

April 2003

Call for Papers -- Charleston Conference 2003

Editor

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Recommended Citation

Editor (2003) "Call for Papers -- Charleston Conference 2003," *Against the Grain*: Vol. 15: Iss. 2, Article 41.

DOI: <https://doi.org/10.7771/2380-176X.4051>

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Interview — CCC / Westwood
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set those prices based on business considerations known to them alone. We then post the prices provided by the copyright holders on **Copyright Clearance Center's** Website, and collect money from the users for return to the copyright holders (net of our expenses). As a small aside, those prices and permissions available on our Website enable people seeking clearances to do so very quickly and conveniently.

ATG: *Post Tasini have the plaintiffs written seamless contracts that give them all rights to their products?*

CCC: First, **Copyright Clearance Center** has no knowledge of the individual contracts that publishers enter into with writers and other creators, nor could we readily obtain that knowledge from the tens of thousands of publishers who participate in our programs or the hundreds of thousands of writers and other creators who submit their materials to publishers. (Among other things, the terms of those contracts would be competitively sensitive and therefore unlikely to be shared with us). Second, however, it is important to be aware that most of the materials on which the plaintiff publishers have brought suit in these **Copyright Clearance Center**-coordinated cases have been articles in scientific, technical and medical (STM) journals, including many professional materials. The STM publishing industry has traditionally been different from the publishing fields that use freelancers like Jonathan Tasini, simply because the economics of journal publishing are

different. As a result, STM publishers have for many years obtained the entire copyright from the writers who produce the articles. Therefore, STM publishers have been acting well within the scope of their rights, and so have probably not been affected in any major way by the Supreme Court's decision in the *Tasini v. New York Times* case.

ATG: *Given that we hear that there is copyright piracy all over Asia, are you just suing who you can sue? Are other RRO's suing in other countries?*

CCC: As noted above, publishers and RROs (as well as authors, and associations of authors and publishers) are quite active in other countries in efforts to stem both copyright infringement and more substantial copyright piracy. In many of those countries, we are also aware that the governments themselves make arrests, seize infringing materials and prosecute the infringers criminally. However, **Copyright Clearance Center's** coursepack business is nearly 100% focused on the United States and so are the infringers whose coursepacks are sent to us. 

Added Note: *On March 3, 2003, it was announced by Copyright Clearance Center that a settlement had been reached between the plaintiff publishers and Westwood Copies. The settlement required payment by the defendants of unspecified damages and agreement to comply fully in the future.*

Actions against Custom Copies of Gainesville, Florida and Paradigm of Illinois and Minnesota and Notes & Quotes of Texas are still pending.

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Send ideas by June 30, 2003, to any of the Conference Directors listed above.

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