

## ICLA Business Licence – Information Sheet for Law Firms

### What does the licence cover:-

The licence covers:

- Photocopying
- Scanning
- Copying of digital content, e.g. e-books, PDF files from electronic subscriptions, scanned articles circulated by email, online journal articles and certain website material

### Which Publications?

- Books
- Law reports
- Magazines
- Reference editions
- Trade press
- Press cuttings received from a press cuttings agency
- Journals
- Copyright fee paid copies
- Periodicals
- Some digital versions of the above

Common examples of where you might need to make and distribute copies internally within your organisation include:

- To share with colleagues at meetings or briefings
- For market intelligence
- For research & development
- For staff training
- For health and safety or environmental briefings
- To share media coverage within your organisation

### Requirement to Own an Original

Your firm should have paid for, or legitimately own, an original of any work being copied. That is, the firm should subscribe to the journal or online publication being copied, have been a subscriber for the period covered by the issue being copied, or have bought the book or offline publication, or been presented with it – for example, a controlled-circulation magazine. In general you can copy from material which:

- Has been purchased as part of a current or past subscription, by your firm
- Has been received from press cuttings and PR agencies (however, newspaper content is excluded)
- Has been supplied by or via a third-party licensed document supplier/aggregator or a publisher's pay per view website (if the publisher has opted in to the Licence) and where a copyright fee has been paid
- The Licence does not allow you to copy from an employee's personal subscriptions unless the employee permanently donates the copy to your firm.



## Who is entitled to copy and or/receive copies?

- Any employee, consultant or agency worker is entitled to make and receive a photocopy
- Any employee, consultant or agency worker is entitled to make and receive a scan or digital copy provided these copies are sent and accessed via email or your firm's network
- Any overseas employee is entitled to receive a scan or digital copy provided these copies are created in Ireland and are sent and accessed via email or your firm's network.
- Copying may be subcontracted to third parties in Ireland or overseas

### Single copies may also be sent to:

- External organisations for the purposes of regulatory or patent submissions;
- Clients, advisers or third parties involved in a matter on which your firm has already been engaged;
- Prospective and existing clients with the intention of alerting them to a matter on which further advice might be sought, on an ad hoc basis only;
- Barristers, advisers and other judicial staff in connection with the preparation, institution or defence of legal proceedings;
- Witnesses and law enforcement agencies.

## Storage of copied material

- Your employees may store Digital Copies to their local hard drives or personal server space;
- Your employees may store individual licensed copies on your firm's secure network or intranet. Such copies can be downloaded and stored by employees or printed or forwarded by email to colleagues. However, copies should not be stored systematically to create an electronic library (or similar).

## Annotation and Digital Mark-up

Electronic notation or electronic marking up of a digital copy which clearly distinguishes such notation or marking up from the original text is permitted.

## No Substitution for Purchase

The Licence does not permit you to make copies which directly or indirectly substitute for the purchase of an original published edition (whether print or digital), or which might be used instead of commissioning work directly from an artist or a writer. The licence has been developed to help you make full use of the material you already own.

## Data Collection

Your firm pays an annual licence fee to ICLA, which (after deduction of ICLA's costs) is distributed to the authors, artists and publishers concerned.

ICLA uses a number of means to distribute the licence fee as fairly as practical without imposing an undue burden of reporting on licensees. Although you do not need to keep an ongoing record of your copying, you may from time to time be asked to take part in a data gathering exercise, such as providing ICLA with information on your publication holdings or answering questions on the copying that is done under your Licence.

