



The Revised Communicator's Guide to
Copyright

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Research & publication



Copyright: what does it mean for magazines and newspapers?

Let's be honest: whatever age you are, whether you grew up in the era of print media or digital, few of us have ever really given any thought to the issue of copyright for either magazines or newspapers. We might have favourite journalists or columnists, marvelling at their acerbic wit, their ability to skewer pomposity or their intellectual rigour. We might find that our political views are influenced by their editorials or that our knowledge of foreign issues derives entirely from their insights. We follow their interactions on social media and watch them spar in topical debates on television shows.

We would be outraged on their behalf if another journalist at a rival publication were to simply lift their words and reproduce them as their own. Surely, that is plagiarism, we would cry. They should be protected against that.

And yet, while we can see the crime in plagiarism, we might think nothing of photocopying that same article and distributing it across our organisations, so that others may view that journalist's wisdom. But in doing so, we unwittingly become guilty of copyright infringement.

Publishers own both print and online content. It is their intellectual property, their copyright. They have invested heavily in training young reporters, recruiting thought-

provoking columnists and maintaining a team of knowledgeable journalists with extensive networks of contacts who provide up-to-date news and insights. If people started to share one copy of a publication within their circle of friends and associates, the economics of publishing would soon unravel and standards of journalism, which despite recent scandals are still viewed as among the best in the world, sharply decline. But if they started to photocopy a selection of articles for distribution on a regular basis, then they could undermine the foundations of the publishing industry.

Copyright law is a right enshrined in the Statute of Anne, which dates back to 1710, when protection was given to both printers and authors against unlicensed copying. But today published content (both online and print) is protected by the Copyright, Designs and Patents Act 1988, and its subsequent amendments, which, at its most basic, says that if any commercial organisation wishes to reproduce an article, it requires a licence or permission from the relevant magazine or newspaper. Quite simply, it is an offence to copy original content without such permissions.

Understanding copyright law is therefore fundamental to working in public relations, and in particular media relations,

where success is often associated with press coverage. From the very moment that just one press cutting or an online article is reproduced (either in print or digitally) and distributed within an organisation, copyright has been infringed if that organisation has not acquired a licence from NLA media access or the relevant publisher's permission.

It may not even be intentional. Your chief executive or client features in an article and, keen to share this success, an enthusiastic colleague circulates the coverage to the entire organisation. More than 1,000 colleagues have been sent the piece. It generates tremendous interest internally, but at the same time your company has breached copyright.

It may seem like a victimless crime, but it's not. Quite simply, the publishing industry is entitled to a return on its investment in journalism. Secondary licensing revenue from NLA is a small but valuable revenue stream at a time when advertising fees and circulation rates are falling. In 2014, the revenues generated by NLA media access were roughly equivalent to the salaries of 1,300 journalists. That's 1,300 people who might not be in work without this revenue stream.



What is NLA media access?

NLA media access is the guardian of newspaper and magazine copyright within the UK. It was established in 1996 by eight national newspaper publishers to protect their copyright through a collective licensing scheme. It also plays a role in educating the marketplace of their legal obligations.

Today, NLA's remit covers 2,800 newspaper and magazine titles, more than 2,000 web titles and represents 235 publishing groups. NLA also works closely with the media monitoring industry to provide the most comprehensive database of publishers' content and deliver it in the formats that their clients demand. NLA offers a range of licences, to suit every requirement, which permit holders to reproduce this content with ease, confident in the knowledge that they have fulfilled their legal obligations and that publishers will be rewarded for their investment in journalism.

It is important to remember that NLA media access was established to make copyright licensing easier for the marketplace. Prior to its inception, organisations that wished to copy articles for internal (or external) distribution had to contact each publisher in turn to gain

permission. This could be a lengthy and costly process as each publisher has the right to set its own charges. But this informal structure also impacted the publishers, as organisations might be unaware of their legal obligations and copy without paying any charge.

NLA's tagline is *Supporting journalism*, and 80 per cent of licence fees raised by NLA media access are returned to the publishers to be reinvested into the industry.

NLA services for PR and monitoring agencies

In addition to licensing, NLA media access has invested more than £22 million in proprietary database systems, such as eClips and eClips Web, that allow media monitoring agencies to access NLA represented content speedily and in an easy-to-use format. It is no longer necessary for media monitoring agencies to scan large volumes of articles. Instead, they can provide a reproduction by PDF and additional information, such as page number or position on the page, to offer a better indication of the article's impact.

The systems also provide a facility to host archives, which allow organisations to access articles in digital

format for one year. There is even a pay-per-use service, www.clipsearch.co.uk, that provides access to the full content of more than 140 newspapers, dating back almost ten years to 2006, which allows clients to download articles in exactly the same format and design as they first appeared.

NLA's eClips Web service allows media monitoring agencies, and news aggregators, to deliver articles to clients within ten minutes of their appearance online. In today's 24/7 news environment, when a small article can gain currency almost instantaneously, such a feature allows clients to adapt media strategies in real-time to ensure that key messages are being understood or to enact a crisis management plan to tackle any misunderstandings or rumours.

NLA Article Impact Measurement (AIM) offers public relations and communications professionals access to a rich source of previously unavailable audience data on the coverage generated on UK national newspaper websites. It brings together publisher page view data and social media statistics at the article level into a single measure of PR impact.



IT'S ABOUT MORE THAN PUBLISHER ROYALTIES AND LICENCE FEES

With NLA's tagline *Supporting journalism*, it is clear that protecting and nurturing the media is at the core of the organisation. Guided by its founding publishers, NLA has funded initiatives to support the industry and those who work within it while also supporting charitable foundations in their endeavours.

Ten years ago the National Council for the Training of Journalists (NCTJ) established the Journalism Diversity Fund with a donation from NLA of £100,000. Since then, the NLA has donated almost £1 million to fund the training of journalists from ethnically and socially diverse backgrounds, offering them the financial means to support themselves on a course accredited by NCTJ as they equip themselves with the requisite vocational skills.

Bursaries are awarded four times a year, and more than 175 aspiring journalists have been supported by the fund as they take the first steps on their career path. Past recipients have since gone on to enjoy varied careers across regional and national newspapers and broadcast outlets, such as Sky and BBC.

Those who achieve the NCTJ Gold Standard are eligible to apply for the fund's internship scheme, which offers recipients a one to three month work placement at a regional newspaper in order to gain hands-on experience and a cuttings book to accompany their curriculum vitae.

NLA is also keen to support other charities. All 1,200 charities that NLA license receive a discount on their fees – regardless of their size – which is worth up to £400 per year, depending on their media coverage. And some 200 small charities are eligible for a free licence.

NLA licences offer

- Cover for copying and sharing of print and online articles among staff
- Confidence that you are meeting your obligations under copyright law
- Protection against copyright infringement
- Assurance that copyright owners are receiving payment for their work
- Cover for re-publishing of articles on a corporate website or social media corporate site

If you are still uncertain as to whether your organisation requires a licence, simply answer the following questions:

- 1 Does your organisation monitor newspapers and magazines, for articles relating to your business, industry or competition and copy and share those articles among staff?
- 2 Does your organisation circulate articles electronically on a company intranet or an email?
- 3 Does your organisation receive press cuttings from a press cuttings agency or a public relations agency?
- 4 Does your organisation receive links to online news from a news aggregator?
- 5 Does your organisation re-publish articles from either newspapers or magazines on your organisation's website or in social media?

If you have answered 'yes' to at least one of these questions, then the likelihood is that you will need a licence from NLA media access.

More than 9,500 organisations, across national and local government, business and the not-for-profit sector, are licensed with the NLA for the convenience and peace of mind this gives them with respect to copyright compliance.

NLA now covers more content

As a PR professional, it's likely that your brief to your media monitoring agencies includes both news and magazine titles. That's why in 2013, NLA extended its magazine licensing to include key titles monitored in tandem with newsbrands. A single licence from the NLA now includes cover for more than 1,000 magazine brands and, in the main, the structure of licence fees mirror those of newspapers, with premium magazine titles charged at a higher rate.



What licence is suitable for your needs?

NLA offers a variety of licences to suit every requirement because every PR agency or organisation will have different needs. The first question NLA is often asked is whether it is necessary to purchase a NLA media access licence if your organisation already employs the services of a media monitoring agency. And the answer depends on what your organisation does with the cuttings provided. If just one person – the designated recipient – looks at the coverage on a screen and does not forward, print or share those contents then no. That's because the media monitoring agency pays the NLA for the first copy of any article they deliver to clients. In this example it is not necessary to purchase a licence from NLA media access. But, let's be honest, after going to the trouble of paying for a media monitoring agency's service, it's not likely that an organisation is going to rely on one person to email the coverage and then email everyone *Great news, guys, we're across every single front page today. I can't show you any of it, obviously, but you should be proud! or Nothing today, please try harder.*

As part of their terms and conditions, all licensed media monitoring agencies must provide NLA with a monthly report on all copying activities for clients, and register all digital users. They are also obliged to restrict access to web portals via unique usernames and passwords. They are also subject to an annual audit by NLA media access. It's likely that clients of a media monitoring service will need additional licences for the use they wish to make of the content.

PR agency licences

Any PR agency that copies from both printed and online NLA media access publications requires a licence, which comprises two elements:

- 1 Basic licence
- 2 Client copying

Basic licence

A PR agency that copies articles for their own internal use will require a basic licence. This gives them the right to 'occasionally copy' all national newspapers, with the exception of the *Financial Times*.¹ An 'occasional copy' could range from photocopying or printing articles to scanning and emailing articles to colleagues.

The fee for the basic licence is dependent on either total headcount or turnover. An agency employing 20 employees with an annual turnover of £500,000 would

¹ The FT licenses digital copying directly. NLA retain the mandate for paper copying.

pay £239 for its basic licence, while one employing 11,000 staff with annual revenues of £100 million would pay £1,872. The basic licence fee is a fixed element of the licence.

Client copying

The client copying extension to the basic licence grants permission to supply clips to clients. It varies according to the number of clients being supplied, the format in which content is delivered and the number of publications included. The minimum client copying fee is £82 per client, which allows an agency to send paper copies of each article. If the client would rather receive its coverage via email, there is a fee per registered email address. The minimum charge per client email address is £154 for either print or web coverage or £165 for print and web coverage.

Additional cover can be built into the client copying licence to cover regional newspapers and magazines.

The client copying element of the licence fee is flexible, and will be dependent on client activity at any time.

Business licences

An organisation that copies content from both printed and online NLA media access publications for distribution among employees will require a business licence, which comprises two key elements:

- 1 Basic licence
- 2 Frequent copying

Basic licence

This licence provides cover for the occasional copying of both printed and online versions of national newspapers as well as a maximum of five regional newspapers. The licence fee is dependent on either an organisation's headcount or its annual turnover. A pricing matrix at www.nla.co.uk carries every possible variation to illustrate the level of fee charged. For example, an organisation may generate annual revenues in excess of £2 billion, employ 600 people and wish to reproduce all national newspapers plus five regional newspapers, in which case the fee would be £1,010 per annum. However, another organisation may also generate annual revenues in excess of £2 billion and wish to reproduce all national newspapers plus five regional newspapers but employ more than 200,000 staff, in which case the basic licence fee will be £8,285. In the first case, though its revenues were significant, the organisation's headcount came into play and reduced the basic fee. In the second case, the revenues were also significant as was the headcount, which increased the fee.

It is possible to include a greater volume of regional and magazine titles in the licence to meet your specific organisational needs.

Frequent copying

The basic licence fee does not allow an organisation to distribute content widely across its workforce, for example, in the form of a daily press alert, or share positive coverage on the company intranet. In order to use this content more widely or more creatively, a frequent copying licence is required which comes in a variety of forms.

1 Frequent paper copying

This allows an organisation to reproduce a set number of paper copies of each article. It is currently charged at the rate of 4.4p per copy for both magazines and newspapers. Premium magazine titles are charged at 8.8p per copy. The annual fee is calculated by NLA using data from clients on the number of articles copied over a two week period. This is converted into an annual volume and multiplied by the per copy fee. So an organisation reproducing ten articles per fortnight to distribute among 20 people would be charged an additional £228.80 [4.4p

X 10 X 20 X 26 fortnights in the year] on top of the basic licence fee.

2 Frequent digital copying

This allows an organisation to scan and email articles to employees, place articles on the company intranet and enables staff to access articles via a media monitoring service. Organisations can opt for a variable, fixed or universal tariff.

The variable option is suitable for the majority of organisations. It is currently charged at a rate of 11p per copy up to a maximum of 75,000 copies, thereafter dropping to 9.8p. Again, the annual fee is calculated by NLA media access, using data from clients and where relevant their media monitoring organisation to determine the annual volume of clips which is then multiplied by the per copy fee.

The fixed option allows organisations to make content available to a select number of staff, perhaps business heads, the communications team and the executive board. This option affords organisations control over their costs. It allows up to 10,000 permitted users, and has two parts – newspapers, which has a limit of 500,000 digital copies per year, and magazines, with an annual limit of 65,000 digital copies.

The universal option allows unlimited access to newspapers and magazines within an organisation, and is calculated on the number of employees.



In the past few years, NLA media access has introduced two new licences

Corporate Website Republishing Licence

This licence grants organisations the right to re-publish multiple articles from both print and online publications about their company or products to their customer-facing websites. Permitted re-publishing formats include scanned copies of printed articles, full text, or text extracts with a link to the original article. It's a cost effective and efficient means for organisations to get clearance for online re-use of positive press coverage. Licence fees are based on company size and the number of articles. Prices start at £162.00 for a small company wishing to re-publish one article.

Web End User Licence

This licence grants organisations permission to receive alerts and links to content on publisher websites from a licensed media monitoring agency or web aggregator. Fixed and variable tariff options are available.

This is the licence that was subject to a series of legal cases. For more details on the outcomes and what this means, please see the Q&A section on pages 8-9 of this guide.

Licences start at £108 for a first time licensee with five staff and one user of the service, accessing online newspaper content.

ACCESSING THE FINANCIAL TIMES

Since 1 July 2010, the *Financial Times* has changed the way in which the newspaper's online and print content is licensed to external organisations. While the mandate for reproducing FT content remains with NLA media access, permission for digital access to the *Financial Times* and **FT.com** requires the purchase of an FT Corporate Licence. More than 2,500 organisations globally have signed up.

The Corporate Licence enables a specified number of users, but no fewer than ten, within an organisation to access FT journalism via a range of platforms, such as desktop, mobile phones or tablets. The FT also licenses media monitoring agencies and news aggregation platforms to access its service, in order that they can provide a more complete analysis of each day's media coverage to a specified number of recipients. However, they can only supply FT content to organisations that have paid for a Corporate Licence and, because NLA media access retains duplication rights, these organisations will also need a newspaper copyright licence.

Media monitoring agencies and news aggregation platforms can alert organisations not in possession of an FT Corporate Licence that they have featured in the *Financial Times* and provide a link to that article. However, in order to view these articles, it is necessary to subscribe to **FT.com**. There are a variety of subscription options available, and currently a Premium subscription is necessary to view print versions of articles. Organisations are only allowed to purchase up to nine subscriptions: any more, and they are obliged to buy an FT Corporate Licence.

Users who have not purchased a subscription or Corporate Licence are only permitted to view three online articles a month, a number which is subject to change, after they have registered their details.

* All prices quoted are those effective from April 2015 to March 2016.

Is there anything to stop my agency employing a graduate to buy the publications and cut out relevant articles about our clients?

No, although it does seem a rather old-fashioned, time-consuming and costly way of working. Surely your graduate would be better employed serving your clients' needs? It would certainly improve their job satisfaction. And there are risks with such an approach if the original is copied, which may mean your agency (or your client) unintentionally infringes copyright.

First, it would be necessary to buy sufficient copies of each publication to cover each client – and let's not even consider where an article is on both sides of the same page – because the moment that your agency produces even one copy of an article, it is breaching copyright law. If your client decides to reproduce the copy provided for internal or external distribution, they are also breaching copyright law. Frankly, this approach could lead to quite a hefty newspaper bill and a constant legal headache.

Second, newspaper pages are often reconfigured between editions. Your client's article might start small on page four, but by the final edition could well be the front page splash. How do you ensure that your graduate doesn't miss each variation? Following the development of a story can provide a vital lesson in media relations.

Third, while it may be easy for your local newsagent to supply national newspapers and some key local titles, they may find it harder to get timely access to regional publications. Some clients may be more concerned about how a story plays out in the environs of their head office than across the national media; will you send another graduate trainee on a train to gather all those copies? What if you missed a small story in the *Merseymer* or the *Radio Times*, for example, that got picked up on by other media and swiftly developed into a nationwide issue for your client?

We haven't even discussed how your graduate trainee will manage to capture the raft of coverage on websites. With the best will in the world, they would have to be truly exceptional to capture each online article within ten minutes of publication, as is the case with NLA's proprietary eClips Web service, and if they print just one article for distribution, the spectre of licensing raises its head. Both News UK and *Financial Times* have now put their online content behind paywalls, which could mean your graduate trainee has large gaps in their work.

Quite simply, there are myriad difficulties with this approach. Would you also keep copies, for example, so that if a client wanted a piece dating back to 2010, you would be able to produce it? NLA's pay-as-you-use service,

clipsearch.co.uk, holds in excess of 70 million articles from more than 140 newspapers dating back to 2006.

I'm confused. I thought there had been a court case that meant that licences were no longer required to copy online content.

We can understand your confusion; there has been a lot of speculation and misinformation about the situation. However, any organisation that receives an online media monitoring service that reproduces or copies the online content of newspaper and magazine publishers does require a Web End User Licence. In fact, the court cases served to clarify the publishers' legal entitlement to claim copyright for online content.

Why should publishers charge for online content? Isn't the Internet free?

The Internet is indeed a free resource, but that does not mean that the cost of producing content for the Internet is free. Publishers have invested millions of pounds in their online sites, to produce up-to-the minute content to interest their readers. It is no longer simply a matter of reproducing the print version online. Instead, publishers have created bespoke online hubs and employed journalists simply to produce unique online content.

Online readership now overshadows print readership. For example, *The Daily Mail* was read by more than 1.6 million every day in January, but *MailOnline* is now the world's biggest news site with more than 13.9 million unique visitors daily, according to media analysts Newsworks. Similarly, *The Guardian* has almost seven million readers of its online coverage every day, but just 200,000 or so people read the print version. Indeed, *The*

Guardian's online version had almost 121.7 million unique visitors in January, which is almost 35 per cent higher than the same month one year earlier, implying that online readership is rising at a time when print readership is falling or stagnating.

It is therefore not surprising that publishers are investing heavily to meet these demands, and ensure that the online version of their publications is up-to-date and informative. NLA estimates that more than 60 per cent of online content is unique and does not also appear in print. Similarly, not all articles that appear in print are reproduced online.

The vast majority of readers viewing articles online do so as private individuals, and, with the exception of a handful of publishers, such as News UK and *Financial Times* who have imposed paywalls, can do so without any charge.

The issue of web licences arose because the rise of online newspapers spawned new businesses that offered to take the hassle out of monitoring the Internet, and aggregate online news for clients for a fee. Quite rightly, newspaper publishers objected to this. They had invested in the content: why should a third party be allowed to profit from their work without recompensing them?

NLA media access announced plans to introduce Web End User Licences to take effect from 1 January 2010, but these were put on hold after a legal challenge by news aggregator Meltwater and the Public Relations Consultants Association (PRCA) in the High Court and the Copyright Tribunal. Both courts ruled in favour of the NLA, arguing that copyright law did in fact also apply to online content and that publishers were entitled to introduce licensing.

Since those rulings, any organisation that wishes to reproduce online content must have a Web End User Licence. Meltwater has also subscribed to NLA's eClips Web service, paying the necessary licence fees, to ensure that its clients receive the most up-to-date online coverage.

But the PRCA claims a recent victory in Europe against you?

Meltwater and the PRCA won on a technical issue at the Court of Justice at the European Union (CJEU). This clarified the legal position that Internet users have the right to browse news sites without the threat of infringing copyright law.

However, the newspaper publishers never sought to challenge that right. Quite apart from how ludicrous that would be – imagine if the *Daily Mail* tried to pursue 13 million viewers a day! With a handful of exceptions, online news

sites have always been a free resource and publishers have no plans to change the current business model.

If, and where, media monitoring organisations change the nature of the service they provide to clients to a web portal and where clients open the link in this environment (and do not print, save to computer or forward) then in this circumstance, the CJEU judgment means there would be no requirement for a Web End User Licence.

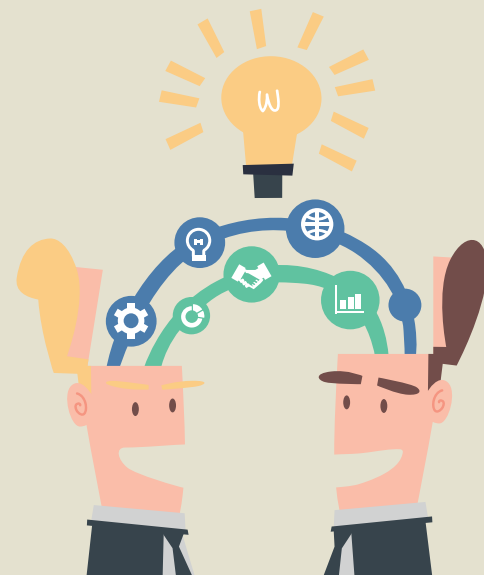
Not one media monitoring agency currently offers such a service. Indeed, it is unlikely they will ever do so because it is not a service that clients are likely to request, as it comes with many restrictions and limitations. It would require investment to create the portals and it would ultimately cost the media monitoring agencies, because NLA media access would have the right to levy a charge on them to cover any financial losses incurred by reduced end user licence fees.

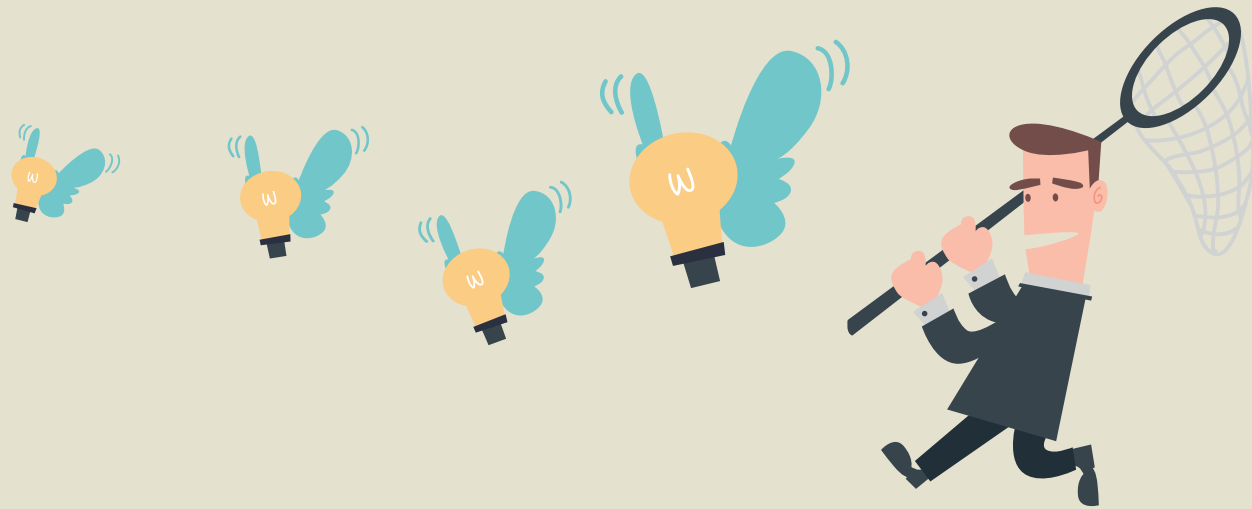
Victory or no victory, one fact remains. If you copy online content for distribution purposes, you will need a Web End User Licence.

We don't need a licence to receive news alerts from Google or Yahoo!

Actually, you might. Both Google and Yahoo! have direct relationships with some, but not all, major publishers, who make their online content available to them. If you simply receive the alerts, then you may be fine. But if your organisation systematically distributes links that have been provided by these news services, then you will require permission from the publishers. The simplest way to receive that permission, and get covered for copyright, is to acquire a licence from NLA media access.

Aside from this, these services are not perfect. They are free to use and, as such, do not offer the ability to define searches rigorously. This means they can generate content that is not relevant for your needs, and has to be filtered quite carefully. Similarly, if your client has quite a common name, then the likelihood is that quite a lot of unnecessary content will be generated. These services are not foolproof. Four years ago, NLA tested Google News (UK) against its eClips Web service, constructing a random sample of 500 articles, comprising 100 each from five of the UK's leading newspapers over several months. NLA searched manually by headline for each article and, to be fair to Google News, which is after all free, we allowed for slight variations in wording, form and punctuation. The survey revealed glaring omissions in Google News Alerts, but more worryingly, there was no pattern to them. It would be hard to predict where gaps might arise or to identify which stories might be problematic. In one month, Google News Alerts omitted just 4.6 per cent of the 500





articles. In another, it missed one in four. These omissions could lead to awkward conversations with clients: why take the risk? Do the savings truly outweigh the real cost?

Do I need a licence to copy from free publications?

Yes, you do. These publications have specific business models that rely on free distribution, but that does not mean that they do not value their content, and the fact that you are asking the question suggests that you value it too.

I understand copyright protection for books but why newspapers and magazines?

It is hard to believe that anybody would pop into the local branch of their WH Smith, buy the latest blockbuster and then photocopy it for their friends. There are likely to be as many words in a national broadsheet, but its layout means it is easy to copy. Yet just as much, if not more, effort goes into producing the publication, with dozens of trained, talented journalists working hard each day.

Publishers are too precious about content

It is true that the perceived value of content appears to have declined, and that readers increasingly expect it should be provided for free. But if you consider the cover price of most publications, the value of what they provide in terms of content far exceeds that. As for being precious, perhaps protective is a better word. But if you, as an agency, produced some interesting surveys or catchy press releases for your clients, and then found a competitor distributing your work to their clients without accreditation or acknowledgement, you would rightly

consider what your reaction should be – legal or otherwise – as ultimately this could impact your business.

Why should I pay to receive coverage of my press release?

If the publication reported your press release *verbatim*, then what are you complaining about? You've got your key messages out (without any journalistic interpretation) and the client is probably delighted. But if the journalist has used your release as the basis of an article, then they have likely added insight and context which provides real value to your organisation.

Our director thinks he owns copyright to an opinion piece he wrote in a newspaper.

He may well do so. Each publisher will have different arrangements in place with contributors. The majority of newspaper material is written by staff journalists and what they write belongs to the publisher. Most freelance material is commissioned on terms giving publishers a licence to use and to license re-use of the material. Rights in the layout are also sometimes relevant. Most licensing agencies have arrangements in place to ensure freelancers who have not licensed copying are appropriately rewarded. So your director should talk to the publisher and ensure his rights are being respected.

What if I just include the headlines?

The High Court ruled that even a headline can attract copyright protection. It is hardly surprising, really. There is a skill in writing good headlines, and several have gone down in the annals of media history. Such is News UK's pride in its headlines, particularly those created by *The Sun*, that it has

named its meeting rooms in its new European headquarters after some of its most famous ones.

Can we reproduce articles on our corporate website?

It may be really flattering to see extensive coverage about your organisation in the media, and so tempting to cut and paste onto your corporate website. But before you do so, you will need to either clear it with the publisher or get a blanket licence to cover multiple publications and articles – NLA's Corporate Website Republishing licence does just that. You can summarise the article, and link back to the original content, without seeking permission, as you are driving traffic to the publisher's website. However, summaries can be tricky things to produce.

If you inadvertently include a sentence, quote or phrase from the original content, then copyright may have been infringed. This is best resolved by a licence.

Can we use the content on our corporate intranet?

Organisations are allowed to post links, but not the headlines or text, on their intranets without the need for a licence. It just needs one colleague to print out one of these articles, and copyright will have been infringed. To avoid any problems, organisations should acquire a Frequent Digital Copying Licence, on top of their Basic Licence, which is designed to allow articles to be placed on an intranet or shared drive for staff to view.

The journalists get us to share their content by tweeting links. Do we need a licence for that?

Absolutely not. Journalists are now using social media as a means of establishing their own personal brands, and tweeting links to their articles promotes their work and brings readers to their publisher's website. Retweeting these tweets is exactly what you are intended to do! Copyright law is not trying to encroach on social media etiquette.

We employ hundreds of people: surely we can't be expected to monitor who prints what!

We don't expect a Big Brother state of surveillance, but a pragmatic approach. The simple reality is that if just one copy is made of the cuttings, provided by your agency or media monitoring service, then copyright has been

breached. The likelihood of copying is high, and the likelihood of it occurring more than once in a year, even higher. NLA offers a range of licences that cover every eventuality. It is far better to be protected than not.

Our chairman likes us to keep his cuttings in their original form in a scrap book. Does that require a licence?

If you have bought all the publications and then cut out the original articles, then no licence is required. But if you occasionally include photocopied cuttings provided by your agency or media monitoring service, then a licence will be required.

Okay, there was a great piece about my client. Can I tweet about it?

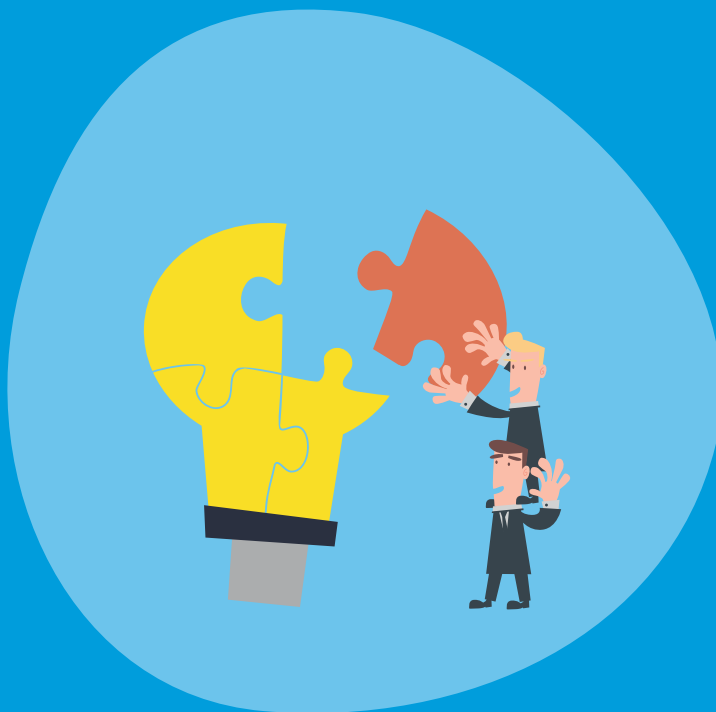
Yes, and no! If you were to photograph, screen grab or scan the article and then tweet that, with a link back to the publication, you will have breached copyright, because a copy has been made. However, if you send a tweet with a link direct to the article then that is absolutely fine. You have not copied anything, but merely directed attention towards the relevant piece. In order to tweet and republish with impunity, you will need a Corporate Website Republishing Licence.

And Facebook? Or Google+?

Same rules apply. If a copy of the article is made for display purposes, then a Corporate Website Republishing Licence will be required. If you simply link back to the publication, that is fine.

I have a colleague who is obsessed with animals and is forever sharing images of Grumpy Cat with the team. Should I stop her?

Of course not. She's doing exactly what social media was created for – she's sharing user-generated content. And as long as nobody is allergic to cats within your organisation, there's absolutely no reason to stop her. However, if your colleague spots an article on a publisher's website that is discussing Grumpy Cat and how the phenomenon went viral, she should be dissuaded from sharing that. Once she starts to share that original content from publishers, either via links or by distributing a photocopy, she is at risk of breaching copyright. If she sticks to [@realgrumpycat](#), she'll be fine.



Our thanks to the PR industry for its continued respect for copyright and support for journalism.



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