to the database in my publications?"</p> <p>Langner, O., Dotsch, R., Bijlstra, G., Wigboldus, D.H.J., Hawk, S.T., & van Knippenberg, A. (2010). Presentation and validation of the Radboud Faces Database. Cognition & Emotion, 24(8), 1377–1388. DOI: 10.1080/02699930903485076"</p>

FACES Database	<p>Photographs within the FACES database are not permitted for any type of publication. However, exempt from these rules are the following images 004, 066, 079, 116, 140, and 168 for research related publication.</p> <p>All articles are required to acknowledge the use of the FACES database by citing the references below:</p> <p>Lindenberger, U., Ebner, N. C., & Riediger, M. (in preparation). <i>FACES—A Database of Emotional Facial Expressions in Young, Middle-Aged, and Old Women and Men: I Description</i>. Unpublished manuscript, Max Planck Institute for Human Development, Berlin.</p> <p>Ebner, N. C., Riediger, M., & Lindenberger, U. (in preparation). <i>FACES—A Database of Emotional Facial Expressions in Young, Middle-Aged, and Old Women and Men: II Norms</i>. Unpublished manuscript, Max Planck Institute for Human Development, Berlin.</p>
CHICAGO FACE DATABASE (CFD)	<p>The CFD can be used free of charge for non-commercial research purposes only. The database materials cannot be re-distributed or published without written consent from the copyright holder, the University of Chicago, Center for Decision Research.</p> <p>Database materials should be referenced as follows:</p> <p>Ma, Correll, & Wittenbrink (2015). The Chicago Face Database: A Free Stimulus Set of Faces and Norming Data. <i>Behavior Research Methods</i>, 47, 1122-1135.</p>
Interdisciplinary Affective Science Laboratory (IASLab) Face Set	<p>The IASLab Face Set is available for research purposes only. Only images whose face ID is F14 or F31 can be published within academic papers or reports. Permissions for any other faces will be granted on a case-by-case basis. Authors will need to contact IASLab.FaceSet@gmail.com for permission.</p> <p>All published articles that use the database will need to acknowledge the face set as a footnote within their article.</p> <p>"Development of the Interdisciplinary Affective Science Laboratory (IASLab) Face Set was supported by the National Institutes of Health Director's Pioneer Award (DP1OD003312) to Lisa Feldman Barrett. More information is available online at www.affective-science.org."</p>
Amsterdam Facial Expression Data Set (ADFES)	<p>The ADFES is freely available to researchers for scientific purposes. No commercial use of the set is permitted. Publishing of stimuli are allowed after authors obtain written consent from the site's producers. Authors will also need to cite the stimulus set with the following reference below.</p> <p>Van der Schalk, J., Hawk, S. T., Fischer, A. H., & Doosje, B. J. (in press). Moving faces, looking places: The Amsterdam Dynamic Facial Expressions Set (ADFES), <i>Emotion</i>.</p>
Bochum Emotional Stimulus Set (BESST)	<p>The BESST would prefer authors to cite their images as the following below:</p> <p>Thoma P., Soria Bauser D., Suchan B. (2012). The Bochum Emotional Stimulus Set (BESST) - A pilot validation study of a stimulus set containing bodies and faces from frontal and averted view. <i>Psychiatry Research</i></p>
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Emojis	Freely-licensed emojis include Twitter "Twemoji Library", Google's Noto-Emoji, Emojidex, and EmojiOne (free and paid site).
Identifiable voices, such as Siri	You do need permission, which is a difficult and costly process. Not recommended for reuse.
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