In order to encourage the fair use of published materials in new scholarly publications while protecting authors’ rights, these guidelines define what the MIT Press considers to be fair use of publications from The MIT Press. No author or publisher need seek permission from The MIT Press for uses that are designated as “eligible” under these guidelines.

I. Types of Uses Eligible under These Guidelines

These guidelines deal with only the following traditional forms of scholarly use in publications:

1. quotation for purposes of criticism of, or commentary on, the quoted text;
2. quotation for purposes of buttressing or defining the user author’s own argument, or establishing connections between that argument and prior scholarship; and
3. quotation for illustrative purposes, i.e., giving examples of a principle, phenomenon, etc., discussed by the user author.

These guidelines are media-neutral. In other words, use that is fair in print, by these guidelines, will be equally fair in electronic media, and will remain fair if a print product is reissued in electronic form. (See Types of Works Subject to Fair Use below for certain exceptions to this.)

II. Uses Not Governed by These Guidelines

The following uses are outside the scope of these guidelines and are not considered fair use:

1. Reproduction of all or any portion of any Source Work (see definition below) in an anthology or in a selection of class readings such as a “coursepack,” e-reserves, or a course Web site.
2. Reproduction in which all or any portion of any Source Work is set apart from the text of the new work (e.g., in a “box”), so that it stands alone rather than being incorporated in the statement made by the user’s text.
3. Reproduction of all or any portion of any Source Work on the cover (or electronic analog) of a work, or in marketing or promotional materials for a work.
4. Reproduction for which appropriate citation, in footnote or otherwise, is not made.
5. Reproduction of charts, images, and other illustrations.

III. Types of Works Subject to Fair Use

“Source Work”: Any MIT Press publication in any medium is defined as a Source Work and is subject to these guidelines: journals, books, and electronic publications (including but not limited to CD-ROMs), “electronic books,” and Internet-based publications, with the following exceptions.
1. These guidelines do not govern material that The MIT Press is using by permission from a third party; such material is identified in MIT Press’s publications either by credit line or in footnotes or endnotes.

2. The MIT Press does not necessarily own foreign language rights in works it has published.

In case of doubt, prospective users should feel free to query UCP as to whether it owns particular electronic or translation rights (contact information is given at the end of this document). If it does so, then these guidelines apply in the medium or language concerned.

IV. Quantitative Guidelines

A new work will be considered to be within the bounds of fair use if:

1. It reproduces not more than 500 words, in the aggregate, from a given Source Work;

2. It reproduces not more than 5 percent, in the aggregate, of the Source Work, and no complete poems or other self-contained literary works;

These guidelines are cumulative. A use must comply with all of them to be considered fair. Thus, when quoting from a book, the author of a new work may quote no more than a total of 500 words from that book; in addition, the quoted words must not constitute more than 5 percent of the Source Work or more than 5 percent of the new work. See also, though, items above under the heading Uses Not Governed by These Guidelines. Material set apart in the text, such as in a “box,” is not fair use even if it falls within the quantitative guidelines given here.

V. Qualitative Guidelines

Any use that meets the above parameters must also conform to the following requirements:

1. The user author may alter the quoted material only as allowed by the Chicago Manual of Style, 15th edition (see chapters 6 and 10).

2. Any elision must not change the sense of the original.

3. The Source Work must be cited in a manner that conforms to good scholarly practice.

VI. “Downstream” Rights of the User

Provided that the use of a Source Work complies with these guidelines, the user and his/her publisher may license third parties to reproduce the Source Work material in the context of the user’s own text, but not otherwise.

VII. To Request Permission or Clarification

If you have questions about any of the above or to request permission for copying materials from any MIT Press publication, please write and include full information (author, title, complete description of material to be reprinted, and, if applicable, a brief description of your question) to the attention of the Permissions Department, One Rogers Street, Cambridge, MA 02142. Or you may contact the Permissions Department via email at quick@mit.edu or by fax: (617) 253-1709. We will respond within five working days.