

# The MIT Press

## Guidelines for Fair Use of Our Publications

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However, to simplify and streamline the permissions process for MIT Press materials, we have adopted the following guidelines for uses that may be made of those materials without seeking our permission, regardless of whether in particular circumstances an argument might be made that the use concerned is not a fair use. As stated in our fair use guidance for our own authors, no hard and fast numerical rules define the limits of fair use, and what follows is not intended to suggest any such rules or limitations. The following parameters are simply a safe harbor; if your use falls within them, you don't need to ask MIT Press for permission or undertake any fair use analysis. Please note that these parameters apply to the use of text only; The MIT Press has not adopted any similar parameters for the use of figures, charts, or other graphic material.

### I. Types of Uses Eligible under These Guidelines

These guidelines deal with only the following traditional forms of scholarly use in publications:

1. quotation for purposes of criticism of, or commentary on, the quoted text;
2. quotation for purposes of buttressing or defining the user author's own argument, or establishing connections between that argument and prior scholarship; and
3. quotation for illustrative purposes, i.e., giving examples of a principle, phenomenon, etc., discussed by the user author.

Other uses such as in coursepacks, e-reserves, or anthologies, are outside the scope of these guidelines.

These guidelines apply to uses in both print and electronic media.

### II. Works Subject to these Guidelines

For the sake of simplicity, we use the term "Source Work" in these guidelines to apply to each of the following:

- Each MIT Press monograph;
- Each chapter in an edited MIT Press volume;
- Each article in an MIT Press journal; and
- The aggregate of other material that may appear in any given MIT Press book, any issue of an MIT Press journal, or in any MIT Press internet-based compilation such as CogNet,

whether in print or electronic media.

Note, however, the following exceptions.

1. These guidelines do not govern material used in the Source Work for which MIT Press or an author obtained permission from a third party, as identified by credit line or in footnotes or endnotes.

2. If a chapter in an edited volume, or an article in a journal, carries a separate copyright notice in a name other than that of MIT, it may be outside the scope of these guidelines and you should send us an inquiry on that point. (Contact information is given at the end of this document.)
3. The MIT Press does not necessarily own foreign language rights in works it has published. If your use requires translation from the English language, you should send us an inquiry as to whether we control the relevant foreign language rights.

### **III. Quantitative Parameters**

To qualify under these guidelines, a use must fall within all of the following quantitative parameters:

1. It must reproduce no more than 500 words, in the aggregate, from a given Source Work;
2. It must reproduce no more than 5 percent, in the aggregate, of that Source Work;
3. It must constitute no more than 5 percent of the new work in which it is being used; and
4. It must not reproduce any complete poem or other self-contained literary work.

These guidelines are cumulative: a use must comply with all of them to be within the safe harbor of these guidelines. Thus, for example, if you are quoting an MIT Press monograph in a journal article, your quotation must not include more than a total of 500 words from that monograph; in addition, the quoted words must not constitute more than 5 percent of the monograph or more than 5 percent of your article.

### **IV. Qualitative Parameters**

Any use that meets the above parameters must also conform to the following requirements to qualify under these guidelines:

1. Except for elisions, it must reproduce the original material verbatim.
2. Any elision must not change the sense of the original.
3. The quoted material may not be set apart from the text of the new work (e.g., in a “box”), so that it stands alone rather than being incorporated in the statement made by the user’s text.
4. The quoted material may not be used on the cover (or electronic analog) of the user’s work, or in marketing or promotional materials.
5. The Source Work must be cited in a manner that conforms to good scholarly practice.

### **V. “Downstream” Rights of the User**

Provided that the use of a Source Work complies with these guidelines, the user and his/her publisher may license third parties to reproduce the Source Work material *in the context of* the user’s own text, but not otherwise.

### **VI. To Request Permission or Clarification**

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