START

Do you own the © in all content embodied in the material?

YES

Do TM (other than your own) appear?

NO

Does a union or other contract apply to the material?

YES

Abide by contractual restrictions and/or limitations.

NO

Is the content in the public domain?

YES

Was the material previously published?

NO

Does the material raise defamation, false light, or privacy concerns?

YES

Consider TM implications (e.g., possible confusion of viewers).

NO

Is such commentary or criticism accurate?

Consider potential tort claims.

NO

Abide by contractual restrictions and/or limitations.

Does the material raise questions as to validity or truthfulness?

YES

NO

We have successfully navigated the biggest legal challenges to publication.

DIGITIZING NEWS ARCHIVES

ANALYZING AND EVALUATING LEGAL RISK WHEN CREATING ONLINE REPOSITORIES OF HISTORICAL NEWS MEDIA CONTENT

This resource is not a substitute for legal advice. It is a simplification of complex legal doctrines, and it does not address all issues and subtleties that may be relevant to the publication of news archives. Discuss your situation with your lawyer before proceeding.

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