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## Book Review: Every Writer's Guide to Copyright and Publishing Law 3d ed.

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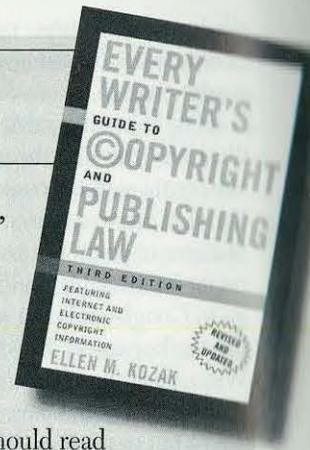
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## Copyright and Publishing Law, Third Edition

By Ellen M. Kozak (New York, NY: Henry Holt & Co., 2004). 141 pgs. \$13.

Reviewed by Prof. Ramon A. Klitzke



*Every Writer's Guide to Copyright and Publishing Law* should be on the desk of every writer who has any thought of publishing. Attorneys interested in publishing law also should read the guide.

When I reviewed the first edition of the guide (63 Wis. Law. 26 (Sept. 1990)) and the second (71 Wis. Law 28 (Feb. 1998)), I pointed out that the author's extensive experience in educating lawyers and counseling authors clearly qualifies her to write this book. A published writer myself, I've met many authors who relied heavily on the earlier editions of this guide.

The guide is directed to general principles of U.S. law related to literary works. The 24 chapters include ones on the legal system, exploiting copyrights, copyright notice, registration and related areas of law, to mention only a few of the necessary tools for the author-publisher. The guide will be a continuing resource for authors and attorneys alike.

Since the 1997 edition, copyright law has progressed immeasurably because of technological and global market changes. The Digital Millennium Copyright Act (DMCA) of 1998, the Sonny Bono Copyright Term Extension Act of 1998, and the Technology, Education and Copyright Harmonization Act of 2002 are just some of the laws Congress has passed.

With the passage of the 1998 Bono Act, the "life-plus-50-years" copyright duration became "life-plus-70-years," except for anonymous and pseudonymous works and works made for hire. Those are protected for 120 years from creation or 95 years from first publication, whichever is sooner.

Since publication of the second edition, the U.S. Supreme Court decided *New York Times Co. v. Jonathan Tasini* (2001). The Court held that the *Times*, absent permission, had no right to sell articles bought from freelancers to online services. Once an article appears online, it loses its resale value. But now many larger papers require such authorization as part of the purchase of the article.

The third edition of the guide is much easier on the eyes than was the second. The page size is larger and the type font is sharper. A complete index is included.

I strongly recommend the new edition of *Every Writer's Guide to Copyright and Publishing Law* to any lawyer who might face a question from an author.

RAMON A. KLITZKE, INDIANA 1957, LL.M. N.Y.U. 1958, IS PROFESSOR EMERITUS AT MARQUETTE UNIVERSITY LAW SCHOOL, WHERE HE TAUGHT FOR 27 YEARS.