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Smithsonian National Museum of Natural History

09/10/2012

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Imprint:	Nelson		
Title:	Animal Biology	Edition:	1
Author(s):	FENTON/DUMONT/OWEN	ISBN:	9780176502027 (0176502025)
Print Run:	8825	Est. Pub Date:	02/28/2013

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<u>Stock Id#</u>	<u>Item Description</u>
205726	Pterobranchs

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Specifically we require rights as follows: DISTRIBUTION: World LANGUAGE RIGHTS: English MEDIA RIGHTS: Print, CD/DVD, online PRODUCTS: Student Textbook and all Related Product Family components including In-context Promotional Material PRINT RUN BREAKDOWN: 7875 (Student Textbook), 950 (All Other Components).

Please sign below and return this form to the address set forth below at your earliest convenience. Remember to make a copy of the signed request for your files if you need one.

Please return signed form to:

Company: Cengage Learning, Inc./Nelson Education Ltd.
 Name: Kristiina Paul
 Address: Apt. 1209, 195 Barrington Ave.
 Toronto, ON Canada M4C 5M7
 Phone: (212) 203-0582
 Fax:
 Email: kriskanadas@gmail.com

TO BE SIGNED BY Person Granting Permission:

I hereby represent and warrant that I have the right to grant permission to use the material specified above without violation of third party rights, or am a duly authorized agent of the author/copyright owner, and if I do not control all rights in their entirety, I have indicated so. I hereby grant to Cengage/Nelson, its licensees, assigns, and affiliates, the right to use the material in all the ways noted above. I also warrant that I am 18 years of age (or have obtained the signature of my parent or guardian if I am under the age of 18).

Gratis: ☒ Yes ☐ No

Fee (if required): Copy of all materials

May the Material be used in other Cengage/Nelson projects not related to the Work? ☐ Yes ☒ No

Name:

Cheryl F. Bright

Signature:



Date:

12/10/2012

Address:

NMNH, MRC-0163, Smithsonian, Wash DC 20560-0163

Email:

brightc@si.edu

Phone:

301-238-1756

Bright, Cheryl

From: Matias, Angelica A.
Sent: Tuesday, September 18, 2012 8:33 AM
To: Ingold, Marianne; Bright, Cheryl
Cc: Crane, Chris
Subject: RE: Request for OCon Review - WAS: (RE: Request for OGC Review - Image License for NatGeo Field Guide to the Water's Edge)

Cheryl,

I have reviewed the Request for Permission from Cengage. Provided the SI retains the copyright to the image, I see no problems with the agreement.

Regards,

Angelica

From: Ingold, Marianne
Sent: Tuesday, September 11, 2012 11:26 AM
To: Matias, Angelica A.
Cc: Crane, Chris
Subject: FW: Request for OCon Review - WAS: (RE: Request for OGC Review - Image License for NatGeo Field Guide to the Water's Edge)

Angelica,

Please assist Cheryl with the review of the "Request for Permission".

Cheryl, yes, you certainly can request that Cengage pay a reasonable amount. I don't know what constitutes a "reasonable amount". I recommend that you ask your Registrar to give you the credit line that NMNH uses. She also may have an idea what is a "reasonable amount".

Angelica, thanks.

Marianne

From: Bright, Cheryl
Sent: Tuesday, September 11, 2012 6:44 AM
To: Ingold, Marianne
Cc: Lewis, Katherine E.
Subject: Request for OCon Review - WAS: (RE: Request for OGC Review - Image License for NatGeo Field Guide to the Water's Edge)

Hi Marianne,

Attached is the e-mail thread regarding Cengage's request to use one of our images in a textbook they are publishing. The license agreement they have asked us to sign is included in their message. In addition to your guidance regarding whether I should sign the agreement I would also appreciate your advice on:

- Can we request that they pay us to use the image? If so, how much?; and
- Is there a standard Smithsonian credit line I should ask them to use?

Thank you for your help with this. – Cheryl

From: Ingold, Marianne
Sent: Monday, September 10, 2012 9:05 AM

To: Bright, Cheryl
Cc: Lewis, Katherine E.
Subject: RE: Request for OGC Review - Image License for NatGeo Field Guide to the Water's Edge

Cheryl,

Please send it to me for tracking purposes and I'll make the assignment. It may be assigned to Katherine.

Thanks.

Marianne

From: Bright, Cheryl
Sent: Monday, September 10, 2012 8:19 AM
To: Ingold, Marianne
Cc: Guttenplan, Lauryn; Norenburg, Jon; Strong, Ellen; Harasewych, Jerry; Blackwell, Craig; Lewis, Katherine E.
Subject: RE: Request for OGC Review - Image License for NatGeo Field Guide to the Water's Edge

Hi Marianne, many thanks.

Yesterday I received an image use request from a textbook publisher. As soon as I receive their paperwork should I contact you, or can I ask Katherine to review that as well? - Cheryl

From: Ingold, Marianne
Sent: Friday, September 07, 2012 4:19 PM
To: Bright, Cheryl
Cc: Guttenplan, Lauryn; Norenburg, Jon; Strong, Ellen; Harasewych, Jerry; Blackwell, Craig; Lewis, Katherine E.
Subject: RE: Request for OGC Review - Image License for NatGeo Field Guide to the Water's Edge

Cheryl,

It is my recollection that I asked Katherine Lewis to assist you with this matter. I'll ask Katherine to get back to you on Monday.

Best regards,

Marianne

From: Bright, Cheryl
Sent: Friday, September 07, 2012 3:33 PM
To: Ingold, Marianne
Cc: Guttenplan, Lauryn; Norenburg, Jon; Strong, Ellen; Harasewych, Jerry; Blackwell, Craig
Subject: Re: Request for OGC Review - Image License for NatGeo Field Guide to the Water's Edge

Hi Marianne,

Last week Craig Blackwell contacted you on my behalf regarding a request we received from National Geographic to use one of our images in a publication. The NatGeo editor just contacted me regarding the status of their request. Can you give me a ballpark time estimate when we might be able to tell them whether we will be able to sign their license form?

Thank you for your help with this.

Cheryl Bright

Collection Manager, Invertebrate Zoology

Sent from my iPad

On Aug 30, 2012, at 11:25 AM, "Blackwell, Craig" <BlackwellC@si.edu> wrote:

Hi Cheryl, I checked with OCon, because I thought this is the kind of document they are responsible for reviewing, etc., and that is correct. Marianne Ingold of OCon will be assigning this to someone in that office who will contact you.

Craig

From: Bright, Cheryl

Sent: Thursday, August 30, 2012 9:32 AM

To: Guttenplan, Lauryn; Blackwell, Craig

Cc: Norenburg, Jon; Strong, Ellen; Harasewych, Jerry

Subject: Request for OGC Review - Image License for NatGeo Field Guide to the Water's Edge

Hi Lauryn, Craig –

National Geographic wants to use one of our images in a soon to be published field guide. They have asked that I sign the attached permission form agreeing to let them use the image in this publication in return for a payment of \$120.00. I have reviewed the document and did not see anything that raised a red flag to me, but I would appreciate it if one of you could look at it and confirm that it is an appropriate document for me to sign. Additional information regarding my contact with them follows in the thread below.

Thank you for your help.

Cheryl

Cheryl Bright

Collection Manager, Invertebrate Zoology

301-238-1756

From: Young, Galen [<mailto:gayoung@ngs.org>]

Sent: Wednesday, August 29, 2012 9:12 AM

To: Bright, Cheryl

Cc: Strong, Ellen; Harasewych, Jerry

Subject: Re: Image License for NG Field Guide to the Water's Edge

Hi Cheryl,

Thanks so much for getting in touch with me about this - I am so glad we will finally get this sorted! Yes, the top image is the correct image.

I attach the form here. We are licensing this image for use in *NG Field Guide to the Water's Edge*. The press run is over 50,000 copies, and I am clearing World English language rights. Please let me know if you have any questions.

Best,
Galen

Galen Young
Illustrations Specialist
National Geographic Books

1145 17th St. NW
Washington, DC 20036
p: 202-857-7496
f: 202-429-5727
gayoung@ngs.org

On Tue, Aug 28, 2012 at 1:38 PM, Bright, Cheryl <BRIGHTC@si.edu> wrote:

Dear Mr. Young,

I have just received a copy of the lengthy e-mail thread related to your quest for a license to use an image from our on-line specimen catalog. In one of the messages in the thread I found the link to an image <http://collections.mnh.si.edu/search/iz/?irn=545262> in our on-line catalog. That image is of the following specimen in our collection. Please confirm that this is the correct specimen and image(s).

<image001.png>

These photos were taken by Michelle Brown who worked for me on an imaging and inventory project involving our holdings of specimens from the Potomac River Basin. The project was funded by the National Park Service. Though SI retains title to these photos, copies of all the images were provided to NPS for their unrestricted use. I do not know how or if they might have used these images but you should be aware they may now be available through print or on-line NPS sources.

We would be happy to give National Geographic an license for a one-time, non-exclusive use of the image. I would appreciate it if you would provide me with NG's standard "permission to use" form. Depending on the complexity of the agreement form I may need to have our OGC review the form before I can sign and return it to you.

Sincerely,

Cheryl Bright

Collection Manager, Invertebrate Zoology

[301-238-1756](tel:301-238-1756); bright@si.edu

Bright, Cheryl

From: Kristiina Paul [kriskanadas@gmail.com]
Sent: Friday, December 07, 2012 9:25 AM
To: Bright, Cheryl
Subject: Follow-up: Permission request for textbook - URGENT
Attachments: Smithsonian image.JPG; Smithsonian request.pdf

Dear Ms. Bright,

I hope my e-mail finds you well.

I am following up on the permission request to use an image in textbook (please see below and attached).

This matter is now quite urgent, and I would really appreciate it if you could advise at your earliest convenience.

I look forward to your reply.

Best regards,
Kristiina paul

----- Forwarded message -----

From: **Kristiina Paul** <kriskanadas@gmail.com>
Date: Mon, Sep 10, 2012 at 9:05 PM
Subject: Re: Permission request for textbook
To: "Bright, Cheryl" <BRIGHTC@si.edu>

Dear Ms. Bright,

Thank you for the quick reply!

It is the third image shown that our authors would like to use (also attached).

I have included as well a PDF document with the publisher's formal permission request letter. Please let me know if any additional information is required, and I will provide ASAP.

I look forward to your reply.

Best regards,
Kristiina Paul

On Mon, Sep 10, 2012 at 8:15 AM, Bright, Cheryl <BRIGHTC@si.edu> wrote:

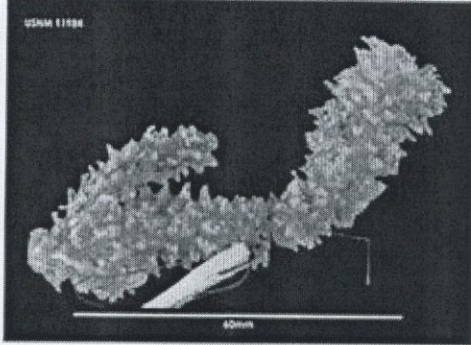
Dear Ms. Paul,

We have three images associated with Accession # 205726. Which of the following images do you wish to use? Your request to use one of our images must be reviewed by our Office of the general Counsel (OGC) and our Office of Contracting. Please send me a copy of your formal license agreement form and I will forward it to our offices for their review.

Yours truly,

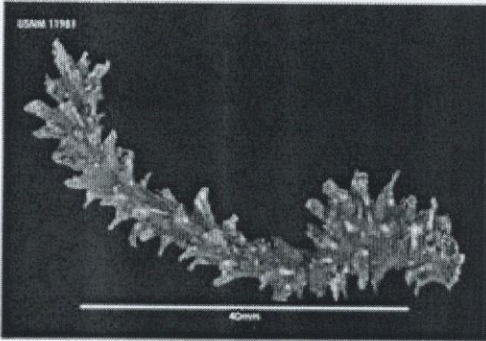
Cephalodiscus nigrescens Lankester::: Pterobranchia : Hemichordata

Title: *Cephalodiscus nigrescens*_11984
Description: Wet specimen.
Creator: Adrian James Testa
Format: image/jpeg
Resolutions: 320x233, 640x465, 4383x3187
Rights Holder: Smithsonian Institution Department of Invertebrate Zoology
Rights: Unless otherwise noted, this image or its contents may be protected by international copyright laws.



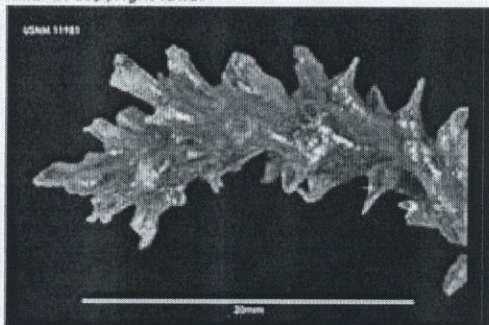
Cephalodiscus nigrescens Lankester::: Pterobranchia : Hemichordata

Title: *Cephalodiscus nigrescens*_2_11981
Description: Wet specimen.
Creator: Adrian James Testa
Format: image/jpeg
Resolutions: 320x220, 640x440, 4477x3078
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Cephalodiscus nigrescens Lankester :: Pterobranchia : Hemichordata

Title: Cephalodiscus_nigrescens_2 (1)_11981
Description: Wet specimen.
Creator: Adrian James Testa
Format: image/jpeg
Resolutions: 320x211, 640x421, 4629x3047
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From: Kristiina Paul [mailto:krisikanadas@gmail.com]
Sent: Sunday, September 09, 2012 8:03 AM
To: Bright, Cheryl
Subject: Permission request for textbook

Dear Ms. Bright,

Permission is requested to use the Material (defined below) in the following project (the "Work") for Cengage Learning/Nelson Education, or one of their respective subsidiaries, divisions or affiliates (collectively, "Cengage/Nelson"):

Imprint: Nelson

Title: Integrative Animal Biology

Edition: 1

Est. Pub Date: 11/15/2012

Author(s): FENTON/DUMONT/OWEN

ISBN: 9780176502027 (0176502025) Print Run: 8825

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Specifically we require rights as follows:

DISTRIBUTION: World

LANGUAGE RIGHTS: English

MEDIA RIGHTS: Print, CD/DVD, online

PRODUCTS: Student Textbook and all Related Product Family components including In-context Promotional Material

PRINT RUN BREAKDOWN: 7875 (Student Textbook), 950 (All Other Components).

Permission is requested for the following material:

Image: Pterobranchs, accession # 205726

I look forward to your reply.

Best regards,

Kristiina Paul

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