Interested in Publishing Your Faberge Research?

Three Tools to Make Your Publication Adventure a Success:

Fact-checking – Inverted Pyramid – Copyright and Permission Requirements

Compiled by Ben Swindle and Modified by Christel Ludewig McCanless (USA) | Revised: September 2023

Fact-checking has gone awry and in our modern electronic world when writing a document or an email "one has **15** seconds – the time it takes to read **35** words – to grab a reader's attention. After that **45%** of readers will stop paying close attention … even though human attention span has remained the same since the 1800's, because today there are more things competing for our attention."[1]

Inverted pyramid writing style refers to a story structure where the most important information (or what might even be considered the conclusion) is presented first. The five W's and one H (who, what, where, when, why, and how) appear at the start of a story, followed by supporting details and background information. The *Fabergé Research Newsletter* does not use *the alternate academic style* of writing in which an abstract may summarize the main findings, and the content focuses first on the details, then leads to the conclusion at the end of the article. This style sometimes resembles a travelogue from A-Z.
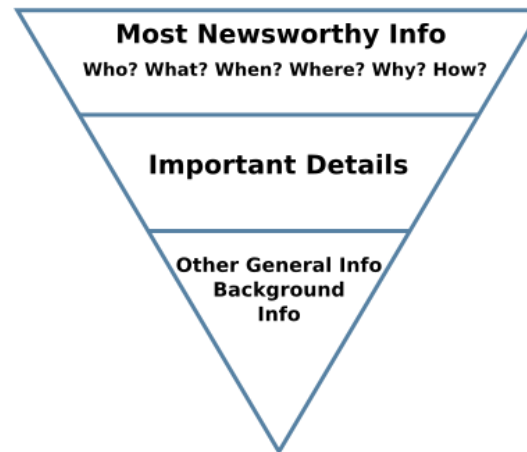
The inverted pyramid method visualized (The Air Force Departmental Publishing Office (AFDPO) / derivative work: Makeemlighter, Public domain, via Wikimedia Commons)

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[1] Book review of Gallo, Carmine. *The Bezos Blueprint*, *Communication Secrets of the World's Greatest Salesman*, cited by Bill Heavey. "Is Breveti the Soul of Success", *Wall Street Journal*, December 1, 2022, A 17.

Copyright and Permission Requirements

A Simple Guide with a Few Examples, Do Your Own Research
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Copyright and Permission Laws change frequently so doing your own research on this topic ahead of time is required. In your articles and picture selections you must keep in mind your work, and any content from other published sources must meet the required International Laws on this subject. Why? Because your work could be hosted on a webserver outside your country, provided as a service outside your country, or any number of other reasons. Some people try to justify getting around some or all these laws by saying they do not apply to my country. This is only true, if it pertains to you and you alone. Once you start advising others, or want others to use your content their country's laws and agreements with other countries go into effect. Any work you edit or publish must have proper copyright and permission documentation that apply on how you intend to use the material – it must meet all International Laws period (no way around it!).

Examples:

- Are you downloading something and keeping it for yourself (no problem).
- Downloading something and then either adding it to your own work or posting it on another webserver, or in a book (now you have a problem).
- Editing something like a picture and then uploading it to a webserver, or using it in a book (now you have a problem).

If you intend to use anything from any website, make sure the website has proper and easy to understand *Terms of Service and/or Terms of Use Documentation*, and if they do not have it clearly stated then the job of getting permission becomes much harder. You will have to reach out to the owner of the site, or content creator, to get proper emailed or written permission for how you intend to use it. Trying to get permission is easier when you tell the person addressed how you want to use it. For example, do not ask for permission to use it in a book and then put it on a website (it is a lawsuit waiting to happen!). Try for an open-ended permission but most authors or photographers will not grant it. All permissions MUST BE DONE as you are doing research and before you start using the content. It flat out is not worth wasting your time writing something and hoping to publish it, if you do not have permission to use the source material from the start.

A few rules to help you get a foundation for any necessary research you want to do (these laws change a lot, so do more research first):

1. There is no world-wide copyright law (just treaties), each country has its own laws applicable to its own citizens and to the content used in their own country. Be extremely mindful of the details and wording in this, since your content could be hosted outside of your own country and accessed by citizens outside of your country. See how fast this can get very messy with digital content? https://en.wikipedia.org/wiki/International_copyright_treaties

2. Where did the phrase "All Rights Reserved" come from? It came from the Buenos Aires Convention. https://en.wikipedia.org/wiki/Buenos_Aires_Convention

3. The Berne Convention for Protection of Literary and Artistic Works agreement to which most of the world's countries belong: https://en.wikipedia.org/wiki/Berne_Convention

4. Public Domain https://en.wikipedia.org/wiki/Public_domain

5. Directive on Copyright in the Digital Single Market and its issues effecting digital content https://en.wikipedia.org/wiki/Directive_on_Copyright_in_the_Digital_Single_Market

6. Obtaining Copyright Permission to use Digital and Online Content https://www.copyrightlaws.com/obtaining-copyright-permission-digital-online-content/

7. How far do the privacy laws reach into other aspects of our lives? We should be mindful some of them tend to over-reach and effect things which should not be included. Let us learn together since some of these issues are still being adjusted and changed as the court battles continue. Please be mindful of the fines some of these laws have, if you violate them. Many nations and states are enacting their own version of the laws and agreements in order to benefit from the monetary side of the violations as well – this will lead to more of these laws and agreements pushing into other areas. These are not just privacy laws in that some of them have digital rights, digital content, copyright, and permission parts. It is primarily these laws and what they are/could become which make us walk such a tight rope with making sure everything for the *Fabergé Research Newsletter* has the proper copyright and permission documentation before your research articles are ready for publication. The *Fabergé Research Site* is a small website and if at all possible we do not want to have to go back and redo anything. In the past we have had to take down some content as people changed their minds, new owners bought the rights to something we had permission to use, etc.: GDPR with its copyright issues, CCPA and some of its public domain issues, and LGPD has its copyright issues, etc. One could go on and on listing different country and state laws. Hopefully, you can see how the simple question of privacy is getting pulled into different areas when digital items are concerned.

An example of why these privacy laws matter: Your friend Allen goes into a museum and takes pictures for you using his smartphone and not a standard camera. Allen gives you permission to use these pictures on your website and he hands you a USB Flash Drive with copies of the unedited original pictures on it. You must be mindful of the privacy issue which has just occurred and what you must do to fix it before you use these pictures. Unedited original pictures can contain information about the owner, exactly where they were when the picture was taken, and information about the device used to take the picture. All the information must be cleaned from the picture's details and/or properties section before you use them to prevent leaking private information. Allen did not think about his snapshots being made public when he gave you those files. Were you given permission to use the pictures, yes. Were you given permission to leak private information, no. See how fast one can get in trouble with digital content?

Example of Getting Proper Permission

How to obtain proper permission to use something? *Wikipedia* is an example since it is one of the easiest to use … I found a picture of Ambassador Bakhmeteff and his wife I want to use from Wikipedia so I click on it to learn what requirements must be met to use it.

https://commons.wikimedia.org/wiki/File:Ambassador_Bakhmeteff_and_wife_LCCN2014687149.jpg

They have a USE THIS FILE ON THE WEB link which states how I must give proper credit (what to include in the caption) before using it.

Bain News Service, publisher, Public domain, via Wikimedia Commons … is the proper credit line, sure I can add it also, but I must first include the text I am required to use with the selected illustration.

Now can I even use it on my website? There is an INFORMATION ABOUT REUSING it link, also clearly stated next to the picture.

https://commons.wikimedia.org/wiki/Commons:Reusing_content_outside_Wikimedia

This page gives details on how to use it outside of *Wikipedia*. Remember the creator gave *Wikipedia* permission to use it, but they did NOT give you permission to reuse it the moment it was uploaded to *Wikipedia*. The text tells me what I can do with the picture, and which permissions the creator has PASSED ON to me, or what I must do to obtain permission to use it, if it is even possible.

In Conclusion

Always get proper permission to use anything (in the research phase, do not wait until after you have written the article) and use it properly. If you have a large website, you may not be able to afford to go back and fix the shortcuts you took, or you may not be able to get your site fixed in the limited time imposed by one of the above laws, or some new law with a deadline in it. A good general rule is to stay away from all social media sites, picture upload sites, file sharing sites, all pay sites, and be mindful of pay wall sites (allow you in a few times, but to read all of something you must pay. If you have a reader who will not pay the fee, then they will miss out on what you are referencing. So, make sure this is just extra information and not the core of your article). If there is something on one of these sites you cannot live without, you should try to contact the owner of the content via email, and see if you can make a deal with them to properly host it on your own site. Remember, if it is already on a pay site of some kind the owner's hands are often tied, and they cannot help you. If it is on a social media site you stand a good chance of getting proper permission to use what you are asking about. Never ever assume permission is given, always keep a copy of the email you get from the content owner stating you have proper permission. Instant messaging, text messaging, and any similar other form of communication is not good enough – you want a properly sent and replied to email or written permission. All pictures must have captions, some owners of pictures want their captions done a certain way, and a few content owners expect the link back to their website done a certain way, please respect their wishes. Always as a courtesy make sure you send the person you contacted for permission a copy of how you used their content, so they can give a final thumbs up or make final suggestions (this also gives them a final chance to revoke the permission, if needed due to them possibly selling the content, or if any agreements they have with others prevents them from allowing you to use it as well).

Above all else, keep in mind the *Fabergé Research Site* is a USA-based website with most of our readers in the European Union, the United Kingdom, and the United States of America so their agreements, laws, and treaties will be respected to the best of our ability. Most of the planet has agreements, laws, and treaties with these three countries and/or organizations. It requires us to do our best to respect a broad mindset when it comes to applying the rules and regulations as best as we can for our website – we will always choose the long road to do it right over the quick road with too many shortcuts. If your article does not meet international agreements, laws, and treaties for digital content hosted in the United States of America it will be rejected, so please always think about things outside of your own country.

Scholarly research about original Fabergé objects is always welcome. The many imitations appearing on the Internet will not be considered for publication, and adherence to the copyright and permission requirements to avoid law suits and hefty fines will be followed.