

Dear authors and editors,

In all kinds of publications including scientific publications copyrights have to be respected and regulations have to be observed (UrhG § 64; <http://www.gesetze-im-internet.de/urhg/>). This is especially important when illustrations from other works are used or reprinted.

The term 'illustrations' includes all kinds of photographs, drawings, charts, graphs and maps. According to national and international legislation, they are individual works in their own right and thus protected by copyrights.

An author may use illustrations from other authors only, if authorised according to copyright regulations.

This is the case if:

- the rights are explicitly granted by the holder of the copyright.
- the copyright has expired and the illustration thus is in the public domain.
- the illustration was taken from a public domain source
- the illustration was published under a CC-licence.

In the past, it was fairly common to ignore copyright regulations. These violations of copyrights usually went unpunished, because they were difficult to detect and prove.

With electronic publications getting more and more frequent, copyright violations became easily to detect **and might result in substantial claims for compensation or even criminal prosecution.**

Legal consequences may affect the university, the Collaborative Research Centre or individuals (authors, editors).

Illustrations belonging to commercial providers (google, google maps, Getty images, museums and the like) should be treated especially careful or if possible avoided.

To avoid negative consequences for the University, the Collaborative Research Centre and its staff it is essential not to tolerate any copyright violations.

This requires thorough research about the copyright for every single illustration: before an illustration is used for an own publication it must be carefully checked whether the illustration is under copyright and if so, who holds the copyrights.

What are the necessary steps?

1. Checking whether an illustration is under copyright.

Information may be found as a copyright note directly with the illustration, in notes or lists of illustrations inside the book, they may also be held by the publishers of a volume. On websites as well, information may be found, generally under the headings 'about us' 'legal information' 'legal details' and the like.

2. Checking whether an illustration is free for use and may be used without explicit permission of the copyright holder, whether a permission is required and whether this permission is subject to a fee

Information again may be found in the copyright notes (for example CC-licenses), under the headings 'about us' 'legal information' 'legal details' and the like on websites or the notifications about editors and publishers rights inside a book.

3. If the search shows that the use of an illustration requires a permission or is subject to a fee, the permission has to be obtained in written form from the holder of copyrights and fees have to be paid.

Who is responsible for checking the legal situation?

It is the duty of every **author** to research the legal situation for every illustration on his own initiative. He/she has to prove the free availability or show granted permissions to the editor (SFB 1070) and publisher (University of Tübingen).

Every **editor** (of conference or workshop publication) has to insist that all authors act according to legal rules and regulations and provide written permissions for the use of illustrations or prove of their free availability.

Additional information can be found in the „Leitfaden Bildrechte“, provided by the Exzellenzcluster TOPOI ( [https://www.topoi.org/wp-content/uploads/2015/05/201504\\_EdT\\_Leitfaden-Bildrechte\\_dt.pdf](https://www.topoi.org/wp-content/uploads/2015/05/201504_EdT_Leitfaden-Bildrechte_dt.pdf)).