

Dear Newsletter Subscriber:

You made an important decision when you invested in the vital information that a subscription newsletter or specialized-information product offers you. I am sure you will be satisfied with your new subscription.

This brochure has been published in an effort to educate you about copyright laws. Newsletter publishers are dedicated to providing you the best possible information on a timely basis — they are experts in their fields.

My personal advice in dealing with the copyright laws is to act as you would in your personal life: treat others the way you would want to be treated. If you were a publisher and spent a large amount of money out-of-pocket to ensure that all subscribers were given the highest-quality publications, how would you feel about your product being “stolen” by the copy machine, or “counterfeited” through unauthorized e-mail forwarding?

Newsletters, like many other products or services, are produced at great expense and effort. They deserve to be treated with the same respect as other print, audio and visual media.

Please think twice before forwarding an electronic newsletter by e-mail, posting it to an intranet or the Internet, or photocopying a conventional newsletter — and then don't do it unless the use is one the law permits. If in doubt, call the publisher and ask for permission. Thank you.

Sincerely,



Henry M. Greene
Executive Director, SIPA

Specialized
Information
Publishers
Association



**Proud protectors of copyright laws
for publishers of newsletters and
other specialized information.**

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WRONG**

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The Specialized Information Publishers Association (SIPA), representing publishers of more than 3,000 subscription newsletters and other specialized-information services, welcomes you to the world of newsletters.

Subscription newsletters provide businesses and consumers with specialized, accurate and up-to-the-minute information and analysis of developments and trends in a particular niche. Unlike widely circulated newspapers and magazines, most newsletters eschew advertising in order to better maintain their editorial integrity.

Without revenue from advertisers, most newsletter publishers depend solely upon subscription sales for income. Each time a newsletter is photocopied or forwarded by e-mail, it cuts into the publisher's profits. It is almost always against the law.

Many of you are not familiar with today's copyright laws, so we have written this brochure in an effort to educate you on what is legal and what is not.

"I can't tell you how many times I've sat next to someone on an airplane who was reading a newsletter that had been photocopied — cover to cover," said Jay Brown of Levine Sullivan Koch & Schulz, L.L.P., SIPA's First Amendment and copyright counsel. Yet cover-to-cover photocopying of copyrighted newsletters is NOT LEGAL, nor is it legal to forward an electronically delivered newsletter by e-mail without permission.

Think of what the software industry has taught us. By law, each computer in your office needs its own paid-for software — you can't just buy one copy and put it on everyone's computer in your office. The same is true of newsletters.

Newsletter publishers are protected by the same laws as software developers — the federal Copyright Act (17 U.S.C. § 101 et seq.). Following is a list of what is legal and what is illegal:

What you CAN do:

- Route the original of the newsletter to anyone in your office.
- If you have purchased your newsletter in electronic format or on a disk, you are permitted to have one copy of that newsletter on your computer at any time (you can't put it on a network unless you purchased a license to do so). If you have paid for more copies, then you may have that many copies on computers at any time. Electronic transmission of a copyrighted work in-house or online is the legal equivalent of photocopying it (and so is posting it to an intranet or an in-house electronic database).
- Copy, on an occasional basis, a single story or article and send it to a colleague.
- If the newsletter to which you subscribe is registered with the Copyright Clearance Center (CCC), you can comply with the copyright laws by paying a royalty on copies you make of articles from your newsletter. But not even the CCC can authorize cover-to-cover photocopying or wholesale electronic forwarding of newsletters; the CCC cannot authorize any copying of newsletters that haven't been registered with it. For more information, call your newsletter publisher or the CCC at (978)750-8400.
- Take advantage of multiple subscriptions, often at substantial discounts. Call your publisher to inquire about details.

- If you want to distribute copies of your newsletter to others in your company on a regular basis, ask your publisher about a site license. You may be able to negotiate an agreement, for a single fee, that would enable you to legally distribute photocopies or electronic copies to others in your company.

What you CAN'T do without prior permission:

- Make or forward e-mail copies of an entire issue of your newsletter. The law provides for a very limited amount of copying, commonly referred to as "fair use." However, cover-to-cover photocopying is forbidden.
- Routinely copy and distribute portions of your newsletter.
- Republish or repackage the contents of your newsletter.
- Many publishers have found that some subscribers have been routinely copying their newsletters for many years. In an effort to be fair to subscribers who don't violate copyright laws, some publishers have resorted to law suits to protect their newsletter properties — and have won six-figure settlements.

SIPA would like to eliminate the need for such suits by helping to educate newsletter subscribers. We hope this outline of what's legal and illegal is a good resource.

Most publishers understand the problem of illegal copying from both sides and are willing to work with you. We have mentioned some of the ways publishers do this. For more details on your options, please call the publisher of your newsletter directly.