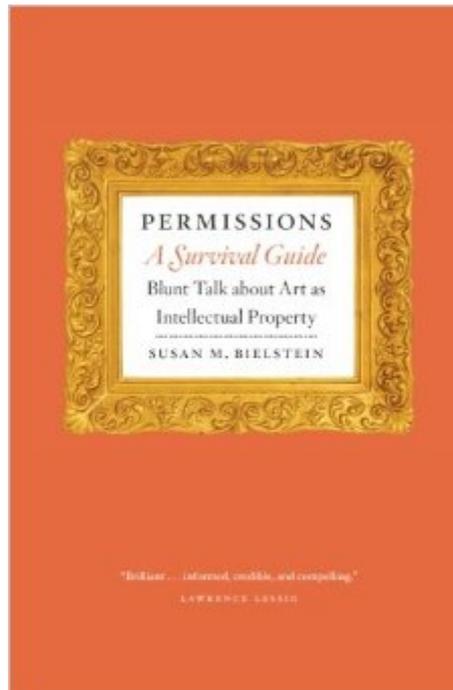


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# Permissions, A Survival Guide: Blunt Talk About Art As Intellectual Property



## Synopsis

If a picture is worth a thousand words, then it's a good bet that at least half of those words relate to the picture's copyright status. Art historians, artists, and anyone who wants to use the images of others will find themselves awash in byzantine legal terms, constantly evolving copyright law, varying interpretations by museums and estates, and despair over the complexity of the whole situation. Here, on a white "not a high" horse, Susan Bielstein offers her decades of experience as an editor working with illustrated books. In doing so, she unsnarls the threads of permissions that have ensnared scholars, critics, and artists for years. Organized as a series of "takes" that range from short sidebars to extended discussions, *Permissions, A Survival Guide* explores intellectual property law as it pertains to visual imagery. How can you determine whether an artwork is copyrighted? How do you procure a high-quality reproduction of an image? What does "fair use" really mean? Is it ever legitimate to use the work of an artist without permission? Bielstein discusses the many uncertainties that plague writers who work with images in this highly visual age, and she does so based on her years navigating precisely these issues. As an editor who has hired a photographer to shoot an incredibly obscure work in the Italian mountains (a plan that backfired hilariously), who has tried to reason with artists' estates in languages she doesn't speak, and who has spent her time in the archival trenches, she offers a snappy and humane guide to this difficult terrain. Filled with anecdotes, asides, and real courage, *Permissions, A Survival Guide* is a unique handbook that anyone working in the visual arts will find invaluable, if not indispensable.

## Book Information

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## Customer Reviews

Permissions is a useful guide written by an author who knows her craft. (Her description of the multiple headaches she created for herself as she contracted for a photograph of an unknown Sicilian "masterpiece" is simply the most entertaining of her chapters.) Although the book is specially directed to authors preparing scholarly works about art, any writer who requires illustrations will profit (or if they've already been through the drill, perhaps wince) at the sound advice given here. Yet behind Bielstein's banter and helpful suggestions, she makes a serious point, that material supposedly in the public domain is being steadily drawn back into private--and especially, corporate--hands.

While I can easily see this book as assigned reading in every law school class for intellectual property, it really deserves the greater readership of those who found joy in reading *Eats, Shoots and Leaves*. Its erudition is apparent, but never pedantic. The message of concern for our becoming a society that knows the price for everything, but is not willing to share anything of value, is woven skillfully into the fabric of its clever teachings. And for those folks who like a nicely designed hardback book, people who know things about fonts and book cover color, this is a great book to own new. The University of Chicago has given Ms. Bielstein the star treatment she is due.

Susan Bielstein unpacks the quagmire of copyright permissions that authors must go through in their attempts for permission to publish photographs of visual images in books and articles. The process is an arduous and expensive one for the authors, but the reality of copyright permissions and the law behind them turn out to be more complex and confusing than I had imagined. Bielstein unpacks the complexity of the legal issues with humor and ease, enabling authors and publishers to understand the complexities and pitfalls of copyright permissions in the visual arts. This is a must for all authors and publishers! And a pleasure to read.

This book not only tells all, but also reflects humor in the telling of the ins and outs of intellectual property management. This author masters the art of presenting the facts concerning this complicated subject and uses great examples to illustrate the points she makes. Her photo captions say it all. In spite of the subject, this is a most pleasurable book.

Susan Bielstein is the executive editor for art, architecture, classical studies, and film at the University of Chicago Press. In that capacity, she has dealt with the vexed and complex question of how intellectual property law applies to the visual arts, in the context of the use of images to

illustrate academic texts. Now, it would not be unreasonable for you to think that this is a subject that only lawyers could love, but you would be wrong. In Bielstein's capable hands, it is a fascinating and, at times, even humorous subject. The distinctions between copyright permission and use permission, the way practicalities (the need for a reproducible image, the desire to avoid offending an institution with which one may have to deal in the future) affect whether and how one requests permission, the intricacies of determining what is in copyright, these are the stuff from which she has created a volume that is of great practical use to the author, editor and publisher. But the non-professional will also find it of interest. How does the ease with which technology allows reproduction of images affect these issues? What is the interplay between property rights and personalty rights and privacy? What effect does the institutional claim of copyright over images that are likely public domain have on future use? These are questions the answers to which concern us all, because they will have an impact on the availability of information. An example from my own recent reading comes to mind. I had read a non-fiction book about a Caravaggio painting, and commented negatively on the absence of images. How, I wondered, was it possible to write a book about a piece of art without showing us that art? I think now that it is quite likely that permission to use images of the work was denied. If that is the case, then I can say without hesitation that the book was much the poorer for it. Why an institution would deny such permission (or make the cost prohibitive) is, frankly, beyond me. To make her points, Bielstein has included with every image information regarding not merely the copyright, but whether and how much of a fee was requested, how the image was obtained (JPEG, transparency, etc.), and sometimes lengthy explications of the image's status. As she says, "Welcome to the Fun House."

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