



Intellectual
Property
Office

Orphan works diligent search guidance for applicants: Still visual art



November 2015

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This document/publication is also available on our website at www.gov.uk/government/publications/orphan-works-diligent-search-guidance-for-applicants

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1. Introduction

Orphan works are copyright works where one or more of the right holders are unknown or cannot be located. If an individual wants to use a work within copyright they must, with a few exceptions, seek the permission of the relevant right holder who may include the creators and/or publishers. It is not normally possible to reproduce the work if the right holder – or perhaps one of a number of right holders – cannot be found. This situation benefits neither the right holder, who may miss opportunities for licensing, nor potential users of those works.

Under the Enterprise and Regulatory Reform Act 2013, the UK government has powers to enable licensing of orphan works in the UK for commercial and non commercial use. The licensing scheme has been implemented through the Copyright and Rights in Performances (Licensing of Orphan Works) Regulations 2014¹ which states that a diligent search must comprise a reasonable search of the relevant sources to identify and locate the right holder. The relevant sources under 4 (3) of the Regulations that must be consulted for all diligent searches are:

- The orphan works register for the UK licensing scheme,
- The OHIM orphan works database and,
- The appropriate sources under Part 2 of Schedule ZA1 of the Copyright, Designs and Patents Act 1988.

This guidance is provided for under 4 (4) of the Regulations and is for potential applicants and provides an aid to conducting a diligent search. It explains what is involved in a diligent search and what to consider in advance. The guidance includes details on the relevant sources that applicants must consult and provides a non-exhaustive list of additional sources, and explains how an applicant must submit their evidence to the authorising body which is the UK Intellectual Property Office (IPO).

An applicant must perform a diligent search for the right holder prior to a licence being considered. Where there are multiple right holders, a diligent search is needed for each right holder where the right is relevant to the proposed use. The diligent search will need to be carried out to the satisfaction of the authorising body.

Although the guidance is intended primarily for those wanting to apply to use the UK's licensing scheme it may also be of help to those conducting a diligent search in relation to the EU Directive on certain permitted uses of orphan works². (See over for further information)

1 <http://www.legislation.gov.uk/ukdsi/2014/9780111117644/introduction>

2 http://ec.europa.eu/internal_market/copyright/orphan_works/index_en.htm

The object of the diligent search will depend on the proposed use of the work, in every copyright work there are many different rights. These rights can include publication rights, digital or electronic rights and are not necessarily all controlled by the same right holder; moreover, each of these rights may have more than one right holder. Only the right holder who controls the relevant rights can grant a licence which will cover a particular use. The aim of the diligent search is to find the right holder who controls the appropriate rights.

Another factor that will affect the search is whether the work has been published. The rights in unpublished works generally belong to the creators or their heirs. The rights in published works will often be owned by the creator and sometimes controlled under licence by the publisher, in which case both are right holders. In certain cases, however, the rights may belong exclusively to the publisher. If the creator is dead, his or her rights may have passed to one or more heirs.

As with any other copyright work, applicants will also need to gain permission from any relevant known and locatable right holder in order to avoid copyright infringement. The authorising body can only license for unknown or unlocatable right holder. Where you have located some but not all the right holders these are considered to be partial orphan works.

To avoid unnecessary delay in the process applicants will not need to obtain these permissions before making an application, this can be done at the same time as applying for a licence for the orphan right/s. Where permissions have been obtained before an application is made then details of the right holder(s) who have granted permission should be included to support the application.

The diligent search may result in finding the right holder in which case the work is not an orphan and a licence should be sought from the right holder.

A diligent search is not a new process, and it is already undertaken by cultural heritage organisations and others to locate right holders in copyright works they wish to reproduce. There is no set procedure to follow as the search will depend on the information available.

However, while there is no set minimum requirement to be followed in every case, applicants will need to show that their search was indeed diligent. Applicants are required to consider multiple sources where possible. If an initial avenue of enquiry yields no results, then others should be considered. A process map of the application process is set out in Figure 1.

The guidance has been developed through extensive dialogue with working professionals with expertise in conducting diligent searches to locate right holders in the still visual art sector. An acknowledgement of those involved is at the end of this guidance and the IPO is grateful for their assistance. The IPO co-ordinated sector specific groups to look at diligent searches in literary works, film and sound recordings and still visual art. Guidance for other sectors (film and sound and literary works) is available on gov.uk.

The sector specific guidance reflects the different requirements for each sector when searching for right holder. However, the guidance cannot list every possible source nor will every source be relevant to every search. For example, where a work is known to be unpublished, there would be no need for an applicant to make use of sources for published works.

The EU Directive on certain permitted uses of orphan works.

In addition to the UK's domestic licensing scheme the EU Directive on certain permitted uses of orphan works provides an exception to copyright law for cultural and heritage organisations. It applies to literary works, audiovisual works and sound recordings and embedded visual art (it excludes standalone artistic works such as photographs and illustrations) and only allows for digitisation and making available online of orphan works for non commercial purposes. To see if your organisation qualifies for this exception go to the qualifying criteria on the orphan works section of gov.uk.

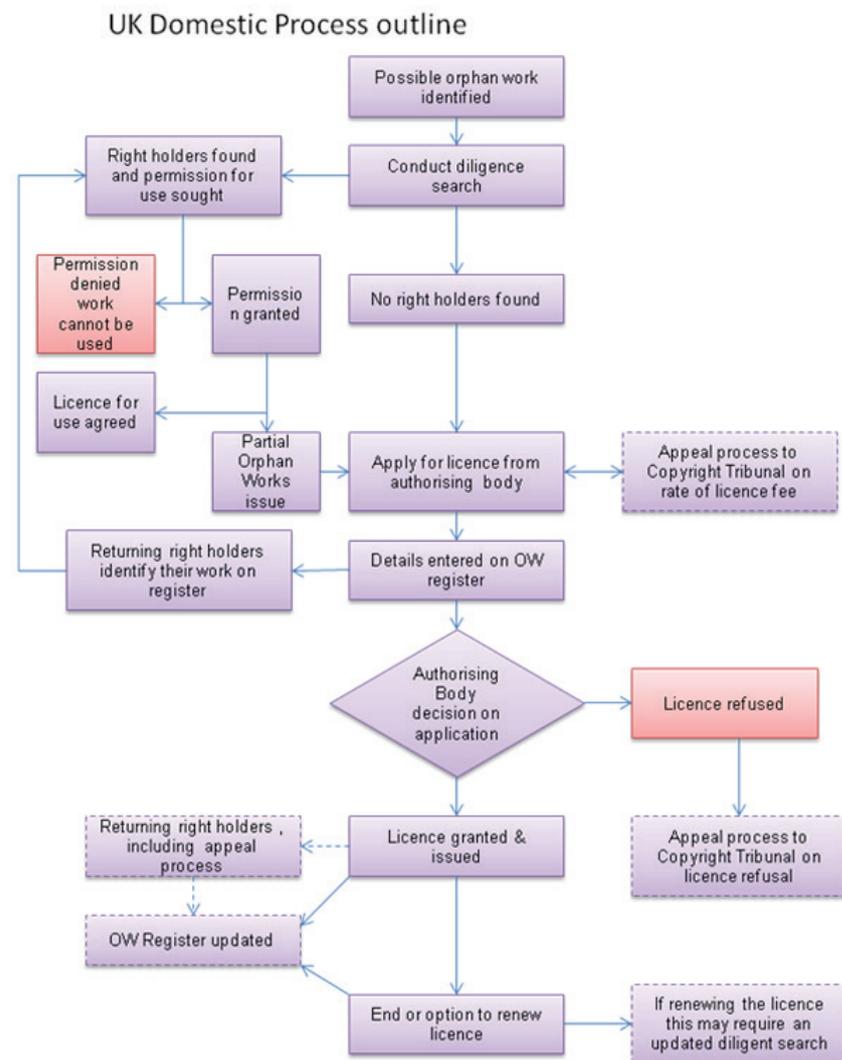


Fig.1

2. Things to consider before starting a diligent search

Before completing a diligent search applicants should first consider the following issues relating to the work, the rights within the work and the right holder(s):

Why do you want to use this particular work?

The orphan works licensing scheme provides a legal process to reproduce works that cannot currently be used because the right holder is unknown or unlocatable. Conducting a diligent search takes some time and there may be costs related to it. Applicants may wish to consider why they want to use a particular work and consider if there is a substitute available for which the right holder is known and locatable.

Do you know whether the work is within copyright?

An applicant should always first consider if it is reasonable to assume that the work is still within copyright because if the work is in the public domain (where the intellectual property rights have expired), then it can be used freely. To determine if a work is within copyright, an applicant should consider:

- When the work was first created/published
- What is the estimated age of the work?
- Is it known if the right holder is still alive? If not when did they die?

The term of protection or duration of copyright varies depending on the type of copyright work. Generally the term of copyright for an original artistic work where the creator is known lasts for **life of the creator plus 70 years** from the end of the year in which he/she died (midnight on 31 December of the final year). However, there are a few exceptions to the general rule of copyright term. Some of these are listed below and illustrated in Annex B and C.

- Creator known and work created before 1 June 1957 then copyright expires 50 years from being made available or 70 years after the death of the author.
- Creator known and work created on or after 1 June 1957 and before 1 August 1989 and the creator died more than 20 years before publication then copyright expires 50 years after the end of the year of first publication.
- Creator known and work is unpublished and creator died before 1 January 1969 copyright expires on 31 December 2039.
- Crown copyright applies to work which has been published copyright expires 50 years from the end of the year in which the work was published. For unpublished works copyright expires 125 years from the end of the year in which the work was made or until 31 December 2039.
- Creator is unknown and work created after 1 January 1969 copyright expires 70 years after the creation or 70 years after the work was made available to the public if within 70 years of creation.

- Creator is unknown and work created before 1 June 1957 Copyright expires 70 years after the creation or 70 years after the work was made available to the public if within 70 years of creation.
- Work not published before 1 August 1989 and has never been made available to the public or if made available before 1 January 1969 copyright expires on 31 December 2039.
- Pre-1912 works of known authorship may be subject to revived copyright, if for example the creator died after 31 December 1924 and was a member of an EEA country.

Applicants should also note that for copyright works originating outside the UK or another country of the European Economic Area (EEA), the term of protection may be shorter if it is shorter in the country of origin. There may also be variations in the term where a work was created before 1 January 1996 where certain copyright works were revived¹.

Who are the right holders?

- The right holder is a legal entity or person entitled to permit or prohibit the use of the work.
- The name of the creator will not always be known especially in unpublished works but there may be crucial information on the work itself, for example, an acknowledgement or an attribution in the work/metadata or other information appearing with the work. The context of the work might help in terms of pointing you towards a possible right holder. For published works, the name of the creator and publisher should be within the work.
- There may be multiple rights within a work so applicants will need to try and identify the different rights and which right holder hold these i.e. the digital rights might be held by different right holders to the print rights.
- The right holder might not always be the creator, for example, if the work was produced by an employee in the course of their employment or the rights have been assigned or transferred to someone else.
- You will need to search for each relevant right holder within a work. It may help to find the relevant right holder by asking any locatable ones for the work for further information on the unlocatable right holder.
- If there is evidence that the right holder is outside the UK, searches of the equivalent sources in this guidance should still be conducted in those countries. Applicants should also refer to the section on foreign right holders.
- If it is known or becomes known during the diligent search that the creator is deceased, the copyright could have been passed onto the estate or family members. If the copyright owner dies without a will (intestate) and without entitled blood relatives (kin) their property is known as bona vacantia. In such cases the Treasury Solicitors act for the Crown to administer the estates.
- Some works might be anonymous or creators may publish under more than one variant of their legal name. They may also publish under a pseudonym (fictitious name used by a creator) and an applicant will need to bear this in mind.

¹ <http://www.legislation.gov.uk/ukxi/1995/3297/contents/made>

Where did you find the work?

- The provenance (i.e. where the work was found) of a work could also provide valuable information on the right holder, if it is held in a library, museum or archive they might hold information on the work. If the provenance does not provide any useful information look for other clues within the work.

Has the work already been found to be orphan?

- Before starting any diligent search, an applicant needs to refer to the UK orphan works register and the OHIM orphan works database to see if a previous diligent search has been completed on the work. A diligent search carried out under the EU Directive can be relied upon for the purpose of an application under the UK licensing scheme if the search was for the relevant right holder and relevant rights within the work (i.e. digitising works and making them available online). Applicants should note that the Directive does not allow for the use of standalone artistic works but includes embedded works, for example, a photograph or illustration within a book.

Has the work been published or broadcast?

- If the work has been made available to the public on the internet, made accessible to the public to view or published/broadcast at any time, then publishers and collecting societies are likely to hold relevant information. For unpublished works, applicants would need to consider the information available within the work and where it was found.

After considering the above an applicant should have more of an understanding on where to start a diligent search. It is important that applicants consult with multiple sources to validate information on a creator.

3. Conducting a diligent search

Applicants conducting a diligent search need to submit a completed checklist for each right holder as evidence that this has been completed to support an application, see Annex A. This must include a narrative of how the search was conducted including the sources checked. Failure to submit this form or not including sufficient information will result in the authorising body requesting further information and will delay your application.

There is no set way to conduct a diligent search as this will depend on the information available on the work. Below is a list of actions that applicants will usually need to take.

Actions to take

- Applicants **must** complete and submit the diligent search checklist with each application.
- Applicants for an orphan works licence will need to maintain a record of the diligent search. If an applicant is successful in their application, this evidence should be retained by the licensee for a minimum of eight years. Other supporting evidence such as correspondence (letters, e-mail, telephone, etc) should also be retained.
- If possible, in the first instance, an applicant should always contact the creator of the work. If the creator is not the right holder they might know who holds the rights.
- Where the creator cannot be found applicants should attempt to consult multiple sources to validate information.
- When consulting the most appropriate sources to search for a particular work, an applicant might uncover further information on the right holder. This new information could be used in other sources that were previously ruled out so an applicant should consider revisiting the suggested sources to see if these are now appropriate.

Other issues to consider

- When the person or company believed to be the right holder has been located but fails to respond to efforts to obtain permission to use the work, the right or work cannot be declared orphan. It is the right holder's choice not to respond to an applicant.
- The authorising body is not the appropriate body to decide disputed cases of ownership regarding orphan works. When this is the case then this would need to be resolved between the relevant parties through mediation or the courts.
- Applicants need to be aware that there may be some costs associated with searching some of the suggested sources.

Making contact with possible leads and creators

Contacting the estate of a creator – After referring to the relevant sources, if an applicant discovers a current or even the last known address of the potential right holder, a letter should be sent seeking permission. It is important to note that if someone was contacted, they are under no obligation to respond or provide you with information. If there is strong evidence to suggest that they are the right holder for the work, and they decide not to respond this does not mean that the work is orphan.

Contacting publishers – Once an applicant has identified a creator or estate but does not have any contact details, they should contact the publisher to seek further information. It is suggested that a covering letter is sent for the publisher to forward to the creator or estate seeking permission to use the work.

When making contact with a possible right holder – If they do not control the rights that you are seeking, ask for any information they have that may help you in your search.

If you succeed in making contact with a right holder, but you know or believe that there are other right holders whom you have not yet traced, always ask them if they have any information that might help you trace the others.

4. Sources for standalone visual art including fine art, photography, illustration, design, architecture, sketches

This section provides information on the relevant sources for a diligent search for standalone visual art and also additional sources that applicants will need to consider.

For standalone visual art an applicant must first **check the UK orphan works' licensing scheme register**. If the work is on the register a diligent search would already have been completed and may still be valid.

If there is no record of the work on the register an applicant will also need to consider which of the following suggested sources are most appropriate when conducting a diligent search as not all of these will be relevant to all types of work. It is important to note that this is not an exhaustive list and if applicants are aware of other sources that will contain information on a right holder then they need to consult them.

Credits and other information appearing within the work - This might provide clues to the name or location of the right holder. The work might contain the name of the creator or agency, captions, blind stamp or a wet stamp. The work might contain information on when and where the image was published. If the work was first published overseas, there may be information about the original publisher and date within the work.

If the work contains the publisher's business address, applicants will need to be aware that the details might have changed or the publisher might have gone out of business. If this is the case refer to the Firms out of Business (FOB) database which may tell you if the business was bought by anyone else. Companies House will also hold information on companies trading or no longer trading.

If the work has been digitised it should contain metadata which could identify the creator. The "Jeffrey Exif Viewer" is a free online tool that assists in the verification of photos as it displays date, time and location data for the photo.

Sometimes metadata could be missing so image recognition software could be a useful tool. If the metadata is missing from a digital images applicants will need to take particular care when conducting a diligent search.

There may be information in the photograph that will allow an applicant to narrow the search, for example, a photograph taken during the Second World War might provide information on the army regiment.

Useful links:

Firms out of Business database - www.norman.hrc.utexas.edu/watch/fob.cfm

Companies House - www.companieshouse.gov.uk

Jeffrey Exif Viewer - www.regex.info/exif.cgi

The provenance of a work (i.e. where the work was found) – This could provide valuable information on any right holder. Orphan works can be found anywhere and applicants should consider where the work is held or where it was found. For example, if the work is held by a museum/library/website then information or records on the right holder and any permissions might be known by these organisations, although this is not always the case, especially if the works were donated by a person who was not the right holder.

If the work is in a private collection the archivist might hold records relating to the right holder. Orphan works can also be found in people’s homes unearthed from a forgotten dusty box in the attic.

If an applicant wishes to use a contemporary work that is found on the internet then it should be easier to find the right holder.

Applicants will need to consider what they know about where the work came from originally. This can help to narrow down the search for the right holder or provide vital information on where to search.

General internet searching – A general web search is useful tool and especially at the beginning of a search but also when new information is discovered. The creator might have a website or web page or there might be other information that will provide a lead.

Applicants need to take care when using search engines and the terms that are used as they can produce different results. For example, it is not sufficient to just search the right holder name, search terms such as “wife”, “son”, or “daughter” may be helpful in generating family contact detail of the identified creator. It is advised that multiple pages of results from a search engine are viewed. Digital works are more likely to have information on the internet.

The following websites could prove useful however applicants will need to search multiple sources to verify that the information is accurate.

- Google
- Bing
- Wikipedia
- People search sites such as www.192.com or www.usidentify.com

When using search engines for visual works search results will prioritise hi-resolution images. They also do not distinguish between legitimate and infringing versions. Applicants will need to consider that images on the internet might be placed on a particular site/blog by a person who is not the right holder.

The context of the work can often provide clues for where to search for right holders. For example, consider if the image is a news picture, historic, fashion, art, or travel related. There are specific websites that deal with these areas. The British Association of Picture Libraries and Agencies (BAPLA) website includes information on image suppliers by categories with links to the relevant websites.

Use of watermark search software or image recognition software if applicable – For digital works it might contain a digital watermark embedded in the work to identify ownership of copyright. Software is available to assist in searching for a watermark or image recognition.

Check with artists associations – The right holder might be a member of one of these organisations and they could hold the relevant contact details. The relevant organisations are:

Photography Associations

- Association of Photographers (AOP),
- British Association of Picture Libraries and Agencies (BAPLA),
- British Institute of Professional Photographers (BIPP),
- British Press Photographers Association (BPPA),
- British Society of Underwater Photographers (BSUP),
- Bureau of Freelance Photographers (BFP),
- Chartered Institute of Journalists (CIOJ),
- Editorial Photographers UK (EPUK),
- Master Photographers Association (MPA),
- National Association of Press Agencies (NAPA),
- National Union of Journalists (NUJ),
- Outdoor Writers and Photographers Guild (OWPG),
- Pro-Imaging,
- Redeye Network,
- Royal Academy of Art,
- The Royal Photographic Society (RPS),
- Royal Scottish Academy of Art,
- Society of Wedding and Portrait Photographers.

Illustration Associations

- Association of Illustrators (AOI),
- Cartoonists' Club of Great Britain (CCGB),
- Comic Creators Guild (CCG),
- Guild of Railway Artists (GRA),
- Institute of Medical Illustrators (IMI),
- Professional Cartoonists' Organisation (PCO),
- Royal British Society of Sculptors (RBSS),
- Society of Architectural Illustration (SAI).

Useful links:

Photography Associations

Association of Photographers - www.the-aop.org
British Association of Picture Libraries and Agencies - www.bapla.org.uk
British Institute of Professional Photographers - www.bipp.com
British Press Photographers Association - www.thebppa.com
British Society of Underwater Photographers - www.bsoup.org
Bureau of Freelance Photographers - www.thebfp.com
Chartered Institute of Journalists - www.cioj.co.uk
Editorial Photographers UK - www.epuk.org
Master Photographers Association - www.thempa.com
National Association of Press Agencies - www.napa.org.uk
National Union of Journalists - www.nuj.org.uk
Outdoor Writers and Photographers Guild - www.owpg.org.uk
Pro-Imaging - www.pro-imaging.org
Redeye Network - www.redeye.org.uk
Royal Academy of Art - www.royalacademy.org.uk
The Royal Photographic Society - www.rps.org
Royal Scottish Academy of Art - www.royalscottishacademy.org
Society of Wedding and Portrait Photographers - www.swpp.co.uk

Illustration Associations

Association of Illustrators - www.theaoi.com
Cartoonists' Club of Great Britain - www.ccgb.org.uk
Comic Creators Guild - www.comicscreatorsguild.co.uk
Guild of Railway Artists - www.railart.co.uk
Institute of Medical Illustrators - www.imi.org.uk
Professional Cartoonists' Organisation - www.procartoonists.org
Royal British Society of Sculptors - www.rbs.org.uk
Society of Architectural Illustration - www.sai.org.uk

Check with illustration portfolios – A collection of works from an illustrator might be held within portfolios. Below are some suggested websites.

Children Illustrators - www.childrensillustrators.com
Association of Illustrators - www.theaoi.com/portfolios, www.theaoi.com/awards/archive.php
Contact Creative - www.contact-creative.com
Hire an illustrator - www.hireanillustrator.com

Check the databases of commercial photography agencies and libraries – The British Association of Picture Libraries and Agencies (BAPLA) is the trade association for picture libraries, with approx 200 in the UK and affiliations in Europe and the USA. Members include the major news, stock and production agencies as well as sole traders and cultural heritage institutions. They range from some of the largest and well known such as Getty Images, Corbis, Rex Features, Alamy, PA Images and a vast majority of specialist picture libraries such as Science Photo Library, TopFoto, Bridgeman Images, Loupe Images, and so on. This list is non-exhaustive. BAPLA have created an orphan works request form to assist applicants which is available on their website. Other useful sites include Photo Archive News and industry news website with subscribers from the UK photo industry and Stock Index Online a portal for specialist stock libraries

Useful links:

BAPLA - www.bapla.org.uk

BAPLA orphan works form - www.bapla.org.uk/en/feedback/show_feedback_page.html

Photo Archive News - www.photoarchivenews.com

Stock Index Online - www.stockindexonline.com

Press Photo History Project - www.pressphotohistory.com

Check with industry organisations and trade bodies – The relevant organisations are:

- The British Association of Picture Libraries and Agencies (BAPLA),
- Centre of the Picture Industry (CEPIC),
- Library of Congress (LOC).

Useful links:

BAPLA - www.bapla.org.uk

Centre of the Picture Industry - www.cepic.org

Library of Congress - www.loc.gov

Check the databases of all the relevant collecting societies for still visual art – (as an artist might only be registered with one)

- Design and Artists Copyright Society (DACS),
- Artists' Collecting Society.

These may hold information regarding the relevant right holder. In particular they could have information on the reproduction right within a work.

Useful links:

Design and Artists Copyright Society - www.dacs.org.uk
Artists' Collecting Society - www.artistscollectingsociety.org

Check sources that integrate multiple databases and registries – WATCH (Writers, Artists and their Copyright Holders) is a database of copyright contacts for writers, artists, and prominent figures in other creative fields. This might provide contact details for the creator or agent. To note that the WATCH database will not always contain pseudonyms or variant forms of names.

For paintings that are in public collections the BBC offer an online database.

Useful links:

WATCH - www.norman.hrc.utexas.edu/watch/
BBC database - www.bbc.co.uk/arts/yourpaintings

Check library indexes and museum catalogues – If the applicant knows that the work is published, then the libraries could hold further information on the right holders.

Copyright Hub – This is an creative industries led project and seeks to be a central source of information about rights ownership with connections to a wide range of websites, digital copyright exchanges and databases in the UK and around the world and will facilitate licensing for consumers and businesses to purchase.

Useful links:

Copyright Hub - www.copyrighthub.co.uk

Image registers – The Plus registry contains information on an image or image licence. It also provides contact details for artists, right holder, licensors, licensees and archives.

Useful links:

Plus Registry - www.plusregistry.org

Check web based search tool for images – Where the work is digital or it is known to have been digitised there are web based applications that can search for images such as PicScout and Tineye.

Useful links:

PicScout - www.picscout.com

Tineye - www.tineye.com

Check with the British Journal of Photography – This is a photography magazine that might have used the photograph in previous editions.

University art faculty alumni – This might hold information on any former student or pupil of a University.

Check with the Arts Council – They support a range of activities across the arts, museums and libraries and can be source of information of works.

Trace the heirs to an estate

If a creator is known or believed to be dead, the following sources can help to trace the heirs to the estate, as well as the date of death if this is not known.

Digitised newspaper archives – These may contain a death notice and or obituary. A growing number of websites provide access to digitised newspapers.

The “Times” and the “Guardian” have online archives. Subscription access only, but short-term subscriptions are available. The “London Gazette”, freely accessible online, carries some probate notices with the deceased’s full address and date of death.

Some libraries have newspaper collections. Regional newspaper collections are held in:

- British Library Newspapers - the main British copyright collection,
- The National Library of Wales,
- National Library of Scotland,
- Belfast Central Library,
- National Library of Ireland.

Search the ARCHON Directory to find other libraries and local archives that hold newspaper collections.

Useful links:

ARCHON Directory - www.nationalarchives.gov.uk/archon/default.htm

The Gazette - www.thegazette.co.uk/wills-and-probate , www.thegazette.co.uk

Online Newspaper archives - www.en.wikipedia.org/wiki/Wikipedia:List_of_online_newspaper_archives

Genealogy sites – that contain records of births, marriages and deaths can help in finding people’s history and tracing family members who could hold the copyright for the work.

Useful links:

National Archives - www.nationalarchives.gov.uk/records/looking-for-person
Ancestry - www.ancestry.co.uk

Searching for wills – The Postal Searches and Copies Department of the Probate Service will search for a will and could provide copies. There is a fee for this service. Applicants will need the correct full name of the deceased person and the year from which the search is to begin; normally the year of death. It is often possible to discover the exact date from death notices, etc. gov.uk now provides an online service to find a will or probate for people who died before 1858. There is also a fee for this service.

The National Probate Calendar, which indexes wills and administrations for each year since 1858, contains details of the deceased person’s last address, full name, date and place of death and the date and place of grant of probate or administration.

The years up until 1966 can now be viewed online on the website ancestry.co.uk. This is a ‘premium’ source, so a subscription is required.

The full Calendar is available to view in London at court 38 in the Royal Courts of Justice between 9am and 1pm and 2pm and 4pm. However, the indexes for the last 50 years may be viewed at the District Probate Registries.

A search on the National Archives’ online catalogue “Discovery” and related databases can assist for wills between 1384 and 12 January 1858.

Useful links:

Ministry of Justice (Wills, probate and inheritance) - www.gov.uk/wills-probate-inheritance/searching-for-probate-records
Find a will or probate - www.gov.uk/search-will-probate
Form PA1S - hmctsformfinder.justice.gov.uk/courtfinder/forms/pa001s-eng.pdf
Court and Tribunal Finder - courtribunalfinder.service.gov.uk/areas-of-law/probate
England & Wales, National Probate Calendar 1858-1966: search.ancestry.co.uk/search/db.aspx?dbid=1904 Ancestor-search.info - www.ancestor-search.info/NAT-Probate.htm
National Archives (Wills 1384–1858) - www.nationalarchives.gov.uk/records/wills.htm

Search archives – The National Archives is the official archive and publisher for the UK government, and for England and Wales. It has a collection of over 11 million historical government and public records. A search on the “Access to Archives” database can find out whether the creators work or any related papers have been deposited in a UK archive. An applicant should contact the archivists to find out if they know whom to contact about the copyright. Other databases that may be useful are AIM25 (for archives within Greater London) and Archives Hub; they contain descriptions of any still visual art.

Useful links:

Access to Archives - www.nationalarchives.gov.uk/a2a/

AIM25 - www.aim25.ac.uk

Archives Hub - archiveshub.ac.ukwww.en.wikipedia.org/wiki/Wikipedia:List_of_online_newspaper_archives

Treasury Solicitors Department (Bona Vacantia Division) – An applicant would search here in respect of bona vacantia which is the name given to ownerless property, which by law passes to the Crown. The Treasury Solicitors act for the Crown to administer the disposal of assets of people who die intestate (without a will) and without known kin (entitled blood relatives) and collect the assets of dissolved companies and other various ownerless goods in England and Wales.

Useful links:

Treasury Solicitors - www.gov.uk/government/organisations/bona-vacantia

5. Sources for still visual art embedded in published books (fine art, photography, illustration, design, architecture, sketches)

These sources relate to published books to assist the applicants to locate the right holders of embedded works within the book and if needed the author of the book. Applicants will need to refer to the relevant sources in the literary work guidance for published books. Other relevant sources for embedded works are listed below.

Relevant Sources

Check the databases of the all relevant collecting societies for still visual art – (as an author might only be registered with one)

- DACS,
- Artists' Collecting Society.

These may hold information regarding the relevant right holder. In particular they could have information on the reproduction rights within a work.

Useful links:

Design and Artists Copyright Society - www.dacs.org.uk

Artists' Collecting Society - www.artistscollectingsociety.org

Check the databases of commercial photography agencies and libraries – The British Association of Picture Libraries and Agencies (BAPLA) is the trade association for picture libraries, with approx 200 in the UK and affiliations in Europe and the USA. Members include the major news, stock and production agencies as well as sole traders and cultural heritage institutions. They range from some of the largest and well known such as Getty Images, Corbis, Rex Features, Alamy, PA Images and a vast majority of specialist picture libraries such as Science Photo Library, TopFoto, Bridgeman Images, Loupe Images, and so on. This list is non-exhaustive. BAPLA have created an orphan works request form to assist applicants which is available on their website. Other useful sites include Photo Archive News and industry news website with subscribers from the UK photo industry and Stock Index Online a portal for specialist stock libraries.

Useful links:

BAPLA - www.bapla.org.uk

BAPLA orphan works form - www.bapla.org.uk/en/feedback/show_feedback_page.html

Photo Archive News - www.photoarchivenews.com

Stock Index Online - www.stockindexonline.com

Press Photo History Project - www.pressphotohistory.com

Additional Sources

An applicant will also need to consider which of the following suggested sources are most appropriate when conducting a diligent search as not all of these will be relevant to all types of work. It is important to note that this is not an exhaustive list and if applicants are aware of other sources that will contain information on a right holder then they need to consult them.

Credits and other information appearing within the work - This might provide clues to the name or location of the right holder. The work might contain the name of the creator or agency, captions, blind stamp, wet stamp or information on when the work was published. Published books should contain information on the right holder for the embedded work, the author and publisher. The book will probably contain an acknowledgments or permissions section which will give details of the right holders of each of the copyright works in the book. There will usually be information on the date of publication which will assist in establishing the date of first publication as well as details of subsequent issues and revisions. If the book was first published overseas, there may be information about the original publisher and date of publication.

There may be information in the photograph that will allow an applicant to narrow the search, for example, a photograph taken during the Second World War might provide information on the location or even the army regiment.

If the book does not contain any information on the right holder for the embedded work the publisher might hold further information. The publisher's business address is usually found on the reverse of the title page. A useful source for up to date contact details of UK book publishers is "The Writers' & Artists Yearbook" (Bloomsbury), or an internet search could find the contact details.

Applicants will need to be aware that the name and address might have changed or the publisher might have gone out of business. If this is the case, refer to the Firms out of Business (FOB) database which may tell you if the business was bought by anyone else. Companies House will also hold information on companies trading or no longer trading.

Authors sometimes use pseudonyms when publishing works and an applicant will need to bear this in mind. There are several reference books which identify pseudonymous authors:

- T. J. Carty, ed., Dictionary of literary pseudonyms in the English language, 2nd edn, Mansell, London, 2000
- Adrian Room, ed., Dictionary of pseudonyms : 13,000 assumed names and their origins, 5th edn, McFarland & Co., Jefferson, N.C. and London, [2010]
- Jennifer Mossman, ed., Pseudonyms and nicknames dictionary : a guide to 80,000 aliases, appellations, assumed names, 3rd edn., 2 vols, Gale Research Co., Detroit, Michigan, c1987

See also

www.authorandbookinfo.com

www.trussel.com/books/pseudo.htm

www.tomfolio.com/AuthorPSE/AutPseudos.asp

Useful links:

WATCH - www.norman.hrc.utexas.edu/watch/fob.cfm

Companies House - www.companieshouse.gov.uk

ISBN - www.isbn.nielsenbook.co.uk

The provenance of a work (i.e. where the work was found) – This could provide valuable information on any right holder. Orphan works can be found anywhere and applicants should consider where the work is held or where it was found. For example, if the work is held by a museum/library/website, then information or records on the right holder and any permissions might be known by these organisations, although this is not always the case, especially if the works were donated by a person who was not the right holder.

If the work is in a private collection, the archivist might hold records relating to the right holder. Orphan works can also be found in people's homes unearthed from a forgotten dusty box in the attic.

If an applicant wishes to use a contemporary work that is found on the internet then it should be easier to find the right holder.

Applicants will need to consider what they know about where the work came from originally and where it was found. This can help to narrow down the search for the right holder or provide vital information on where to search.

General internet searching – A general web search is a useful tool especially at the beginning of a search but also when new information is discovered. The right holder might have a website or web page or there might be other information that will provide a lead.

Applicants need to take care when using search engines and the terms that are used as they can produce different results. For example, it is not sufficient to just search the right holder name, search terms such as “wife”, “son”, or “daughter” may be helpful in generating family contact details of the identified author. It is advised that multiple pages of results from a search engine are viewed. Using the following search terms with the creators name can prove useful.

- Photographer
- Illustrator
- Designer
- Sketch
- Agent
- Estate
- Society
- Papers
- Biography
- Interview
- The title of the book

The following websites could prove useful however applicants will need to search multiple sources to verify that the information is accurate.

- Google
- Bing
- Wikipedia
- People search sites such as www.192.com or www.usidentify.com

Check with artists associations - The right holder might be a member of one of these organisations and they could hold the relevant contact details. The relevant organisations are:

Photography Associations

- Association of Photographers (AOP),
- British Association of Picture Libraries and Agencies (BAPLA),
- British Institute of Professional Photographers (BIPP),
- British Press Photographers Association (BPPA),
- British Society of Underwater Photographers (BSUP),
- Bureau of Freelance Photographers (BFP),
- Chartered Institute of Journalists (CIOJ),
- Editorial Photographers UK (EPUK),
- Master Photographers Association (MPA),
- National Association of Press Agencies (NAPA),
- National Union of Journalists (NUJ),
- Outdoor Writers and Photographers Guild (OWPG),
- Pro-Imaging,

- Redeye Network,
- Royal Academy of Art,
- The Royal Photographic Society (RPS),
- Royal Scottish Academy of Art,
- Society of Wedding and Portrait Photographers.

Illustration Associations

- Association of Illustrators (AOI),
- Cartoonists' Club of Great Britain (CCGB),
- Comic Creators Guild (CCG),
- Guild of Railway Artists (GRA),
- Institute of Medical Illustrators (IMI),
- Professional Cartoonists' Organisation (PCO),
- Royal British Society of Sculptors (RBSS),
- Society of Architectural Illustration (SAI).

Useful links:

Photography Associations

Association of Photographers - www.the-aop.org
 British Association of Picture Libraries and Agencies - www.bapla.org.uk
 British Institute of Professional Photographers- www.bipp.com
 British Press Photographers Association - www.thebppa.com
 British Society of Underwater Photographers - www.bsoup.org
 Bureau of Freelance Photographers - www.thebfp.com
 Chartered Institute of Journalists – www.cioj.co.uk
 Editorial Photographers UK - www.epuk.org
 Master Photographers Association - www.thempa.com
 National Association of Press Agencies - www.napa.org.uk
 National Union of Journalists - www.nuj.org.uk
 Outdoor Writers and Photographers Guild - www.owpg.org.uk
 Pro-Imaging - www.pro-imaging.org
 Redeye Network - www.redeye.org.uk
 Royal Academy of Art - www.royalacademy.org.uk
 The Royal Photographic Society - www.rps.org
 Royal Scottish Academy of Art - www.royalscottishacademy.org
 Society of Wedding and Portrait Photographers - www.swpp.co.uk

Illustration Associations

Association of Illustrators - www.theaoi.com

Cartoonists' Club of Great Britain - www.ccgb.org.uk

Comic Creators Guild - www.comicscreatorsguild.co.uk

Guild of Railway Artists - www.railart.co.uk

Institute of Medical Illustrators - www.imi.org.uk

Professional Cartoonists' Organisation - www.procatoonists.org

Royal British Society of Sculptors - www.rbs.org.uk

Society of Architectural Illustration - www.sai.org.uk

Check with illustration portfolios – A collection of works from an illustrator might be held within portfolios. Below are some suggested websites.

Children Illustrators - www.childrensillustrators.com

Association of Illustrators - www.theaoi.com/portfolios, www.theaoi.com/awards/archive.php

Contact Creative - www.contact-creative.com

Hire an illustrator - www.hireanillustrator.com

Check with industry organisations and trade bodies – These might hold information on the right holder. The relevant organisations are:

- BAPLA,
- CEPIC,
- LOC.

Useful links:

BAPLA - www.bapla.org.uk

Centre of the Picture Industry - www.cepic.org

Library of Congress - www.loc.gov

Copyright Hub – This is a creative industries led project and seeks to be a central source of information about rights ownership with connections to a wide range of websites, digital copyright exchanges and databases in the UK and around the world and will facilitate licensing for consumers and businesses to purchase.

Useful links:

Copyright Hub - www.copyrighthub.co.uk

Image registers – The Plus registry contains information on an image or image licence. It also provides contact details for artists, right holder, licensors, licensees and archives.

Useful links:

Plus Registry - www.plusregistry.org

If a creator is known or believed to be dead, applicants should consult with the sources in section 4 that can help to trace the heirs to the estate, as well as the date of death if this is not known.

6. Sources for still visual art embedded in newspapers, magazines, journals and periodicals (fine art, photography, illustration, design, architecture, sketches)

These sources relate to newspapers, magazines, journals and periodicals to assist the applicants to locate the right holder of embedded works within the work and if necessary the author. Newspapers, magazines, journals and periodicals will most likely contain multiple contributors. An applicant will need to identify the correct right holder for the contribution that is required. Section 2 of the guidance for literary works provides an overview on who owns copyright in relation to staff journalists and freelance journalists. As some of these sources are the same as section 5 applicants will need to refer to that section for further details.

Applicants will need to refer to the **relevant sources in the literary work guidance for newspapers, magazines, journals and periodicals**. Other relevant sources for embedded works are listed below.

Relevant Sources

Check the databases of the all relevant collecting societies for still visual art – (as an author might only be registered with one)

- DACS,
- Artists' Collecting Society.

These may hold information regarding the relevant right holder. In particular they could have information on the reproduction rights within a work.

Useful links:

Design and Artists Copyright Society - www.dacs.org.uk

Artists' Collecting Society - www.artistscollectingsociety.org

Check the databases of commercial photography agencies and libraries – The British Association of Picture Libraries and Agencies (BAPLA) is the trade association for picture libraries, with approx 200 in the UK and affiliations in Europe and the USA. Members include the major news, stock and production agencies as well as sole traders and cultural heritage institutions. They range from some of the largest and well known such as Getty Images, Corbis, Rex Features, Alamy, PA Images and a vast majority of specialist picture libraries such as Science Photo Library, TopFoto, Bridgeman Images, Loupe Images, and so on. This list is non-exhaustive. BAPLA have created an orphan works request form to assist applicants which is available on their website. Other useful sites include Photo Archive News and industry news website with subscribers from the UK photo industry and Stock Index Online a portal for specialist stock libraries

Useful links:

BAPLA - www.bapla.org.uk

BAPLA orphan works form - www.bapla.org.uk/en/feedback/show_feedback_page.html

Photo Archive News - www.photoarchivenews.com

Stock Index Online - www.stockindexonline.com

Press Photo History Project - www.pressphotohistory.com

BAPLA - www.bapla.org.uk

Photo Archive News - www.photoarchivenews.com

Stock Index Online - www.stockindexonline.com

Press Photo History Project - www.pressphotohistory.com

Additional Sources

An applicant will also need to consider which of the following suggested sources are most appropriate when conducting a diligent search as not all of these will be relevant to all types of work. It is important to note that this is not an exhaustive list and if applicants are aware of other sources that will contain information on a right holder then they need to consult them.

Credits and other information appearing within the work – This might provide clues to the name or location of the right holder. The work might contain the name of the creator or agency, captions, blind stamp, a wet stamp or when the work was published.

The provenance of a work (i.e. where the work was found) – This could provide valuable information on any right holder. Orphan works can be found anywhere and applicants should consider where the work is held or where it was found.

General internet searching – A general web search is useful tool and especially at the beginning of a search but also when new information is discovered.

Check with artists associations – The right holder might be a member of one of these organisations and they could hold the relevant contact details.

Check with illustration portfolios – A collection of works from an illustrator might be held within portfolios.

Check with industry organisations and trade bodies – These might hold information on the right holder. The relevant organisations are:

Databases of academic and scientific articles – If the work is an academic or scientific study then websites such as CrossRef and PubMed may help in find other works by the same author.

Copyright Hub – This is a creative industries led project and seeks to be a central source of information about rights ownership with connections to a wide range of websites, digital copyright exchanges and databases in the UK and around the world and will facilitate licensing for consumers and businesses to purchase.

Image registers – The Plus registry contains information on an image or image licence. It also provides contact details for artists, right holder, licensors, licensees and archives.

If a creator is known or believed to be dead, applicants should consult with the sources in section 4 that can help to trace the heirs to the estate, as well as the date of death if this is not known.

7. Sources for unpublished still visual art (fine art, photography, illustration, design, architecture, sketches)

In the case of unpublished works it is likely that little is known of the creator. If the work is by a known published artist, or by a well known figure, then applicants will need to refer the sources in section 4, 5 and 6 depending on the type of work.

For unpublished works where little is known of the creator applicants will need to consider the information available to them within the work to judge which of the relevant and additional sources would be most appropriate. If it is known that the creator has died the best chance of finding the right holder could be to trace any living relatives. See section 4 for information about using genealogical sources on the web.

Where the creator is deceased it might be necessary to consult the creator's will to find out who has inherited their copyright. In cases where the creator has made a will and there is no specific bequest of copyrights owned by the creator or of other objects containing unpublished works in which the creator owned the copyright, the rights will have passed to the residuary legatee.

Applicants will need to consider if the sources suggested in this guidance are relevant for the unpublished work and refer to previous sections for more detail. Applicants should also consider the following sources.

Check orphan work registers

Credits and other information appearing within the work – This might provide clues to the name or location of the right holder. The work might contain the name of the creator or agency, captions, blind stamp or a wet stamp

There may be information in the photograph that will allow an applicant to narrow the search, for example, a photograph taken during the Second World War might provide information on the army regiment.

If the work has been digitised it should contain metadata which could identify the creator. The "Jeffrey Exif Viewer" is a free online tool that assists in the verification of photos as it displays date, time and location data for the photo.

Sometimes metadata could be missing so image recognition software could be a useful tool. If the metadata is missing applicants will need to take particular care when conducting a diligent search and possibly consider if an alternative work could be used.

Useful links:

Jeffrey Exif Viewer - www.regex.info/exif.cgi

The provenance of a work (i.e. where the work was found) – This could provide valuable information on any right holder and is especially important for unpublished works. Orphan works can be found anywhere and applicants should consider where the work is held or where it was found. For example, if the work is held by a museum/library/website then information or records on the right holder and any permissions might be known by these organisations, although this is not always the case, especially if the works were donated by a person who was not the right holder.

If the work is in a private collection the archivist might hold records relating to the right holder. Orphan works can also be found in people’s homes unearthed from a forgotten dusty box in the attic.

If an applicant wishes to use a contemporary work that is found on the internet then it should be easier to find the right holder.

Applicants will need to consider what they know about where the work came from originally. This can help to narrow down the search for the right holder or provide vital information on where to search.

General internet searching – A general web search is useful tool and especially at the beginning of a search but also when new information is discovered. The creator might have a website or web page or there might be other information that will provide a lead.

Check with artists associations – The right holder might be a member of one of these organisations and they could hold the relevant contact details.

Search archives – A search on the National Archive’s “Access to Archives” database can find out whether the creator’s works have been deposited in a UK archive. An applicant should contact the archivists to find out if they know whom to contact about the copyright. Other databases that may be useful are AIM25 (for archives within Greater London) and Archives Hub.

Useful links:

Access to Archives - www.nationalarchives.gov.uk/a2a/

AIM25 - www.aim25.ac.uk

Archives Hub - archiveshub.ac.uk

If a creator is known or believed to be dead, applicants should consult with the sources in section 4 that can help to trace the heirs to the estate, as well as the date of death if this is not known.

8. Sources for embedded still visual works under the EU Directive

The Copyright and Rights in Performances (Certain Permitted Uses of Orphan Works) Regulations 2014 implemented the EU Directive into UK Law. The Regulations set out the minimum appropriate sources that need to be consulted, for those organisations that qualify for its use, when completing a diligent search.

The appropriate sources for embedded visual works are listed below. Under 5 (4) of the Regulations the IPO can issue guidance on sources to consult. It is suggested that those who wish to use works under the Directive also consider the other sources listed in this guidance and determine if they are relevant to complete a diligent search for the work.

It is important to note that standalone artistic works are not permitted under the Directive.

- For published books:
 - (a) legal deposit, library catalogues and authority files maintained by libraries and other institutions;
 - (b) the publishers' and authors' associations in the respective country;
 - (c) existing databases and registries, WATCH (Writers, Artists and their Copyright Holders), the ISBN (International Standard Book Number) and databases listing books in print;
 - (d) the databases of the relevant collecting societies, in particular reproduction rights organisations;
 - (e) sources that integrate multiple databases and registries, including VIAF (Virtual International Authority Files) and ARROW (Accessible Registries of Rights Information and Orphan Works).
- For newspapers, magazines, journals and periodicals:
 - (a) the ISSN (International Standard Serial Number) for periodical publications;
 - (b) indexes and catalogues from library holdings and collections;
 - (c) legal deposit;
 - (d) the publishers' associations and the authors' and journalists' associations in the respective country;
 - (e) the databases of relevant collecting societies including reproduction rights organisations.

- For embedded visual works, including fine art, photography, illustration, design, architecture, sketches of the latter works and other such works that are contained in books, journals, newspapers and magazines or other works:
 - (a) the sources referred to above;
 - (b) the databases of the relevant collecting societies, in particular for visual arts, and including reproduction rights organisations;
 - (c) the databases of picture agencies, where applicable.
- For unpublished works:
 - (a) Those sources listed above which are appropriate to the relevant work.

9. Diligent searches for right holders outside of the UK

Where there is evidence to suggest that the right holder may be outside the UK an applicant will need to conduct a diligent search in sources relevant to that country. In these cases, the requirements for a diligent search would be just the same as a right holder within the UK in terms of the need to be able to demonstrate diligence.

Some of the sources listed in the guidance are international in their scope. However, to complete a diligent search effectively an applicant will need consult the equivalent sources listed in this guidance in that country such as collecting societies and artist associations. Below are some suggested international organisations that could hold relevant information.

International Organisations

- The Association of International Photography Art Dealers – Their website contains a list of members which can help applicants identify the relevant authors' organisation
www.aipad.com
- International Association of Architectural Photographers - Their website contains a search function for a photographer
www.architecturalphotographers.org
- International Association of Photographers
www.iapimages.com
- Professional Aerial Photographers Association - Their website contains a search function for a photographer
www.papainternational.org

Collecting Societies

www.en.wikipedia.org/wiki/List_of_copyright_collection_societies

Publishers

- Publishers Global - Photography Publishers Directory
www.publishersglobal.com/directory/subject/photography-publishers/

National Intellectual Property Offices

- World Intellectual Property Organisation (WIPO) directory:
www.wipo.int/directory/en/urls.jsp

European picture libraries

- Centre of the Picture Industry (CEPIC) - Their website has contact details of their members associations within Europe
www.cepic.org/directory

USA

- Advertising Photographers of America - Their website contains a list of their members
www.apanational.org
- Association of Society and Media Photographers - Their website contains a list of their members
www.asmp.org
- National Press Photographers' Association Their website contains a list of visual journalists.
www.nppa.org
- Picture Archive Council of America - Their website contains a list of their members
www.pacaoffice.org/ic/paca/devpages/mem_dir_redesign.html

Applicants should consider similar organisations within the country they are conducting the diligent search.

10. Useful Contacts

ALCS (The Authors' Licensing and Collecting Society Limited)

The Writers' House
13 Haydon Street
London EC3N 1DB
Tel: +44 (0) 20 7264 5700
Fax: +44 (0) 20 7264 5755

Association of Learned and Professional Society Publishers (ALPSP)

51 Middletons Road,
Yaxley,
Peterborough,
Cambridgeshire, PE7 3NU UK.
Tel: +44 (0)1733 247 178
www.alpsp.org

BAPLA

59 Tranquil Vale
Blackheath
London
SE3 0BS
United Kingdom
Tel: +44 (0) 20 8297 1198
Fax: +44 (0) 20 8852 7211
www.bapla.org.uk

Bureau of Freelance Photographers

Vision House
PO Box 474
Hatfield
AL10 1FY
UK
Tel: +44 (0)1707 651450

British Association of Journalists

British Association of Journalists,
89 Fleet Street,
London EC4Y 1DH
Tel: 020 7353 3003
Fax 020 7353 2310
www.bajunion.org.uk

British Press Photographers Association

The BPPA
Suite 219
2 Lansdowne Crescent
Bournemouth
BH1 1SA
www.thebppa.com/

Chartered Institute of Journalists

2 Dock Offices
Surrey Quays Road
London
SE16 2XU
Tel: +44 (0)20 7252 1187
Fax: +44 (0)20 7232 2302

Companies House

Crown Way
Cardiff CF14 3UZ
Tel: 0303 1234 500
www.companieshouse.gov.uk/index.shtml

The Copyright Licensing Agency Ltd,

Saffron House,
6-10 Kirby Street,
London EC1N 8TS UK
Tel: 020 7400 3100
Fax: 020 7400 3101
www.cla.co.uk

Design and Artists Copyright Society

33 Great Sutton Street
London EC1V 0DX, UK
Tel: +44 (0)20 7336 8811
Fax: +44 (0)20 7336 8822
www.dacs.org.uk

Editorial Photographers UK

mail@epuk.org

Master Photographers Association

Jubilee House, 1 Chancery Lane,
Darlington
County Durham, DL1 5QP
Tel: +44 (0) 1325 356555
Fax: +44 (0) 1325 357813

National Archives

Kew,
Richmond,
Surrey, TW9 4DU
Tel: +44 (0) 20 8876 3444
www.nationalarchives.gov.uk/

National Association of Press Agencies

c/o Mercury Press Agency,
Suite 302,
Queens Dock Business Centre,
Norfolk Street,
Liverpool,
L1 0BG.
Tel: +44 (0)8702 400 311

National Union of Journalists

Headland House
308-312 Gray's Inn Road
London WC1X 8DP
Tel: 020 7843 3700
Fax: 020 7837 8143
www.nuj.org.uk/home/

Newspaper Licensing Agency

Wellington Gate
Church Road
Tunbridge Wells
TN1 1NL
Tel: 01892 525 273
Fax: 01892 525 275
www.nlamediaaccess.com

Newspaper Society

292 Vauxhall Bridge Road,
London SW1V 1AE
Tel:
www.newspapersoc.org.uk

Outdoor Writers and Photographers Guild

83 Glenshiels Avenue,
Hoddlesden,
Darwen
Lancashire BB3 3LS:
Tel: +44 (0)1254 773097
e-mail secretary@owpg.org.uk

PLR (Public Lending Right)

Richard House
Sorbonne Close
Stockton-on-Tees
TS17 6DA
Tel: +44 (0)1642 604699
Fax: +44 (0)1642 615641
www.plr.uk.com

The Postal Searches and Copies

Department,
Leeds District Probate Registry,
York House,
York Place,
Leeds LS1 2BA

Probate Department,

Principal Registry of the Family Division,
First Avenue House,
42-49 High Holborn,
London, WC1V 6NP
Tel: +44 (0)845 3020900
www.courtribunalfinder.service.gov.uk/courts/london-probate-department

To search probate calendars you will need to visit:

Court 38,
Royal Courts of Justice,
Publishers Licensing Society
55-56 Russell Square
London WC1B 4HP
Tel: +44 (0)20 7079 5930
www.pls.org.uk

The Professional Publishers Association

(PPA: for magazines)
Second Floor,
35-38 New Bridge Street,
London EC4V 6BW
Tel: +44 20 7404 4166
Fax +44 20 7404 4167
www.ppa.co.uk

Pro-Imaging

5 Christina Street,
London EC2A 4PA
Redeye Network
Tel: +44 (0)845 456 0260

The Society of Authors

84 Drayton Gardens
London SW10 9SB
Tel: +44 (0)20 7373 6642
www.societyofauthors.org

Society of Editors (regional newspapers)

University Centre,
Granta Place,
Mill Lane,
Cambridge, CB2 1RU
Tel:
www.societyofeditors.co.uk

Treasury Solicitor's Department

Bona Vacantia Division (BVD)
PO Box 70165
London
WC1A 9HG
Tel: 020 7210 4700
www.gov.uk/government/organisations/bona-vacantia

The Writers' Guild of Great Britain

1st Floor, 134 Tooley Street
London SE1 2TU
Tel: +44 (0) 20 7833 0777
Fax: +44 (0) 20 7833 4777
www.writersguild.org.uk/

11. Acknowledgments

The guidance has been developed through extensive dialogue with a sector specific group of working professionals with expertise in conducting diligent searches to locate right holder in the still visual art sector. The IPO would like to thank the following organisations who contributed to this guidance:

- Association of Illustrators
- Association of Photographers
- British Institute of Professional Photography
- British Press Photographers Association
- Corbis
- Design and Artists Copyright Society (DACS)
- Editorial Photographers UK
- Getty Images
- Imperial War Museum
- Jisc
- Loupe Images
- Tate
- The British Association of Picture Libraries and Agencies (BAPLA)

Annex A

Diligent search checklists

The diligent search checklist for each sector is a table form of this guidance and has been published alongside it as a Word document which can be completed electronically.

www.gov.uk/government/publications/orphan-works-diligent-search-guidance-for-applicants

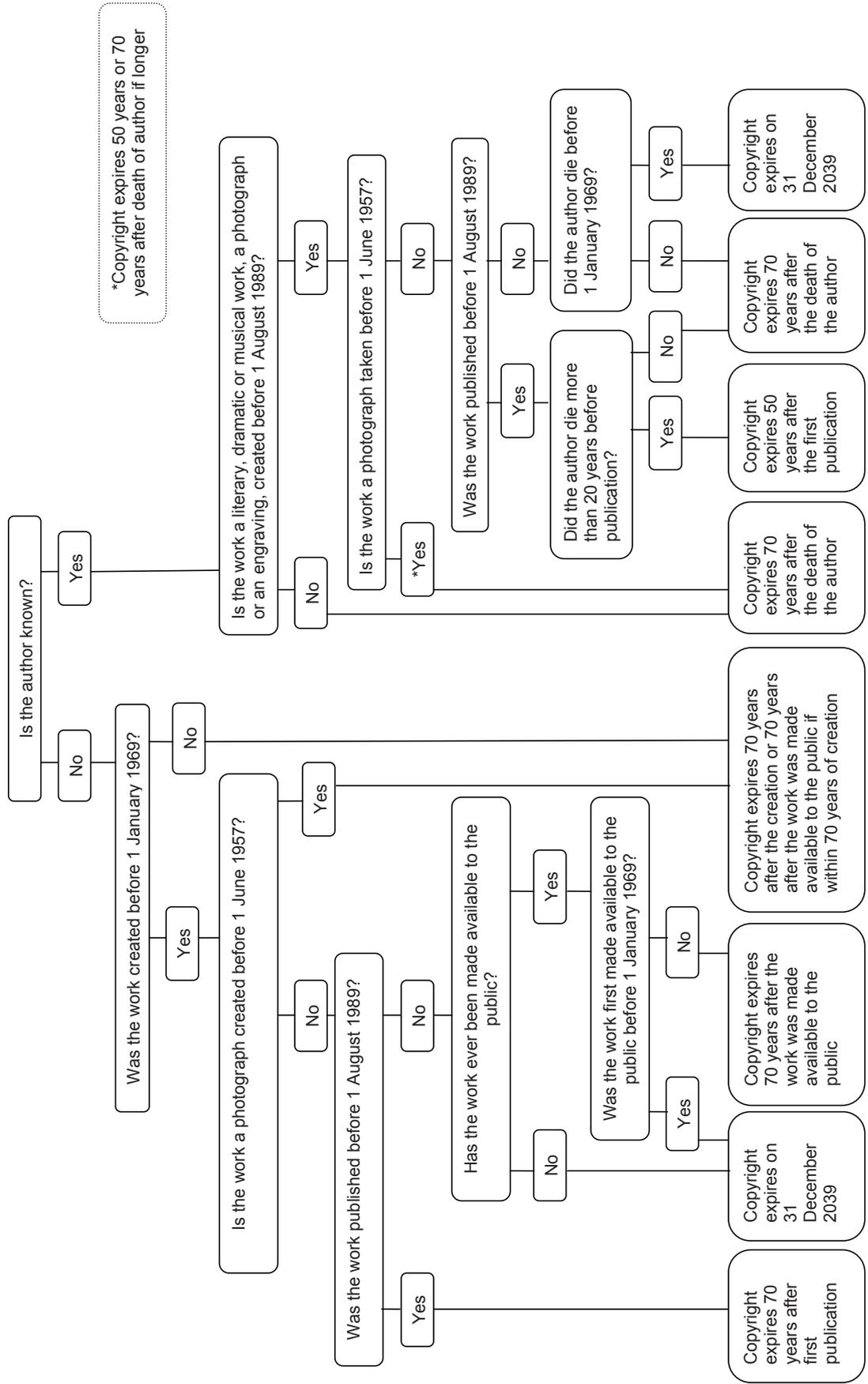
The checklist requires applicants to set out a narrative of the search and lists sources set out in this guidance. If you choose to apply for an orphan works licence this must be completed and uploaded.

The authorising body needs this information to make a decision on the application. If this form is not submitted your application cannot be assessed and you will be asked to complete it.

Annex B:

Duration of copyright (excluding Crown copyright): literary, dramatic, musical and artistic works

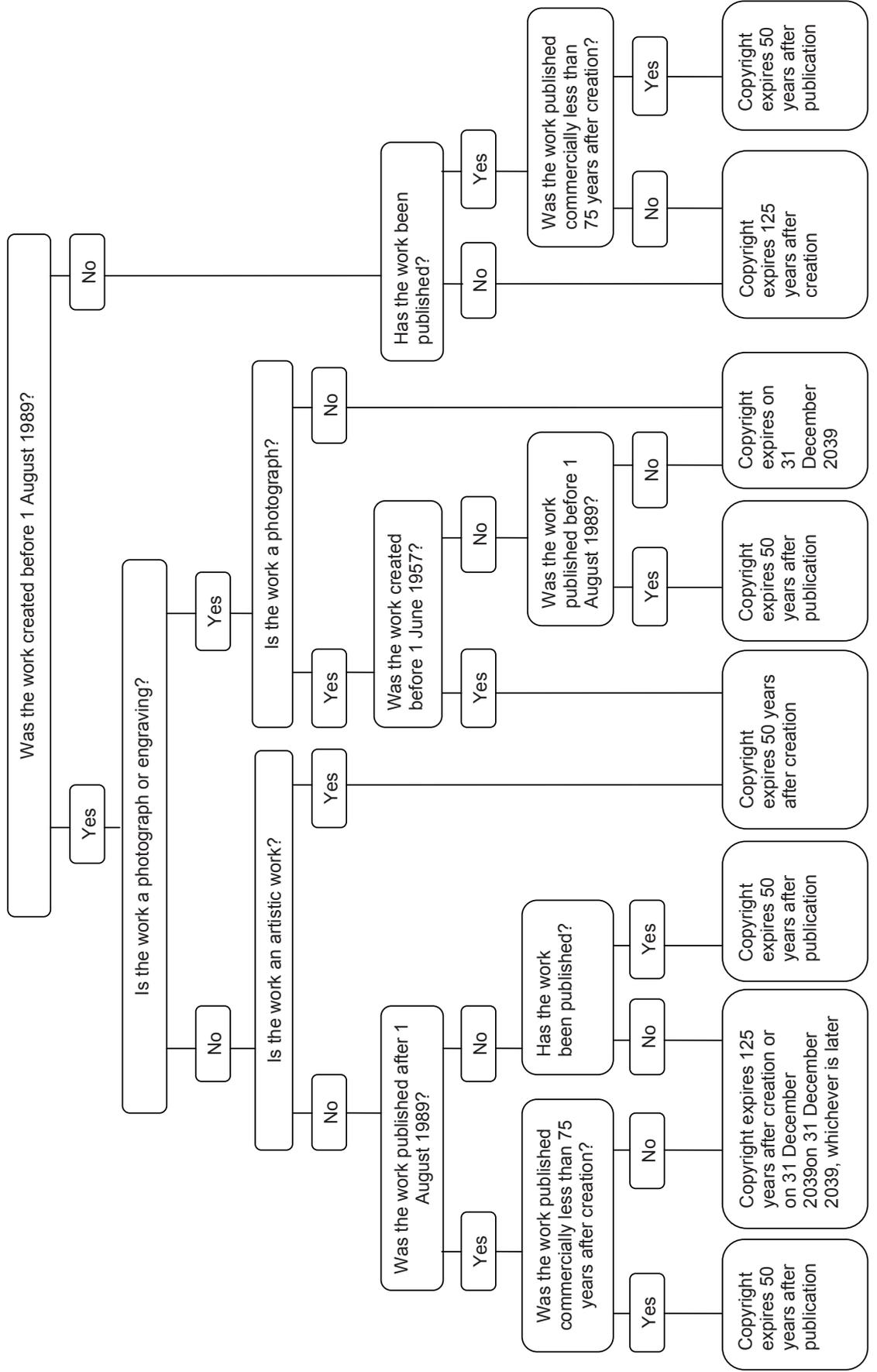
Tim Padfield (2007) *Copyright for Archivists and Records Managers*, 3rd ed. London: Facet.



Annex C:

Duration of Crown Copyright: literary, dramatic, musical and artistic works

Tim Padfield (2007) *Copyright for Archivists and Records Managers*, 3rd ed. London: Facet.



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