



Richard Nixon Presidential Library and Museum

18001 Yorba Linda Boulevard • Yorba Linda, CA 92886 • (714) 983 9120 • FAX (714) 983 9111

<http://www.nixonlibrary.gov>

INSTRUCTIONS FOR REQUESTING AUDIOVISUAL REPRODUCTIONS

You will need Adobe Reader (version 8 or later) or Adobe Acrobat to electronically fill out the Reproduction Request Form.

Alternatively, you may print out the form and fill it out by hand.

1. Read the *Licensing, Copyright & Privacy Statements* on pages 2-3 of this packet and consult the Price List on page 4.
2. Fill out the **Reproduction Request** on page 5 of this packet, including:
 - Collection ID, File ID# (see below for examples of File IDs), Description of content and Type of Copy Requested
 - Fill in anticipated total cost
 - Include any special instructions and additional notes
3. Complete Shipping/Billing information on page 6 and select Payment Option:
 - Requesting an Invoice – *this is strongly recommended for White House Tapes or Beta SP/Digibeta orders (for which program length determines cost), or if you are uncertain as to the number of tapes/reels needed to complete your request*
 - Credit Card Purchases require a card holder signature *only* if the total exceeds \$100
 - **You may omit the credit card number and give us this information over the phone if you would prefer not to transmit the number over email.**
4. Save the Reproduction Request Form and email it to the Nixon Library Staff member that has been assisting you. You may also **fax it to 714-983-9111.**

Examples of Collections ID's and File ID's:

Collection	ID	Sample File IDs
White House Tapes	WHT	Oval #488-15
White House Photo Office	WHPO	8549-25A
White House Communications Agency Videotape Collection	WHCA	3373 or W-096
White House Communications Agency Sound Recordings	WHCA SR	J- 124 or P-700418
Naval Photographic Center Film Collection	NPC	1211-180-72
Main Video File	MVF	008
Motion Film File	MFF	208
Main Audio File	MAF	7304142
Oral Histories	OH	See note below

Note: Oral Histories do not have "File ID's" – specify the name in the Description field



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NARA reserves the right to refuse to fill any reproduction request if, in NARA's judgment, fulfillment of the order might violate copyright law, or is not accompanied by permission from the copyright holder or collection donor. NARA maintains a Source and Permissions Contact List for some motion pictures, sound and video sources, available at: <http://www.archives.gov/research/order/film-sources-contact-list.html>

NARA recommends that researchers contact the United States Copyright Office at The Library of Congress to search currently copyrighted materials, or seek guidance from an outside intellectual property rights clearance specialists. For more information about copyright law in the United States, please visit the United States Copyright Office: <http://www.copyright.gov/>

For more information and exceptions to Copyright in U.S. Government works, please see: <http://www.usa.gov/copyright.shtml#>

Collections with significant copyright issues

There are particular types of collections with a much higher prevalence of copyrighted material in them. These collections include:

- Commercially produced television or film footage, such as news broadcasts;
- Audio recordings, including many oral history collections where the individuals speaking were not, at the time of the recording, government employees acting in their official capacity;
- Unpublished manuscripts donated by individuals other than the author.

Researchers are encouraged to seek additional information from reference room staff about these types of materials.



Credit of NARA Materials used in Audiovisual Productions and other Publications

To credit the use of NARA special media material obtained from our holdings in an audiovisual production, such as a film, broadcast documentary, or online presentation, we ask that you provide the general credit line:

Courtesy: The Richard Nixon Presidential Library and Museum (National Archives and Records Administration)

Publicity Rights

Publicity rights reflect separate and distinct interests from copyright interests. Researchers desiring to use archival materials in Presidential libraries bear the responsibility of making individualized determinations as to whether publicity rights are implicated by the nature of the materials and how they use such materials.

While copyright protects the copyright holder's property rights in the work or intellectual creation, publicity rights protect the interests of the person(s) who may be the subject(s) of the work or intellectual creation. Issues pertaining to publicity may arise when a researcher contemplates the use of letters, diary entries, photographs or reportage in visual, audio, and print formats found in library collections. Because two or more people are often involved in the work (e.g., photographer and subject, interviewer and interviewee) and because of the ease with which various media in digital format can be reused, photographs, audio files, and motion pictures represent materials in which issues of privacy and publicity emerge with some frequency.

The distinctions among publicity rights and copyright are best illustrated by example: An advertiser wishes to use a photograph for a print advertisement. The advertiser approaches the photographer, who holds the copyright in the photograph, and negotiates a license to use the photograph. The advertiser also is required to determine the relationship between the photographer and the subject of the photograph. If no formal relationship (e.g., a release form signed by the subject) exists that permits the photographer to license the use of the photograph for all uses or otherwise waives the subject's, sitter's or model's rights, then the advertiser must seek permission from the subject of the photograph because the subject has retained both privacy and publicity rights in the use of their likeness. The publicity right of the subject is that their image may not be commercially exploited without his/her consent and potentially compensation.

While copyright is a Federally protected right under the United States Copyright Act, with statutorily described fair use defenses against charges of copyright infringement, publicity rights are not the subject of federal law. Note also that while fair use is a defense to copyright infringement, fair use is not a defense to claims of violation of privacy or publicity rights.

Publicity rights are the subject of state laws. What may be permitted in one state may not be permitted in another. Note also that related causes of action may be pursued under the Federal Lanham Act, 15 U.S.C. § 1125 (a), for example, for unauthorized uses of a person's identity in order to create a false endorsement.

While an individual's right to privacy generally ends when the individual dies, publicity rights associated with the commercial value connected with an individual's name, image or voice may continue. For example, many estates or representatives of famous authors, musicians, actors, photographers, politicians, sports figures, celebrities, and other public figures continue to control and license the uses of those figures' names, likenesses, etc. Researchers should contact library staff to determine who may be responsible for clearing publicity rights on behalf of a former president.

Although the risks for using an image in a periodical's "editorial" pages may be less than for use in advertising or for other commercial purposes, the risk can still be high if the person depicted is held up to ridicule or presented in a libelous manner. While it is true that famous or public figures who seek recognition have thereby surrendered some privacy, they may have the right to control the commercial use of their image (likeness, voice, signature, etc.). This principle recognizes that a celebrity's image can be an asset in trade.



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High Resolution Scan (larger than 8.5 x 14)	\$25.00
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By completing this form, I confirm to have read and to understand the terms stated in the *Licensing, Copyright & Privacy Statements* on page 2 of this packet.

SAVE & EMAIL THIS FORM TO NIXON LIBRARY STAFF