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Bet You Missed It/From the News

Katina Strauch
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Bet You Missed It

Press Clippings — In the News

Praise be! Our new **Column Editor** for **Bet You Missed It** starting next issue is **ROSANN BAZIRJIAN** (Syracuse University).

Publishers Feisty After Feist

Remember Bill Hannay, the lawyer, told us all about the Supreme Court decision *Feist Publications, Inc. vs. Rural Telephone Service, Inc.* (see *ATG*, v.3 no.3) This decision cast aside the "sweat of the brow" doctrine in compiling data as qualifying a publication for copyright protection. Well, this article reports on what some publishers like Standard & Poors, Southwestern Bell, Corporate Technology Information Service, etc., are doing "to protect their information from copycats." Publishers are considering things like "shrink-wrap agreements," or trademark protection on each page of a directory. Meanwhile, the courts continue to confuse (or maybe we should say

expand) the issue. In Atlanta a case was won recently by BellSouth in a lower federal court. In this case, "a federal judge ruled that Yellow Pages — as opposed to White Pages — are still subject to copyright, a question left open by Feist." Meanwhile back in New York, a federal appeals court said that one business "could copy some information from a competitor." It looks like this all signals more work for the, you guessed it, Supreme Court.

****"Publishers Move to Prevent Directories From Becoming Open Books for Rivals,"* by Jonathan M. Moses in *The Wall Street Journal* for December 27, 1991, p.B1. **

Just Because It's In Print

Yeah, just because it's in print, do you necessarily believe it? Well, according to this article in the *Wall Street Journal* an advocacy group in Texas has discovered "thousands of errors in the latest U.S. history textbooks. The incident raised new questions about the competence of major school publishers and the efficacy of government textbook oversight." Apparently, there's so much data to check that the authors frequently rely on the publishers. Passing the textbook? Also, scholars gener-

ally prefer more "prestigious" works. So, many of the publishers are responding by sending out correction sheets and adding a level of proof-reading to check for facts. I wonder if they'll be able to agree. How does the quote by Philip Guadalla go? "History doesn't repeat itself; historians repeat each other."

****"Readers of Latest U.S. History Textbooks Discover a Storehouse of Misinformation,"* by Gary Putka in *The Wall Street Journal* for February 12, 1992, page B1. **

Maxwell has landed

Where is unclear. There has been so much "copy" on Robert Maxwell lately that batteries of indexers are probably going crazy. What can we say except that life won't be the same without the flamboyant magnate. Quite a contrast between the eulogies on the day Maxwell's body was found and now, months later, as his transgressions continue to unfurl. Did Maxwell kill himself? Was he killed? Or was it just an accident? We all have our theories, but we'll probably never really know. Maybe Oliver Stone is considering this story for his next expose, like JFK and all that. This is an interesting set of recent articles replete with pictures. (courtesy **Martin Warzala**, B&T)

****"Mad Max: More than A Crook and A Blowhard, The Rambunctious British Press Lord Was Far, Far Be-*

yond the Fringe," by John Taylor and "Eight Months Before the Masthead," by Carolyn Hinsey. In *New York*, February 10, 1992, pages 29-37. **

Another article on Maxwell has surfaced. This one even mentions Maxwell's wife Elisabeth and has some quotes from her like "A conspiracy definitely existed to destroy him."

****"The Sinking of Captain Bob,"* by Edward Klein in *Vanity Fair* for March, 1992, pages 180-186 and following. **

Also, if you have the stomach for it, look at ****"Maxwell: L'Autopsie Secrete,"* in *Paris Match* for January 16, 1992, pp. 32-41. ** There are pictures of an autopsy done on Robert Maxwell in Tel-Aviv. Pretty gruesome and in full color.

Trial by Fire

by **Rick Heldrich** (College of Charleston)

Remember the case of David Baltimore and his colleague Thereza Imanishikari? Well it happened again, only this time, perhaps because of lessons learned in the Baltimore case, it appears to have been handled in a more professional and expeditious manner.

Professor Hood, biologist of renown at Caltech, was told of improper behavior

by two of his post doctoral associates (Vipin Kumar and James Urban) by others in his group. Faced with apparently clear evidence of falsification of data which was used to substantiate 3 papers in peer reviewed journals, Hood turned the matter over to Caltech officials for immediate investigation, while simultaneously initiating his own investigation, including attempts to repli-

cate the published work. One of the post docs, when confronted, reportedly said he knew the data was false, but maintained it only made the work more attractive, as opposed to invalidating the entire data base. Apparently there is some support by UCLA professor and Hood collaborator, Eli Sercarz, for forgiving errors of at least one of the post docs, Dr. Kumar, on the basis that his training in India did not adequately prepare him for the rigors of high pressure, American style research. Fortunately, for the Scientific community, that defense was not well received by Caltech or by Hood. To follow up on the matter, Hood retracted the papers and also retracted his letters of recommendation for one of his two postdoctoral associates, Kumar, who almost succeeded in landing a prestigious academic position. Kumar is now a post doctoral associate with his sup-

porter, Sercarz at UCLA. As far as Urban's duplicity, he apparently admits creating false data with the assumption that if he ever did the experiments, he would in fact, get the data he made up! His actions were deemed by Caltech officials as being tantamount to misconduct, but short of outright fraud.

So what has Hood done to prevent these types of problems in the future? He has instituted an internal group review of papers before submitting them to journals and he now requires lab notebooks to substantiate all his work. In any event, peer review is *not* a guarantee of scientific integrity. Scientific integrity is in the hands of individual scientists; peer review can only attempt to assist in weeding out fact from fiction.

"Misconduct: Caltech's Trial by Fire" by Leslie Roberts, Science, 253 pages 1344-1346 (9/30/91)

Cyberspace, Cyberspace, Let Us Come In

More from Chuck H, the indefatigable reader. This set of intriguing articles raises some interesting (and for some terrifying) questions as we move further into the world of electronic information access and delivery. Drawing on events in "Operation Sundevil," a two-year investigation by "Secret Service agents, state and local law enforcement officials and security personnel from various telephone services . . . to curb the alleged misdeeds of computer hackers on the nation's telephone systems," these articles ask questions about the accessibility of electronic infor-

mation, its security, its management, and the rights of those producing it. After all, one may throw precious bath water out with the hacker. Worth more than a look.

****"Trouble in Cyberspace: Civil Liberties at Peril in the Information Age," by Willard Uncapher in The Humanist for September/October 1991, pp. 8-14** and ***"The Constitution in Cyberspace: Law and Liberty Beyond the Electronic Frontier," by Lawrence H. Tribe in The Humanist for September/October, 1991, pp. 15-21.***

Deana and Chuck Beg to Differ

That's an Elsevier Science Publishing internal publication called *Elsevier Science World*. Pictures of The Deana and The Chuck are included and some interesting points come out in this piece authored by John Tagler, Director of Corporate Communications at Elsevier in New York. Speaking about their watershed research into the journal pricing policies of publishers, Deana and Chuck point to the need for quality control in journal publishing, the limits of library budgets, and the changing attitudes of librarians toward cancelling journal subscriptions. And

Chuck, in his inimitable way has the last word. "Elsevier sets the limit for other publishers in pricing. You are a model in how to publish a journal, in how to break into new subject fields. That's a greater responsibility than the one to your stockholders, or even to the scientists whose papers you publish, because other publishers follow your lead. You have a responsibility in shaping the future of science publishing."

****"Looking Beyond the Bottom Line," by John Tagler in Elsevier Science World, for November, 1991, v.6, no.6, pp. 10-11.*

Chisel Not, Want Not

This one comes courtesy of Chuck Hamaker who, as far as we can tell, reads EVERYTHING. Anyway, it's about Paul Biddle, the investigator who blew the whistle on contract overhead charges for federal research funds by such institutions as Stanford University, Dartmouth, University

of Pittsburgh, Rutgers, and Yale. Of course, libraries are in the middle of the whole thing and Biddle comes out smelling like a rose.

****"He caught the Campus Chiselers," by Eugene H. Methvin in Reader's Digest for January, 1992, pp. 81-86.***

"An appeal is when you ask one court to show its contempt for another court."

-- Finley Peter Dunne.