

## A Question of Coordination

When submitting manuscripts for publication in a biomedical journal, the publications coordinator for a for-profit corporation executes copyright transfer on behalf of its authors to ensure internal clearance of the manuscript and any proprietary information. How will the cover letter for the manuscript to be submitted reflect the requirement listed in the journal's information for authors that all authors transfer copyright to the publisher? Are mechanisms in place to obtain all the authors' signatures as well?

### Solutions

The question as I understand it is, How should a journal publisher handle the transfer of copyright from authors when it accepts an article for publication? The following are my recommendations:

- When dealing with any copyright matters, it is prudent to be cautious and conservative. Defective and sloppy assignment of copyright will come back to haunt you. Copyright problems can be messy, time-consuming, and expensive.
- Document your organization's copyright practices and procedures so that one person is responsible for the management of rights. Copyright management must be consistent.
- Once an article is accepted for publication, require the authors to sign your organization's contributors agreement; make no exception to this rule.
- If the article has more than one author—that is, if there is joint authorship—the coauthors probably own the copyright equally. Require all authors to sign your contributors agreement.

I have two other suggestions in light of the *New York Times vs. Tasini* decision, which concerned the publishing of freelancers' and contributors' articles without the granting of electronic rights. First, revise all your contributors agreements and author contracts so that electronic rights

are acquired from article contributors. Second, do not publish a contribution to your periodical electronically unless you have a signed contributors agreement conveying electronic rights.

### Glossary

*Assignment of copyright* is the transfer of all the exclusive rights in a copyrighted work. Assignment is tantamount to a sale of copyright. Copyright law requires that transfer of copyright be in writing.

*Contributors agreement* is the document used by magazine and journal publishers to secure the assignment of copyright and other publishing rights in an article. Signed by the contributor, it makes it legal to publish the contributor's article.

*Joint authorship* occurs when a work is prepared by two or more authors with the intention that their contribution be merged into inseparable or interdependent parts of a whole.

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**John B McHugh**

Publishing Consultant and Publisher,  
*McHugh Publishing Management Series*  
Milwaukee, Wisconsin

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**Ed Colleran**

Copyright Clearance Center  
Danvers, Massachusetts

## **New Question: A Question of Population Sampling**

Recently, journals have started to request that numbers of individuals represented by given cells ("cell n's") be given in addition to percentages in frequency tables. For example, in a table on the use of chiropractic by men and women of different ages, they want not only the percentage but also the number of users for each age group. Although determining cell n's is often straightforward, the issue becomes less clear when one uses survey data that have been weighted to reflect the underlying characteristics of a population, not just of the respondent sample. I have received conflicting advice from several researchers about how to derive cell n's, and I seek further advice.

The situations described as new questions in this column are not necessarily based on actual situations, and the ones that are may have been modified to focus the question. Send your responses to the new question to Della Mundy, Department of Medical Editing, Kaiser Foundation Research Institute, 1800 Harrison Street, 16th Floor, Oakland CA 94712-3429. Telephone 510-987-3573; fax 510-873-5131; e-mail [della.mundy@kp.org](mailto:della.mundy@kp.org).