Copyright Policy and Procedure

Approved by the ISTA Secretary General October 2019
§ 1. SCOPe

This document specifies the principles and conditions under which ISTA [1] grants permission for reproducing, copying, quoting, translating and/or distributing ISTA publications and/or ISTA online material (in any form or by any means, electronic or mechanical), and the conditions under which ISTA requires anyone to receive prior permission and/or pay a fee.

§ 2. GENERAL PRINCIPLES

1. The ISTA Copyright Policy and Procedure applies to all ISTA Works [2] including publications and documents edited/published by ISTA as well as the ISTA Website [3] and its online material

2. ISTA Works are protected by copyright and other intellectual property laws. ISTA owns, in all countries, all rights whatever in the Works, including, without any limitation thereby, the right to use, edit, print, publish and sell all or apart/parts, of Works in any form and in any language.

3. Each publisher or author who intends to reproduce, copy, quote, translate or distribute ISTA Works in whole or in part must obtain written permission from ISTA. The material may only be used in the manner stated in the permission.

4. The permission formalises the arrangements, i.e. number of copies for free or for sale, pricing, royalties and fees, style and format requirements, the ISTA copyright statement and notice of permission in the text and author's warranty confirmation.

5. The permission is only valid for the specific use, format and edition of a Work for which the application was made. Where it is also intended that amendments or new editions will be included, this has to be explicitly stated in the permission, otherwise a new permission must be applied for.

6. Any person who commits any unauthorized act in relation to ISTA Works may be liable to criminal prosecution and civil claims for damages.

§ 3. PERMISSION TO REPRODUCE, COPY, QUOTE OR DISTRIBUTE MATERIAL OF ISTA WORKS

A) MATERIAL FOR ONLINE USE

1. Permission is not required for linking to any document or page of an ISTA Website, but notification of use is appreciated.

2. ISTA does not grant permission for downloading or posting of any ISTA material on another website, newsgroup or electronic mailing list.

3. ISTA does not allow distribution of electronic versions of articles or text excerpts of any ISTA Work. Distribution includes activities such as placing the files on file-sharing networks, making them available online, e-mailing them or making any electronic copies except for backup purposes. The one exception is for authors of papers published in Seed Science and Technology who can distribute the PDF of their paper on request on a non-cost basis only.

B) MATERIAL FOR PRINT OR PUBLICATION

1. Fair Use / Personal Use

1.1 ISTA does not charge for and grants use without requiring a copyright permission request for:

1. Copying parts of the ISTA Works for use in quality documents of ISTA Member Laboratories.
2. Quotation or reproduction of
   • a single extract of less than 400 words from a book or less than 50 words from an article.
   • a series of extracts from one publication totalling less than 800 words, of which any one extract is less than 300 words.
   • single figures, diagrams or photographs.

3. Reproduction or republication of abstracts only.

4. Photocopying of Seed Science and Technology papers for personal use.

5. Educational institutions making small quantities (<25) of photocopies of articles for classroom use.

6. Use of small quantities (<25) of printed or photocopied articles within an organisation, at board meetings, at small seminars or training sessions.

1.2 A credit line must be stated on each copy (see credit line).

2. Classroom use; photocopying/reprinting for course packets

2.1 ISTA Books [4]

For use of ISTA Works in training courses requiring participants to pay a fee, explicit permission has to be obtained.

Under such circumstances ISTA charges a reprint fee:
   • per figure or table: CHF 20.- reprint fee (max. CHF 200.-);
   • 1-10% of total content: CHF 200.- reprint fee;
   • 10% or more of total content: permission will be denied.

2.2 Seed Science and Technology

For reproduction of articles in quantities of 25 or more, use of an article in commercial training courses for which participants pay a fee, or for reprinting an article in a publication, explicit permission has to be obtained. Under such circumstances ISTA charges a reprint fee of CHF 50.- per article.

2.3 A credit line must be stated on each copy (see credit line).

3. Commercial Use

3.1 For use or distribution of ISTA Works in other publications (books, journals, magazines, newsletters, brochures, marketing material, newspaper articles, annual reports, etc.), focus groups, interviews, reports and educational packets, explicit permission has to be obtained.

3.2 ISTA Books
   • 1-10% of total content: CHF 1’000.- reprint fee; maximum print run 1’000 copies;
   • 10% or more of total content: permission denied.

3.3 Seed Science and Technology

ISTA charges a fee of CHF 50.- per text page and figure.

3.4 A credit line must be stated (see credit line).
4. Credit Line

Where use is made of ISTA Works in accordance with the preceding articles of this section, cor-
correct citation of the author and the source shall be made. In the case of classroom and commercial
use, ISTA requires that in addition to the original citation, all copies must carry the notice of per-
mission and the contact details on the first page of the document or immediately before or after
the material without exception. Credit shall be given to the author(s) and ISTA of the material(s)
re-used.

That credit line shall include the following:

- For material republished from books: author, title of book, edition, page range, ISTA as
  publisher, city, copyright year, and 'reprinted [or adapted] with permission of the International
  Seed Testing Association (ISTA), Richtiarkade 18, CH-8304 Wallisellen, Switzerland - phone
  +41-44-838 60 00 - fax +41-44-838 60 01 - e-mail: ista.office(at)ista.ch - www.seedtest.org.

- For material republished from articles: author, title of article, title of journal, volume number,
  issue number (if relevant), page range, date, ISTA as publisher, and 'reprinted [or adapted] with
  permission of the International Seed Testing Association (ISTA), Richtiarkade 18, CH-8304
  Wallisellen, Switzerland - phone +41-44-838 60 00 - fax +41-44-838 60 01 - e-mail:
  ista.office(at)ista.ch - www.seedtest.org.

§ 4. PERMISSION FOR TRANSLATION OF ISTA WORK

1. Permission must be obtained for the translation of parts of the International Rules for Seed
Testing, articles of Seed Science and Technology, handbooks and proceedings unless it is for
use exclusively by the Member [5] responsible for the translation.

2. Permission for translating the International Rules for Seed Testing, handbooks and proceed-
ings is given only to a Member. A contract has to be signed by the Member and the ISTA Sec-
retary General.

3. The Member may commission a third party to carry out the translation, but the translations for
distribution must be approved by the Member.

4. Copyright/Permission note

4.2 ISTA keeps the exclusive copyright.

4.3 The Member is not allowed to transfer any ISTA copyright to third parties.

4.3 ISTA permits the Member to translate ISTA Works into another language and to publish it in
this language.

4.4 The Member must print the following notification in each published copy of the translation:

'Original title: »ISTA Work, Edition«

This text has been translated from the original English version by »name of the Member«. The sole
responsibility for the accuracy of the translation of the text into »language« lies fully with the »name
of the Member« and not with the International Seed Testing Association (ISTA). The original edition is published by the International Seed Testing Association (ISTA). All rights
reserved. No part of this book may be reproduced or transmitted in any form or by any means,
electronic or mechanical, including photocopying, recording or by any information storage and
retrieval system, without permission from the International Seed Testing Association (ISTA).'
5. Contract duration / Conditions

5.1 The contract is valid for an unlimited period but can be cancelled by ISTA in case of membership termination or breach of contract.

5.2 The Member is also committed to the reproduction of the amendments of the ISTA Work for a period of at least five years.

5.3 The Member must ensure that the layout and binder format of the translation are the same as for the original ISTA Work.

5.4 In the case that ISTA provides electronic material of the original ISTA Work to the Member, the material is the property of ISTA and only provided to the Member for translation purposes and not for distribution and sale.

5.5 The Member may sell copies of the translated ISTA Work at the price of the currently valid original ISTA Work available from ISTA. On request a special agreement is possible for the sale of the translated work in developing countries.

5.6 The Member bears all the expenses of carrying out the translation.

5.7 The Member provides an electronic copy (Word or InDesign file) and three printed copies of the translated work to ISTA.

6. Fees

6.1 The Member is allowed to distribute 20 free copies of the translated ISTA Work, i.e. these copies are not for sale.

6.2 For the production and sales of more than 20 copies of the translated ISTA Work the Member has to pay a fee of CHF 2’000.

§ 5. BREACH FOR POLICY RULES; JURISDICTION

1. Any person who carries out any unauthorized act in relation to ISTA Works and counteracts this copyright policy with its rules may be liable to penalties, civil claims for damages and criminal prosecution. This clause applies also to persons who have not applied to use ISTA Works.

2. For any breach of this ISTA Copyright Policy and Procedures, Swiss law is applicable, and the court of jurisdiction is Zurich/Switzerland.

[1] International Seed Testing Association, Richtiarkade, 19, CH-8304 Wallisellen, Switzerland · phone +41-44-838 60 00 · fax +41-44-838 60 01 · email: ista.office(at)ista.ch · www.seedtest.org

[2] ISTA Works are: publications/books, e.g. International Rules for Seed Testing, handbooks, proceedings; documents, e.g. position papers, activity reports, minutes, guidelines, The Articles and its changes, rules proposal documents, accreditation standard and accreditation documents; journals, e.g. Seed Science and Technology; magazines, e.g. Seed Testing International; website and online material.


[5] Member refers to an ISTA Designated Member, Personal Member or Member Laboratory.