

c. Poet

My name is _____. I am the author of the following poems written in the Z language: [list by title]. I hereby give Cathy Cantor the exclusive right to translate these poems into English, to publish the English translations, to post them on the web, or to use them for other educational or scholarly purposes. I also give Ms Cantor permission to use the language Z originals of my poems in scholarly works, but only if they are accompanied by the English translations. I hereby acknowledge receipt of \$200 as payment for the transfer of these rights.

Note that I retain copyright in these poems and that this transfer of rights only belongs to translations into English. I reserve rights over translation into Spanish or other languages, and I also reserve full rights to publish or perform my original poems in language Z here in Peru or anywhere else in the world.

Signed _____ Date _____

II. Copyright Permission (non-exclusive licence) (can be oral, e.g. on a tape recorder, or can be written)

d. Traditional storyteller (oral permission)

My name is _____. I am a tailor by trade. I live in psq quarter in abc town. I am about to recite [or I have just recited] a number of stories into a tape recorder for Donald Deutsch. I hereby give Mr Deutsch permission to write these stories down, to translate them into any other foreign language, and to make use of the stories in the original or in translation in his studies of our language.

[If this statement is made in the original language, it is best to have a translation provided on the tape, although a separate translation note added later will do.]

p. 456 e. Educated friend (informal written permission)

To Evelyn Edwards from your friend Jacques Junaidu. As a former classmate at UCLA, I am happy to allow you to use my autobiography written in language G in your PhD dissertation and in any other studies of the language that you might write. However, (a) I do not want you to deposit the autobiography in any archive since I may want to do that here in Yaoundé; and (b) in exchange, if you should translate the autobiography into English, I would expect you to provide me with a copy of the translation and allow me to attach it to my original version for my own scholarly and personal uses.

Signed: Jack

Notes

- 1 In preparing this chapter, I was extremely fortunate to have received detailed comments and constructive suggestions from Ms Brigitte Vézina, an intellectual property expert who works with the World Intellectual Property Organization (WIPO). I would like to express my utmost gratitude to her for her careful reading of my paper and her incisive observations. Nevertheless, the opinions, interpretations, and substantive statements about copyright law expressed in this chapter are my own. Neither Ms Vézina nor WIPO endorses nor should be held responsible for anything said here.
- 2 This does not prevent native speakers or well-intentioned linguists (e.g. Maxwell 2004) from making such claims, nor does it prevent fearful publishers from giving in to threats and pressures from language-speaking communities; see e.g. the unfortunate story in Hill (2002). But from the perspective of American copyright law, these claimed rights are more accurately characterized as social *interests* and cultural *concerns*, and not legal rights. Of course traditional peoples do have a valid interest in protecting their 'intangible cultural heritage' from exploitation by the rich and the powerful, but