

Copyright and IPR Policy

2nd Edition (June 2019)

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Revised from 1st Edition (April 2016) by Sam Smith, MoDA Collections Manager.

Review date: June 2022

Contents

| | |
|--|----|
| Acknowledgements..... | 2 |
| 1. Introduction | 3 |
| 2. Relevant Ethics and Legislation..... | 4 |
| 3. Definitions and Considerations..... | 4 |
| 4. Reference to other policies and procedures..... | 8 |
| 5. Governance and responsibility | 8 |
| 6. Rights Ownership | 9 |
| 7. Rights use | 12 |
| 8. Management and systems..... | 13 |
| 9. Safeguarding rights | 13 |
| 10. Access..... | 15 |
| 11. Credit line..... | 16 |
| 12. Infringements..... | 17 |
| Bibliography | 19 |
| Appendices..... | 20 |

Acknowledgements

The development of the first edition of this document was made possible by support of a Collections Grant from London Museum Development during 2015/2016. See: <http://www.museumoflondon.org.uk/corporate/about-us/museum-development-in-london/grants-and-funding>

The grant contributed to the engagement and generous support of museum copyright expert and consultant Naomi Korn. See: <http://naomikorn.com/>

1. Introduction

The purpose of this document is to guide MoDA's approach to managing Copyright and IPR. MoDA's collections are maintained and developed to preserve and hold in trust for society its internationally important collections relating to British domestic design and architecture 1870-1960. The nature of the Museum's collections and activities means it must appropriately manage third party Intellectual Property Rights (IPR), as well as IPR created and owned by the Museum itself.

MoDA staff have developed this policy and associated procedures in consultation with museum sector copyright experts to provide a framework which reduces the risks of infringement and ensures that IPR owned by the Museum can be better identified, shared or exploited.

MoDA is committed to embedding the content of this policy within the working practice of all staff, providing appropriate training on induction and refresher training at regular intervals or whenever the policy or procedure is updated.

As MoDA is part of Middlesex University, this policy and procedural manual should be understood as forming part of the University's overall copyright and intellectual policy, with particular reference to:

Middlesex Policy Statement: *Intellectual Property Rights Students* (available from https://unihub.mdx.ac.uk/data/assets/pdf_file/0008/222974/IP-STUDENT-POLICY_ST.pdf)

Middlesex Policy Statement: *Intellectual Property Rights and Revenue Staff – HRPS25* (available from <https://www.intra.mdx.ac.uk/media/intranet/document-library/h/HRPS25.pdf>)

2. Relevant Ethics and Legislation

- Copyright, Designs and Patents Act 1988 (as amended), effective from 01 August 1989;
- Earlier Copyright Acts, such as those of 1911 and 1956, may still be relevant in certain situations;
- Case history in this field is vast; many cases have established precedent in accordance with usual common law principles;
- Berne Convention (1886);
- Universal Copyright Convention (signed in 1952 and amended in 1971);
- World Intellectual Property Organisation (WIPO) Treaty (1996).
- Trade Marks Act 1994
- Public Sector Information (PSI) Directive, 2013
- The Copyright and Rights in Performances (Licensing of Orphan Works) Regulations 2014
- Other statutes such as the Data Protection Act 1998 and the Human Rights Act 1998 also have a significant bearing, particularly in the areas of confidentiality and privacy.

3. Definitions and Considerations

Copyright

Copyright is an economic right which prevents others from copying or using your work without the rights holder's permission.

Copyright covers work such as:

- Original literary, dramatic, musical and artistic work, including illustration and photography
- Original non-literary written work, e.g. software, web content and databases
- Sound, music, film and television recordings and broadcasts
- The layout of published editions of written, dramatic and musical works

Copyright is automatically applied and typically lasts for the lifetime of the creator plus 70 years, though its duration may depend on factors such as the type of work it is and when it was produced. For guidance on duration see [Appendices 1](#) and [2](#).

Change to Design Right and copyright of industrially manufactured artistic works

At the time of the first edition of this policy the review of Section 52 of the Copyright, Designs and Patents Act 1988 ("CDPA") had not been completed. Section 52 contained an exception which limited the term of copyright protection for certain artistic works when they had been industrially manufactured. This meant that when more than 50 copies of these artistic works were made, then the period of protection was limited to 25 years, compared to other artistic works which are protected by copyright for the lifetime of the creator plus 70 years.

From 28 July 2016, all types of artistic works were granted copyright protection for the life of the creator plus 70 years; this included industrially manufactured works which had previously been limited to 25 years under section 52 CDPA.

There is no statutory definition of a “work of artistic craftsmanship” and, without a formal definition, it is ultimately up to the UK courts to decide what would be classified as a work of artistic craftsmanship and therefore protected by copyright. In any infringement claim it would be the responsibility of the claimant to show that the work in question meets the criteria, including whether it is an artistic work and therefore protected by copyright.¹

MoDA will therefore consider all Silver Studio designs to be ‘works of artistic craftsmanship’ and thereby consider them protected by copyright.

The change to the law means that some items in the collection that were protected by Design Right, limiting the duration of protection to 25 years from production, have now been granted full copyright protection of life of creator plus 70 years. MoDA will review and update the status of these items accordingly. These items may previously have been used in publications or online, so any reprinting or reissuing of these would require copyright clearance where previously this had not been required.

Unpublished work

Many of the designs within the **Silver Studio Collection** although intended for commercial reproduction were not commercially mass-produced.

Equally, in business and personal archives of letters etc., most material is classified as unpublished

Copyright in letters belongs to the individual authors. Where these are members of the Silver family, the museum has permission to reproduce. Other letters will need to be assessed on a case-by-case basis.

A work has been ‘published’ if, with the approval of the copyright owner, multiple copies of it have been issued to the public or it has been made available to the public online. Literary, dramatic and musical works that were still unpublished when the current statute, the Copyright Designs and Patents Act 1988, came into force in 1989 will be in copyright until 2039 at the earliest - this is especially important in archives, where most material is classified as unpublished.

Duration - Creator unknown

The duration of copyright for anonymous works is 70 years from the end of the calendar year of creation, or 70 years from the end of the year that the work was first made available

¹ Intellectual Property Office, *Repeal of Section 52 of the Copyright and Patents Act 1988*, 1988 <<https://www.gov.uk/topic/intellectual-property/copyright>> [accessed 5 February 2019].

to the public.² For many designs in the **Silver Studio** Collection, it may be difficult to determine precisely who designed the item, as many designs were simply credited to the Silver Studio. Equally, it may not be possible to discover the death dates of named designers, though a due diligence search should be carried out. In both these circumstances, MoDA will use the '70 years from creation' measure.

Orphan works

Orphan works are works in copyright where the copyright holder is either unknown or cannot be traced.

MoDA will not publish orphan works in any format without undertaking sufficient research to determine whether rights holders can be found. Due to the prohibitive cost, MoDA does not intend to utilise the Orphan Works Licensing Scheme (see <https://www.gov.uk/guidance/copyright-orphan-works#apply-for-an-orphan-works-licence>), but will not assume any work is an orphan work without undertaking appropriate measures to trace the creator or rights holder.

Crown Copyright

A work is Crown copyright if it was:

- created or published at any date before 1 June 1957 by or under the direction or control of the Crown
- created or first published between 1 June 1957 and 31 July 1989 by or under the direction or control of the Crown
- created on or after 1 August 1989 by an officer or servant of the Crown in the course of his duties

Crown copyright applies, for instance, to works created by:

- the Queen and all earlier monarchs, although special arrangements apply when Her Majesty or her predecessors were acting in a purely private capacity
- civil servants, diplomats, colonial officials and members of the armed forces when acting in an official capacity
- ministers of the Crown when acting as such, but not when acting as constituency MPs or party members
- government departments (such as the Home Office) and agencies (such as Ordnance Survey) people and bodies commissioned by or working for the Crown and under its direction or control before 1 August 1989 (such as the Tithe Commissioners)

² UK Copyright Service, 'P-01: UK Copyright Law Fact Sheet'
<https://www.copyrightservice.co.uk/copyright/p01_uk_copyright_law> [accessed 15 February 2019].

Crown copyright applies to any work first published by the Crown between 1 June 1957 and 31 July 1989, no matter who created it or when it was created.

Crown copyright applies to any work published by the Crown before 1 June 1957 even if it had been previously published by someone else. Because Crown copyright has a shorter duration than non-Crown copyright, copyright in all such works has now expired.

Crown copyright does not apply, for instance, to letters and papers received by the Crown but written by members of the public; reports, letters and invoices from private companies and bodies; or materials from overseas governments (except those in some Commonwealth countries).

The standard duration of Crown copyright is for 50 years after the year of publication or for 125 years after creation if unpublished. Unpublished Crown copyright literary, dramatic and musical works will however be in copyright until 2039 at the earliest. It is in the nature of archival records that the great majority are unpublished.

Parts of the **Charles Hasler** collection are covered by Crown copyright.

Crown copyright covers work published by the Crown, or created by civil servants, military personnel etc. during their everyday employment.

Unlike regular copyright, the duration of Crown copyright is not effected by the date of death of the creator, but by the date of creation and/or the date of publication.

The duration of Crown copyright is most easily determined by using Tim Padfield's *Duration of Crown copyright - literary, dramatic, musical and artistic works* chart which can be found in [Appendix 2](#).

Moral Rights

Moral rights automatically apply to copyright works (unless waived), though the holder of the moral right may not be the copyright holder. Moral rights last for the duration of copyright except in the right of false attribution – i.e. the right not to be falsely attributed as the creator of a work. This right lasts for the period of twenty years from death.

There are four main moral rights:

- Paternity – the right to be identified as the author or creator of a work
- Integrity – the right to object to derogatory treatment of a work
- Privacy – the right to privacy in photographs and film commissioned for private or domestic purposes (see section 4dii for an example of moral rights in the collection)
- False Attribution – the right not to have another's work falsely attributed to oneself

4. Reference to other policies and procedures

As an Accredited Museum, MoDA demonstrates an organisational commitment to managing its collections effectively for the enjoyment and benefit of others by referencing SPECTRUM (the UK Museum Collections Management Standard) in all policy and procedural manuals. MoDA's **Documentation Policy** and **Documentation Procedure** outline how collections information relating to copyright and IP is documented and managed.

Procedures covered which include rights management:

- object entry
- loans out
- acquisition
- cataloguing
- use of Collections including research

A rights management procedure is also included. This covers:

- *Rights research procedure* - researching rights associated with our collections
- *Rights acquisition procedure* - Getting permission from other rights holders (Rights in)
- *Licensing our rights to others* (Rights out)
- *Rights protection procedure* (how staff should manage copyrighted assets to ensure they are used appropriately and are not risking copyright infringement).

5. Governance and responsibility

The University expects all staff members to work in compliance with current legislation, and therefore delegates the following authorities and responsibilities:

- This policy applies to all Museum employees, volunteers, formal visitors, contractors and public visitors. Compliance with the terms of this policy is a condition of employment and of access to the Museum.
- *The Collections Manager and Business Manager* shall ensure that this policy is implemented, monitored and managed.
- Employees, volunteers, formal visitors and contractors are required to familiarise themselves with the contents of this policy and to ask line managers/supervisors for explanations if they have difficulty in understanding this policy.
- *The Head of Collections* shall maintain an overview of risks associated with MoDA's IP on a Risk Register, working in collaboration with colleagues from LSS
- *The Collections Manager and Business Manager* shall identify and evaluate risks relating to use of third party rights, ownership and protection of the Museum's rights as well as access and use. Risks include loss of Museum IP to third parties as

well as infringement by the Museum of third party IP. These issues will be discussed and evaluated in partnership with University colleagues such as *MDX Senior Legal Advisor Thami Nomvete*, and *Copyright Officer Kate Vasili*

- Responsibility for clearing rights rests with *each individual member of MoDA staff managing a particular project*
- Rights audits are carried out by *MoDA staff* on a case-by-case basis.

Policy Review Procedures

Copyright and intellectual property law is an ever changing environment and this policy needs to be reviewed and amended each time the law is changed or precedent set through legal challenge, and at least every five years.

The **Collections Manager**, working with the **Business Manager** will review such changes by monitoring the Intellectual Property Office's website <https://www.gov.uk/government/organisations/intellectual-property-office> the Design and Artists Collecting Society (DACS), the Copyright Hub website <http://www.copyrighthub.co.uk/>, membership of the Museums Copyright Group and updates from professional organisations such as the Museums Association, Association of Independent Museums, CILIP and NMDC Newsletter.

The **Collections Manager** and **Business Manager** will then update this policy and procedural manual accordingly and changes will be effected immediately to help mitigate risk. All staff will be made aware of resulting changes to policy and procedures.

6. Rights Ownership

The Museum of Domestic Design & Architecture (MoDA) cares for collections which are protected by intellectual property rights, including copyright.

MoDA developed from a number of collections acquired by Middlesex University between the late 1960s and the 1990s. The museum has a collection with a wide variety of rights holders, some of which have been identified, but not all. A plan to identify rights ownership and duration for items held by MoDA is addressed in our Documentation Plan, though MoDA's strategy is to focus on researching and recording the rights for material we know we want to use in forthcoming projects.

This section outlines our current understanding of who owns Intellectual Property Rights in each of the collections in the museum's care, according to current Copyright and Intellectual Property law.

Silver Studio Collection

The Silver Studio collection provides the unique record of one of Britain's leading commercial design studios, active between 1880 and 1963.

The collection was passed down through the Silver family before being acquired by the Hornsey College of Art in 1967. Silver Studio collection rights (other than those previously assigned, transferred or otherwise disposed prior to the date of the gift) were transferred by the Silver family along with the collection to the London Borough of Haringey as the body governing Hornsey College of Art. Hornsey College of Art merged with other institutions to form Middlesex Polytechnic in 1973, which became Middlesex University in 1992. The Silver Studio Collection and other collections acquired by the 1990s eventually became known as the Museum of Domestic Design and Architecture (MoDA), which is nevertheless still part of Middlesex University rather than a separate legal entity. The Silver Studio collection is made up of:

- **Original designs - the collection includes over 40,000 original designs on paper** (Silver Studio copyright)
- **Samples of finished products – the collection includes 3,000 wallpaper samples and around 3,000 textile samples** (copyright may vary – further research required)
- **The Studio's business and photographic records, and archival material such as the Silver family's personal and business correspondence.** (Silver Studio and other copyright)
- **Material for design reference and inspiration including rare books and portfolios acquired by the Silver Studio and 400 plus Japanese Katagami stencil** (other copyright/ out of copyright)

Charles Hasler Archive

This largely ephemeral collection belonged to the graphic designer Charles Hasler (1908-1992), and was purchased by Middlesex University in 1993.

- **Ephemera including greetings cards, cigarette cards, journals, invitations, books, exhibition catalogues, sales catalogues, prints, packaging, articles, business records, photographs, photocopies, manuscripts, slides, colour transparencies, newspaper clippings and journals and trade literature.**
- **books**
- **Examples of designs**
- **Personal archives**

MoDA does not own copyright in any of this collection. Any copyright in Hasler's own work (where it is not Crown Copyright) is owned by his daughter.

Domestic Design Collection

Some items in this collection came in with the Silver Studio collection. They have usually been assigned to this collection because they have not been produced by the Studio. The Domestic Design Collection is the only collection into which MoDA routinely accepts new items. Items in the collection often include associated biographical materials.

- **Ephemera including 5,000 books, magazines and trade catalogues** (copyright status is complicated because may be copyright in photography/design/typography/layout etc.)
- **original photographs of domestic interiors, mainly twentieth century, donated by members of the public.** (need to look at whether rights [moral, copyright] were assigned to MoDA)

MoDA holds no copyright in any of these collections, but regularly seeks the permission of donors to re-use photographs over which they hold copyright. MoDA acknowledges that the donor of a photograph may not be the copyright holder, and that moral rights may also exist in these items. Books, magazines and trade catalogues may have multiple rights in photography/design/typography/layout etc.

Crown Wallpaper Collection

The Crown Wallpaper collection was donated in 1989 when Crown Wallcoverings gave the museum a substantial part of their wallpaper collection. 11 John Alridge, RA / Edward Bawden, CBE, RA Bardfield wallpaper samples were donated at this time by Christopher Cole of Cole & Son Ltd and added to this collection.

- 5,000 wallpaper samples and pattern books (early 1950s to the late 1960s), produced by Crown and its predecessor bodies (such as Lightbown Aspinall) and its contemporaries, including Sanderson, John Line and Sons and Shand Kydd Ltd.
- photographs of show rooms depicting the books and samples in their original settings.

MoDA owns no copyright in this collection.

JM Richards Library

This collection was loaned to the museum in 1996, and continues to be on loan.

- 1,500 architectural books and journals collected by Sir James Maude Richards (1907-1992)
- Architectural drawings by J M Richards

MoDA owns no copyright in this collection.

Images of the collection and museum events/activities

All of the photographs taken by MoDA's contracted photographer of the museum's collection and museum events are copyrighted to the museum as per the University's agreement completed by suppliers.

7. Rights use

how the museum uses rights as part of its activities.

- The museum is a source of information for students and researchers, and needs to ensure that it complies with relevant legislation regarding copying and copyright exceptions, that it makes users aware of their responsibilities, and keeps a record of such transactions.
- The museum produces learning materials such as presentations and worksheets, and needs to ensure it has suitable rights clearances in place.
- The museum regularly publishes copies of its collection online and needs to ensure it has suitable rights clearances in place.
- The museum sometimes produces material to support exhibitions, such as catalogues, interpretation panels and labels, and needs to ensure it has suitable rights clearance in place.
- The museum sometimes looks to create new retail products and as such will negotiate licenses to use copyrighted works for new products.
- The museum sometimes produces promotional material (both printed leaflets and online listings) for which images need to be cleared for use.
- The museum uses social media platforms including Facebook and Instagram, and needs to have sufficient rights clearances in order to upload copies of collections.
- The museum will need to be open to future rights uses as and when they arrive, particularly considering the regular development of new online platforms.

8. Management and systems

How rights are managed at the museum

Internal Systems

MoDA uses MuseumsIndex+ and CollectionsIndex+ by System Simulation Ltd to document information about collections. All staff have logins giving them access to this information. CI+ is the central repository of information regarding collections information including rights management data.

Staff

Claire Isherwood, Business Manager, and Sian Woodward, Collections Manager, ensure rights are understood, documented in CI+ and managed appropriately.

Third party systems

MoDA collections records and images are shared with a number of external databases. In general the policy is only to share things for which MoDA have copyright or which are out of copyright.

9. Safeguarding rights

How MoDA protect the rights it owns, and the rights of others

MoDA makes its collections available physically by appointment and online. A crucial part of this strategy is the digital sharing and licensing of collections images to support its core aims.

MoDA pledges to:

- Ensure the museum initiates research into the rights associated with any object before any proposed reproduction of the object
- Never knowingly share or disseminate copyright material without the copyright holder's consent or without explicit reference to fair dealing or other exceptions
- Always make sure that use of copyright exceptions is fair, reasonable and proportionate
- Always acknowledge the source of images and use requested credit lines where appropriate
- Make students and researchers aware of any limitations of use for images provided

- Ensure that all rights and licensing agreements are made in writing, and records information regarding rights in an accessible place and format.
- use credit lines on all published works, and ensures online images are a limited size in case of copyright infringement.
- Have an external Copyright notice and IPR Policy on the museum website, including a Take Down Policy.
- carry out due diligence on items without documented rights information to ensure that rights holders have been contacted. The museum will keep records of all correspondence with potential copyright holders.

Due diligence to include:

- Checking the museum collections database to see if the information is already available
- Performing a reverse image search using TinEye, Foto Forensics and Google Image Search
- Checking online collections and contacting peer experts in museums and galleries
- Contacting publishers
- Undertaking library based research
- Checking the European orphan works database
- Checking the UK orphan works register
- Checking the Companies House database to try and trace contacts or successor bodies

MoDA will retain records of these searches on the OneDrive and in the CI+ database

- make copyright training an essential part of induction for staff.
- In the case of suspected **orphan works**, the museum will use a risk assessment to evaluate whether or not to use a work in a particular context. MoDA may also use an exception to copyright which allows cultural and heritage organisations that hold certain orphan works within their collection, to digitise them and place them on their website for non-commercial use. This relates to text based and audio visual works only, as stand-alone artistic works are not covered. The exception does apply to text based works with embedded images, and will largely be used by MoDA for trade catalogues for defunct companies without successor bodies. MoDA will register any items used in this way through the exception on the Orphan Works Database (see <https://oami.europa.eu/orphanworks/>). Due to the prohibitive cost, MoDA does not intend to utilise the Orphan Works Licensing Scheme (see <https://www.gov.uk/guidance/copyright-orphan-works#apply-for-an-orphan-works-licence>), but will not assume any work is an orphan work without undertaking appropriate measures to trace the creator or rights holder. MoDA will monitor

potential changes to orphan work exceptions relating to the UK's proposed exit from the European Union in 2019, and update this policy accordingly.

Under new exceptions to copyright law MoDA can:

- Assist students and non-commercial researchers by providing a limited copy (defined as a reasonable proportion) of an item in the collections (such as a book, magazine or journal, for example) provided that they outline its intended use and complete a declaration in writing to confirm that the use is for non-commercial research or private study and will be sufficiently credited. (See www.cilip.org.uk/copying)
- Supply a single copy of a whole or part of a work provided that the work had not been published or communicated before it was deposited in the library or archive and for which the creator has not specified restrictions on copying
- Make accessible or large print copies of any collections item (such as a design, magazine or journal, for example) for users with cognitive or physical disabilities, such as visually impaired or dyslexic visitors.

10. Access

How staff and the public access copyrighted works.

- The museum stores all of its collections (including many copyrighted works) on a collections management system. All staff with login details have access to this, and can download files freely.
- All staff can view digital copies of the museum's collection via the collections database, regardless of who owns the copyright and are able to directly upload and download images and other files into and out of this database to enable staff to manage the collections and reduce handling of items for their long-term preservation.
- The museum makes copies of a selected number of items from its collections available on its website. According to our Documentation Policy, only a small number of selected items are available online.
- The museum has uploaded selected collection items onto Facebook, Twitter, Pinterest and Instagram, albeit at a limited size. Generally, the museum tries to select items for which it holds the copyright, or in which copyright has expired.
- Visitors to MoDA can request and view any part of the collection that has been condition-checked and considered stable. Conditions of the visit allow visitors the ability to take their own reference photographs of collections for private research. Visitors are required to sign a form to agree that any images are for their own personal use only and not for reproduction elsewhere. If they wish to request higher

resolution images and use these in other ways beyond private research, they must make a formal request.

11. Credit line

- All museum copyrighted works should be sent with credit instructions that include the credit line 'Museum of Domestic Design & Architecture, Middlesex University'. Similar acknowledgement must be made in any text labels, exhibition notices or catalogues that refer to the items (unless otherwise stated).

a. Credit line (licensing images MoDA copyright)

For MoDA copyright items, 'Image copyright Museum of Domestic Design & Architecture, Middlesex University' or 'Image copyright MoDA, Middlesex University' should be used to credit the image.

In MoDA's own publications, 'Image copyright MoDA' is commonly used. Credit lines are not usually required or used in unbranded licensed products.

b. Credit line (licensing images from the MoDA collection public domain)

For public domain items from the collections, 'Image courtesy of The Museum of Domestic Design & Architecture, Middlesex University' or 'Image courtesy of MoDA, Middlesex University' should be used to credit the image.

In MoDA's own publications 'Image courtesy of MoDA' is commonly used.

12. Infringements

How museum staff deal with copyright infringement

What to do if staff are informed that the museum has infringed someone else's copyright

Upon receipt of a complaint, the following procedure will be followed:

- Every complaint will be acknowledged, the relevant item will be removed and an initial assessment undertaken on the day of receipt or the next working day thereafter
- It may be necessary for the museum to seek legal advice before the complaint can be fully resolved
- Content that is subject to complaint will not be made available again until MoDA [and its Legal Advisor] is satisfied that it does not breach any law

What to do if you become aware of museum copyright infringement by someone else

- Refer the item to the **Business Manager** and/or the **Collections Manager**
- If necessary museum staff will seek legal advice/guidance from MDX Senior Legal Advisor Thami Nomvete, and Copyright Officer Kate Vasili before the complaint can be fully resolved
- Staff may then contact the infringer and ask them to stop.
- Staff may also offer to license the IP to the third party and come to an agreement on use.
- If agreement cannot be reached, MoDA may investigate using the IPO mediation service³
- Filing legal proceedings will be investigated as a last recourse, but the aim is to avoid reaching this point.

The information currently on our website regarding copyright states:

The copyright of images and the intellectual property rights in all content included on this site is either owned by us or licensed to us.

You may use the material on this website for your own private study, non-commercial research, and non-commercial instructional or educational purposes. All copies of any part of the content material must bear acknowledgement of the copyright of the owner of the material.

If you wish to use content from this website for any purpose other than private study or research (whether commercial or not) you should contact us by email to moda@mdx.ac.uk. For more information, see our [Images and Licensing page](#).

³ <https://www.gov.uk/guidance/intellectual-property-mediation>

Every effort has been made to obtain permission to reproduce the images on this website from the relevant copyright holders and to ensure all credits are correct. We have acted in good faith and on the best information available to us at the time of publication. Any omissions or errors are inadvertent and will be corrected if notification is given by email to moda@mdx.ac.uk.

Takedown Notice

In the event that you are the owner of the copyright in any of the material on this website and do not consent to the use of your material in accordance with the terms and conditions of use of this website, please contact us providing the information requested below and we will withdraw your material from our website forthwith on receipt of your written objection and proof of ownership of the aforementioned material. In order to process your complaint, please provide the information required using the [downloadable template](#) (.docx). This template should be used to document your complaint. This should then be sent to the Business Manager at the following email address: moda@mdx.ac.uk Your complaint will be acknowledged within 3 working days of receipt.

If you require any assistance completing this Template, please contact Claire Isherwood or Sian Woodward at: moda@mdx.ac.uk

The Takedown template can be found at [Appendix 3](#).

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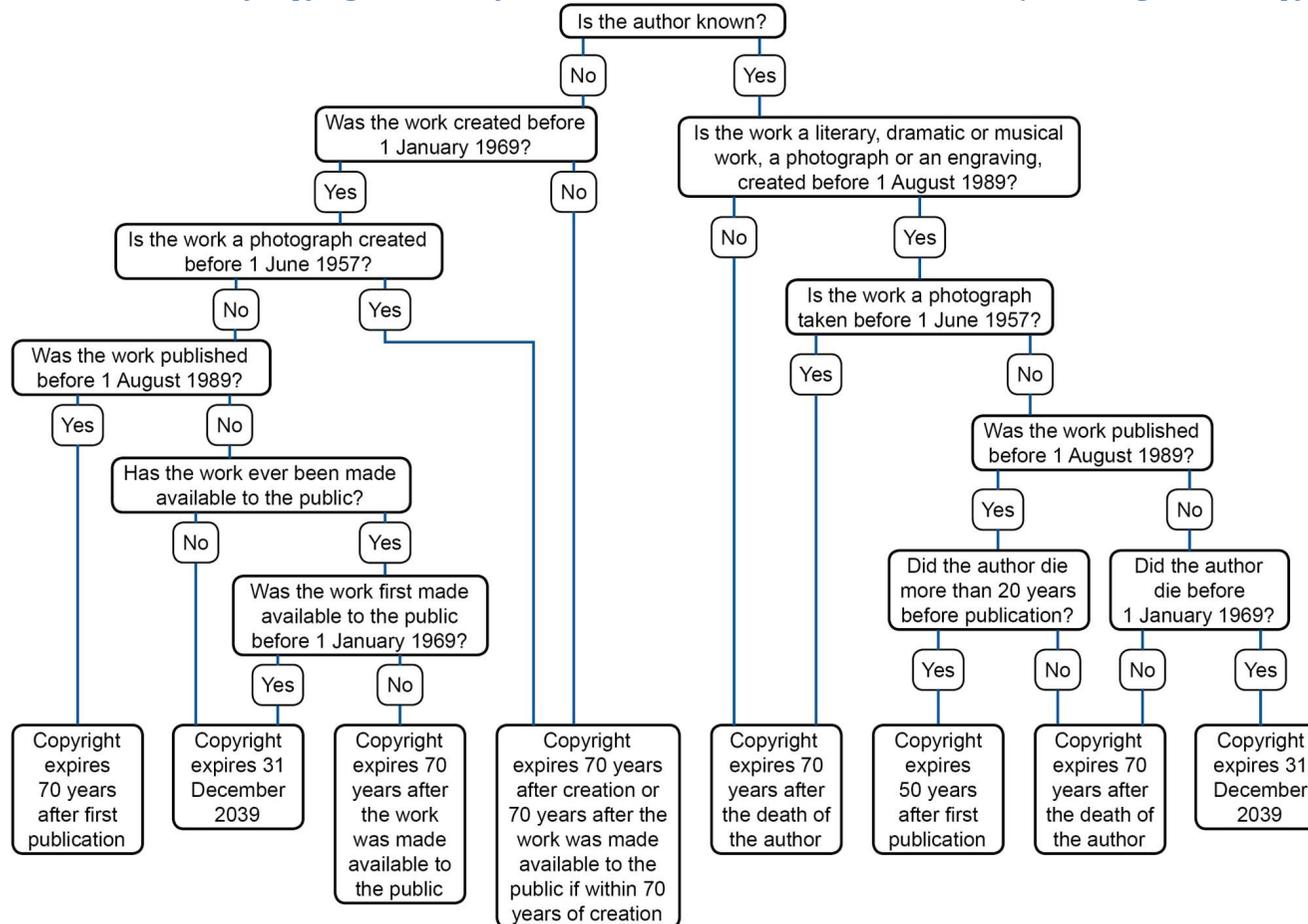
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Written and compiled: Carrie Bishop, Project Rights Officer, Tate and Tate Edited: Bernard Horrocks,
Intellectual Property Manager. "A Brief Guide to Copyright." Tate, 2016.

Appendices

1. Duration of copyright - literary, dramatic, musical and artistic works (excluding Crown copyright)



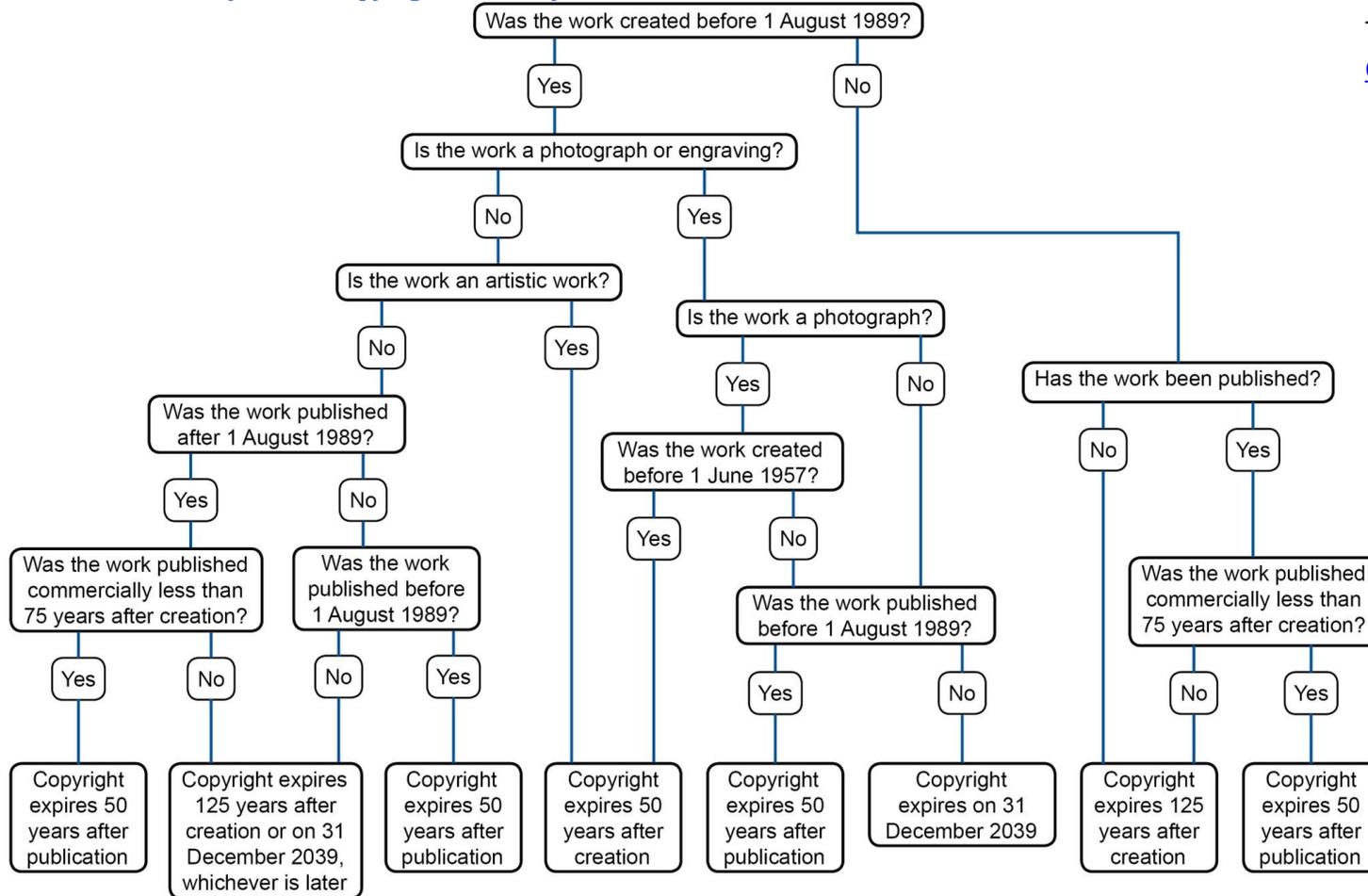
The chart is reproduced here under an [Open Government License](#),

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⁴ The National Archives, *Copyright and Related Rights*, 2013 <<http://www.nationalarchives.gov.uk/documents/information-management/copyright-related-rights.pdf>> [accessed 4 February 2019].

2. Duration of Crown copyright - literary, dramatic, musical and artistic works

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5

⁵ National Archives.

3. Take Down Complaint Template

To: Claire Isherwood

From: [Name, address, telephone number and email address of complainant.]

Reference: [Title and unique identifier to which complaint refers] (subject of complaint)

1) Infringement of copyright/author's rights/related rights.

a) The following material is protected in the UK, Europe and in South America by intellectual property law.

i) [Describe the protected material in as much detail as possible so that the specific content, edition and format may be readily identified.

Indicate the category for protection under intellectual property law (e.g. original literary, dramatic or musical work, software). Specify exactly the extent of use, e.g. by quoting text that has been reproduced] (The Protected Material).

b)

i) I/we own or am authorised to represent the owner of intellectual property rights in the protected material.

ii) I am the creator of and thus have moral rights in the protected material.

c) I/we hereby give notice of:

i) Unauthorised use by reason of reproduction and/or making available the protected material; and/or

ii) Breach of the moral right of [paternity/integrity/right not to have my work subjected to derogatory treatment].

2) A complaint on grounds other than copyright and/or related rights.

a) [Specify the nature of the complaint e.g. defamation, breach of confidence, data protection.]

b) [Specify the law that is alleged to have been infringed].

c) [Describe the infringing content in as much detail as possible e.g. by quoting or otherwise identifying the specific content].

d) [Explain the nature of the infringement with regard to the applicable law, e.g. that an individual may reliably be identified and thus data protection legislation has been breached]

3) I/we hereby request, with reference to the subject of this complaint, you/your organisation:

a) Remove it from the website; and

i) Cease further use of the material; and

ii) Withdraw from circulation any materials that include it.

4) I/we request that you notify me/us when you have complied with my/our request



in section 3 above.

5) I/we attach/direct you to the following additional information which supports my complaint:[proof of ownership, etc]

6) In relation to my/our complaint, I/we also inform you [any other relevant information including e.g. other steps taken to protect my rights].

7) The information contained in this notice is accurate and I believe, with good faith, that the publication, distribution and reproduction of the material described in section 1 is not authorised by the rights holder, the rights holder's agent or the law and/or infringes the law as described in section 2 above.

8) This notice is given to you without prejudice to any other communication or correspondence relating to the protected rights or any other right.

CONTACT INFORMATION:

Name:

Address:

Telephone number:

Email address: