

**HOW TO  
REQUEST USE PERMISSION**  
Mississippi Department of Archives and History  
Archives and Records Services Division

### **3.0 How to Request Use Permission (to publish, broadcast, or display)**

#### **3.1 Copyright**

Some materials in these collections may be protected by the U.S. Copyright Law (Title 17, U.S.C., in accordance with the Berne Convention for the Protection of Literary and Artistic Works), and the Digital Millennium Copyright Act. Additionally, the reproduction of some materials may be restricted by terms of gift agreements, privacy and publicity rights, licensing and trademarks.

Copyright may be difficult or even impossible to determine for archival collections. Whenever possible, the Mississippi Department of Archives and History (MDAH) will provide information about copyright interests in and other restrictions on archival materials. MDAH provides this information as a service to aid the patron in determining the legality of the intended use of an item, but that determination ultimately rests with the patron. It is the patron's obligation to determine and satisfy copyright or other use restrictions when publishing or otherwise distributing materials found in MDAH collections.

#### **3.2 General Information**

**Written permission is required for broadcast/publication/exhibition/Internet use of copies.** If publication, broadcast, exhibition, or Internet use of the reproduction is intended, you must receive written permission from the Archives and Records Services Division (A&RS Div.) director and any copyright owner(s), if applicable. Special restrictions are applied to certain items, based on format, and are detailed below. Use on the Internet or any Web site is prohibited without prior written permission from the A&RS Div. director and copyright owner(s), if applicable.

Written permission is documented by use of the MDAH [\*Broadcast / Publication Permission Form\*](#) or by use of a separate, customized and more substantial agreement tendered by the collection archivist. The necessity of a separate agreement is determined by the collection archivist.

Use permission is granted for a period of no more than ten (10) years; rights are not granted in perpetuity. MDAH and copyright owners must approve superimposition of text, cropping, bleeding, addition of color, or other alterations at the time the request for duplication is approved.

MDAH requests two complimentary copies of the final product.

Contact Information:

Web site: <http://mdah.state.ms.us/arrec/>

Phone: 601-576-6876

Fax: 601-576-6876

Email: [refdesk@mdah.state.ms.us](mailto:refdesk@mdah.state.ms.us)

Mississippi Department of Archives and History  
**Attn.: Archives and Records Services Division**  
P.O. Box 571  
Jackson, MS 39205-0571

OR

200 North Street  
Jackson, MS 39201

### 3.3 Use Fees

MDAH may assess a fee for the use of reproduced items from the collections of the A&RS Division. Use fees and use fee categories are set by the MDAH Board of Trustees and are subject to change without notice.

MDAH staff will determine the category of proposed use. Proof of Internal Revenue Service filing category is required to qualify for the not-for-profit fee rate. Profit/Not-for-profit status is determined by the status of the entity requesting the use, not by the status of the entity funding the project.

Use fees are for a one-time, non-exclusive use of the image(s) in one product distributed in one format/medium in one language and are in addition to any product, handling, and mailing costs and any service fees. The conditions of said one-time use will be established with the collection archivist and will be listed on a [Broadcast / Publication Permission Form](#) or separate use agreement. Any subsequent use constitutes a reuse and must be approved by MDAH following the procedures set forth in this policy. The reproduced material may not be used in other media or formats without the express, written permission of MDAH.

For current pricing information, please refer to the [Cost and Fee Schedule for Research, Products, Services, and Use](#).

Legal residents of Mississippi and organizations chartered in Mississippi will not be charged use fees. Mississippi government agencies will not be charged use fees unless the intended use is related to a product that will be distributed for a price.

Each user of reproduced MDAH material will agree to indemnify MDAH for any liabilities incurred by MDAH as a result of misuse by the user.

### 3.4 Credit

**Public acknowledgement is required.** Unless instructed otherwise on the [Broadcast / Publication Permission Form](#) or separate use agreement, credit will be given as: Courtesy of Mississippi Department of Archives and History.

- Complete and sign a [Broadcast / Publication Permission Form](#) and submit it to the collection archivist.

- The collection archivist will review the request and respond with one of the following options.
  - 1) approval of the request by the A&RS Div. director
  - 2) approval of the request under the terms and conditions of a separate agreement tendered by the collection archivist
  - 3) disapproval of the request
- If a separate agreement is used, sign and return the use agreement to the collection archivist.
- Pay the use fees.
- Assure that credit is given as: Courtesy of Mississippi Department of Archives and History.**

(4/2010)