



Reprints and Eprints: Harnessing the Power of Third-Party Validation

By Sharon Berman

Publishing articles and being quoted by the media as an expert resource are highly effective marketing strategies because they bestow credibility, visibility and the power of third-party validation. Readers take for granted that the author or individual being quoted is an expert since the publication provides its imprimatur.

You can significantly extend the marketing bang and life of a published article or media quote by posting it on your company's web site, as well as distributing reprints or e-prints (an online reprint) to clients, prospects and referral sources.

But before you reprint...

With today's increased awareness of intellectual property rights, it is vital (and legally necessary) to determine who owns what rights when it comes to disseminating the reprints.

In the past, most publications made it easy for authors to obtain and distribute copies of their articles. Many even provided free reprints and PDF files requiring only an acknowledgement such as "Reprinted with permission from ABC Magazine."

Today, while some publishers still maintain liberal reprint and e-print policies, many have moved away from free reprints for authors, seeing reprint and e-print permissions as a revenue stream. These publishers are taking stringent measures to safeguard and charge for their rights.

The following is a very general overview of issues concerning the production and distribution of reprints and e-prints. For specific advice regarding these matters, consult

an intellectual property attorney.

When you are the author

The first issue is who owns the various materials and rights. For instance, authors may own the rights to the words in their articles and therefore the rights

to reuse or reprint them, but they clearly do not own a publication's masthead. Thus, if you have had an article published in a magazine or journal and now want to reprint it, you do not have the right to reprint the publication's masthead along with the article without first securing the publication's permission. However, provided you retain the copyright, you can reprint the article under your own company's masthead, mentioning where it was published.

What kind of permission is necessary to use a publication's masthead or other trademark or copyright elements? Optimally, a written permission on the publication's letterhead spelling out the extent of the permission is the safest way to go, but it's the most difficult and time-consuming to obtain. In today's email world, you should expect the permission to be at the tail end of an email exchange. In this situation, once you have received the email permission, write and send one final email thanking the person granting the permission, and outlining your understanding of the grant. Print and keep the email exchanges in a permanent file just in case a question should pop up later about the use of the publication's



copyrighted or trademarked material.

When the publication owns the article copyright

Some publications require authors to sign over the copyright to an article. However, depending on the contract, authors may still be allowed to make limited

reprints for their own use or distribution within the company while the publication retains the right to republish the article. Read any publishing contract carefully so you know what your rights are. If reprint or e-print rights are not addressed in the contract, raise and resolve the issue before signing the contract.

Permissions for making reprints and e-prints may be sold separately, or they can be packaged together. It's a good idea to ascertain the scope of your rights before posting an article on your web site or distributing copies for marketing purposes via email, on paper, or in other media. In addition, even if you have obtained the right to post an article on your web site, that permission may expire after a certain period (typically at the end of 12 months). Similarly, regarding printed reprints, there are often multiple options, such as purchasing the right to make only a certain number of copies, or purchasing color reprints versus black and



Sharon Berman is principal of Berbay Corp., a marketing consultancy which specializes in working with professional services. She can be reached at 310/405-7345 or berman@berbay.com.

Reprints and Eprints (Cont.)

white reprints. Regardless of whether you negotiate terms and fees in advance, always read the publication contract carefully and consult with an intellectual property specialist if necessary.

If an article contains artwork, such as graphics or photos, you may need to obtain separate permission to reprint or reuse those visual elements. For instance, if the publication sent a photographer to take your headshot, you may need to negotiate directly with the photographer to obtain the rights to use the photo along with the reprint. One cost-saving alternative is to use your own photographs or graphics in the reprints, so long as there are no layout restrictions attached to the reprint permission.

You should carefully investigate a publication's reprint policies and fees before committing to write an article. Although reprint costs and restrictions should not deter you from using publishing as a credibility-building vehicle, it may be easier to negotiate the reprint arrangements in advance while the publication is courting the author.

When it comes to the cost of reprints, there is great variation among publications. Some publishers outsource the job of creating

reprints to a reprint house, in which case prices may be fixed and non-negotiable.

Some professionals approach editors with the assumption that the publication or web site is in their debt for providing them with content. Conversely, the publication's viewpoint is that it is offering the author a prestigious platform for communicating with its readers (and those readers may be clients, referral sources and the public).

When you are quoted

Professionals may not realize that even if they are quoted in an article, they don't have the right to reprint the article without permission, which may require purchasing the rights.

Sometimes, it just does not make sense to create a reprint when you are merely one of several individuals quoted to strengthen a journalist's story. This is especially true when the other quotes are from competitors. However, you can still leverage the third-party validation and extend its shelf life by referring to (but not reprinting) the article on your web site. For example, the statement that "John Smith was quoted in The Wall Street Journal discussing the mortgage meltdown and its implications for the mar-

kets," establishes him as an expert on the subject and links his name to a prestigious publication.

The true cost versus benefits of reprint permissions

The prices for obtaining various rights for reprints and e-prints may be surprisingly high, particularly if you want to distribute them under a prominent publication's masthead. You may find, however, that simply emailing the publisher or editor for reprint permission will result in a grant without cost. For example, following this approach, we easily and quickly secured a "no-fee" reprint permission from National Geographic Magazine for an article where the client contributed photographs, background and a key quote.

But don't let the potential cost of securing reprint permissions deter you from leveraging the power of credibility, visibility and third-party validation. Elegantly presented, with your logo and contact information included, reprints and e-prints are among the most effective and lasting marketing pieces. And with some luck, the costs may be far less than you imagine.