

Welcome to the Free 7-Day Access Program! 📖

From: Glee Lugo (Spot On Edit) (gleelugo@spotonedit.com)

To: glugo_21@yahoo.com

Date: Friday, May 6, 2022 at 03:31 PM EDT

Hi Lugo!

Finally! It's here!

(drumroll please...drrrrr 🥁)

Your backstage pass to nonfiction editing.

Many authors become anxious when it's time to self-publish their book. The first step is editing. Whether you're ready to edit your manuscript or are considering it for the future, it's important to understand the process.

The reasons are twofold:

1. You want to know what it is you're paying for when you hire an editor for your book.
2. You want to be prepared for your editor, so the editing process can be smooth sailing 🚢 and done in a timely manner.

That is why I have created this 7-Day Access Program (one email per day, plus some other goodies 🎁🔍) to give you a sneak peek into what editing a nonfiction book entails and how editors operate (BTW, self-help is classified under the nonfiction genre).

These are things that I feel authors would like to know based on questions from and experiences with clients, in addition to common frustrations I've seen authors express on social media.

Now, to get you warmed-up on the topics we will cover over the next week or so...

The 7-Day Access Program will include:

A. Before We Begin: Remember Your Creative Control

Day 1:

What goes into editing?

Day 2:

How do editors charge for services? It's so confusing!

Day 3:

Why the "Jack of all trades" is dangerous

Day 4:

The Hiatus: Sources

Day 5:

Halt 1 - Primary and Secondary Sources

Day 6:

Halt 2 - Permissions

Day 7:

Fair Use, it's only fair

B. Bonus 1 and 2: Author/Editor Relationship: The Journey

Alrighty, that's all for today. 😊 Tomorrow, we will begin with "getting your mind straight first." 🧠 When you take on any endeavor (i.e., editing), you have to make sure your mind is aligned with that endeavor.

You see, the mind is a tricky thing—it can either astound us or sabotage us. When we believe something is too much for us to handle, we just have to take it step by step and keep at it. 💪

So, tonight, get your mind ready for that.

I'll leave you to it,

Glee

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Before we begin...

From: Glee Lugo (Spot On Edit) (gleelugo@spotonedit.com)

To: glugo_21@yahoo.com

Date: Saturday, May 7, 2022 at 09:20 AM EDT

Welcome back Lugo!

Before you take on the task—that seems like an avalanche—of self-publishing, remember your creative control.

It's like as soon as authors finish writing a manuscript, fear sets in: "Who will want it? Is it good enough? Will I be able to publish it? How do I publish it? Will it sell?" And their hands start shaking as they hold up their manuscript to publishing experts for the next step. 🤔

Even if you find a publishing company to invest in you as a writer, you're not begging for mercy by handing over your book to them. You're not looking for someone to take a burden off your shoulders. You're not giving up a child for adoption!

You're here to see your brainchild all the way through. 🧠 📖 All the way through editing (the focus of this 7-day program), all the way through publishing and printing, all the way through publicizing and marketing, all the way through store sales 🏪, all the way through reader feedback.




All the way through acceptance, rejection, success, failure, and try-agains.

Own it! All the way.

The reason is that your book will always be linked to you, whether it sells or not.

Sorry for the graphic example of "giving a child up for adoption." I know that is something to not even joke about. But, with this email, I really want to shake you into shape and get your mind straight before we go into it.

Exercise your creative control all the way—not just on how things are done but being actively present in it through the whole process.

Don't view what goes after typing "the end"  as a burden or something you have no role in—even if you don't know how to do it. At that point, the masterpiece  is far from done. And let's be honest, no one knows your book better than you, so you're in the driver's seat  (no matter who is or how many people are involved in the process).


Immerse yourself in the process, be present—whether it's through traditional publishing or self-publishing.

Your work is done when the last reader reads your book. "What? When will that be?" Exactly.

Be eternally present in your book.

The self-publishing process includes: editing, typesetting, proofreading, publishing and printing, publicizing and marketing.

As you can see, editing is the first step in this process and the most important one. Get your book right according to editorial standards. Bring it to a quality level where it is fit to compete in the market. If your book isn't professionally edited, all other steps in the process will come down like a "domino effect" at any given moment.

Editing sets the foundation to equip your book for the world.  So, don't glaze over this step, take your time with it. Don't rush it if there's no need to. And no, do not do it yourself. Your book should be professionally edited, and you will learn the reason why in this access program. I'm not trying to sell you on anything with this statement—it's just the plain, honest truth.

So, I invite you to take on this first step (understanding editing) and focus solely on it for now. Forget about the rest of the publishing process because all of it is worth nothing if your editing isn't right.

Through this access program, just inform yourself—that's it. Don't even start looking to hire someone to do it. Just inform yourself.

The best decision taken is the informed decision.

That's it for today. Enjoy your backstage pass to nonfiction editing!

Remember. Before getting your book right, I need you to get your mind right—I hope this email did.

Hasta mañana,

Glee

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What goes into editing?✍️

From: Glee Lugo (Spot On Edit) (gleelugo@spotonedit.com)

To: glugo_21@yahoo.com

Date: Sunday, May 8, 2022 at 09:20 AM EDT

Day 1

Lugo!

Day 1 is finally here, it's so exciting.

If you have joined this access program, it's probably because you want to find out what all the "editing fuss" is about and how it goes.

Maybe you're thinking, "Glee, what is this editing service you speak of?" and "what can professional editing do for me that Grammarly can't do for free?"🤔

Well, when it comes to editing a book, it's not just about typos and grammar. There is so much more that goes into making a book "print-ready."

I get that this might not be your area at all, but that doesn't mean that you shouldn't have an understanding of it. You having a general understanding of how the editing process works before hiring an editor can help you choose an editor wisely, know what it is you're paying for, and be prepared with everything you need to have ready (not just the manuscript) so that your editor can do their job smoothly and on time. When it comes to editing and publishing, informed authors in this area make for better books.

So I say, let them take a look backstage.👁️ Why not?🙌

Now, editing can go from the big picture sense (e.g., how your book is organized) all the way to the minute details of spelling and formatting.

When you're shopping for an editor, it's important to request a **free sample edit** to test the editor's skills. To know if it's a good sample edit, you should **know what each editing level entails** and **what editorial standards are**. It's important to undergo a **manuscript**

evaluation to know what level of editing your manuscript needs before purchasing an editing service. This can save you time and money! Click on the pretty button below to learn more about all these details.

EDITING SERVICE DETAILS

I hope this provides the clarity you were looking for.🙏

Your majesty's exiled servant,

Glee

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How do editors charge for services?

From: Glee Lugo (Spot On Edit) (gleelugo@spotonedit.com)

To: glugo_21@yahoo.com

Date: Monday, May 9, 2022 at 09:22 AM EDT

Day 2

Hiya Lugo!

So, how do editors charge for services? It's so confusing!💰


By the letter? By the word? By the page? Wait, would that be double-spaced? By the hour?

To be honest, that's not what it's about. In reality, it's about the depth of the work to be done.

For example, it depends on:

1. How dense the topic is.
2. How many spelling and grammatical mistakes there are.
3. How many sentences need to be adjusted in terms of structure and punctuation.
4. How many rewriting suggestions need to be thought up.
5. How long it takes to put the rewriting suggestions together while maintaining the author's style and voice.
6. How many instances of "obscure meaning" surface and need to be queried and adjusted.
7. How many citations and references need to be verified and typed up in a reference list according to editorial standards.

The list goes on and on. In reality, no editor can estimate the value of the work to be done based on the number of letters, words, or pages until they've gone through the manuscript.

They can't really tell you how long it's going to take them either.  That's right! You heard it. Even if you tell them the page count, they can't really tell you how long it will take them.

They can try to, but it's really not a guarantee. Why? Because they don't really know the humdinger of a job you got there for them until they plunge into it.

Each book is its own world. 📖🌐 It's like estimating the time it would take to do something, when the something changes every time. Every book is different.

In terms of value, the page count and estimated time of completion do set some parameters, but they are not the driving force behind the monetary value of a project.

For example, a well-written 300-page manuscript could take me less time to edit than a 140-page manuscript full of typos and in need of major rewriting.

Now that you've learned about the **service details** in the last email, you'll know that this estimate will also depend on the **level of editing** you're requesting. That's why **manuscript evaluations** are so important.

So, all this to say that I believe more in the project-based approach in charging for services.

It is centered in the effort, skills, experience, and perspective that the editor brings to your work—the talent. 🧑

That can't be broken up into letter counts, word counts, page counts, or hours. Do you measure the value of a painting 🖼️ based on how many ounces of paint it took the painter to make it? 🎨

Yes, I'm comparing editors to painters. Because once a writer holds an edited manuscript in their hand with all the kinks worked out, it's like holding up a masterpiece. Imagine when it's typeset! 📖

So, there are editors that still do the "page count, word count, or hourly" system. But more and more, we are seeing editors work in a project-based form.

In sum, to each his own, which by the way is the theme of the next email. 🤔

Also, in the bonus emails at the end of the program, I will detail my service system with clients: sample edit, discovery questionnaire, manuscript evaluation, proposal, contract, NDA, and revision process.

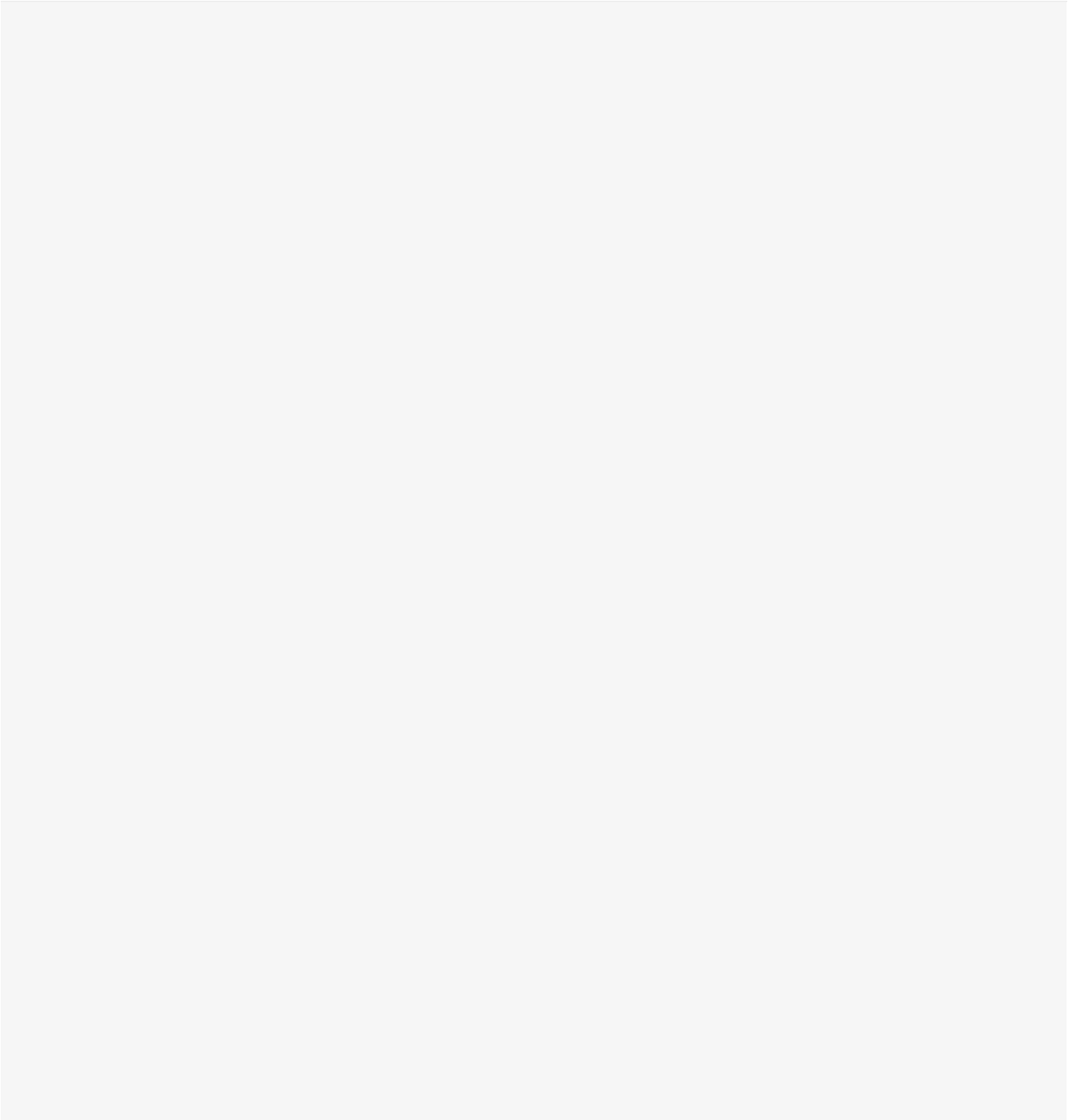
Stay tuned for the new generation of editors! 🤖🤖

Viva la revolución, 🦊

Glee

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Why the "Jack of all trades..." is dangerous 🤔💀

From: Glee Lugo (Spot On Edit) (gleelugo@spotonedit.com)

To: glugo_21@yahoo.com

Date: Tuesday, May 10, 2022 at 09:22 AM EDT

Day 3

Howdy Lugo! 🤖

Why is the "Jack of all trades..." dangerous? You know it! Because he's the "...master of none," duh.

You want every aspect of your publication to be on point and by the book. The varying aspects range from editing to designing to publishing to publicizing to marketing. Each of these areas requires a different level of expertise—so to each his own.

My story. 🦋

Let me tell you a story titled:

I Asked My Loan Officer to Build Me a House Himself

So, I plan to buy a piece of land in the countryside 🌳 in Puerto Rico and build a house. 🏠 I want to do this for around \$100,000. Don't scoff. It's possible! But, I have to plan it carefully. You see, I'm of the "Warren Buffet and Mark Zuckerberg" breed. You know, my goal is to pretend that I'm broke in my super old Toyota 🚗 and wear the same t-shirt 🕒 every day to then place my priorities elsewhere.

For me, wealth = freedom (not ostentation). It's a process (more or less): Find a piece of flat land between 1,000 to 1,500 square meters for under or around \$40,000. Get a **civil engineer** to evaluate it and acquire the permissions. Get a **contractor** to evaluate the land and provide an estimate of the cost of construction on that piece of land (it's not just about building a house, where you build it affects how you build it). I'm looking to pay around \$23,000 for his work. Come to an agreement with the **housing company**, that will provide the materials, on the model I want and total cost (which I aim for it to be around \$40,000). Meet with a **loan officer** from a cooperative bank (lower interest rate) to request a loan that will cover the cost of the land, housing company (materials), and contractor fee (plus

my 15-20% deposit). Factor in closing costs and other expenses. (I'm sure I left some details out; I'm not a real estate expert, but you get the gist of it.)

So, I decided to ask my loan officer to build me the house himself. What?! Exactly.

To each his own. 🧳

Self-publishing a book is like the process of building a house on a piece of land, to each his own.

Yes, there are all-inclusive publishing packages out there. But, I recently saw a Facebook post of an author who paid for one of these packages. The business did a good job at formatting and setting up the book to sell on Amazon, but the editing was horrible—probably because they're not professional line editors, copy editors, or proofreaders. The book had tons of mistakes. The author kept getting messages from friends who bought the book, each time pointing out a new mistake. 🏆 Now this could happen with a freelance editor too, but don't mix professionals. Don't hire a loan office to build your house. If you do go with an all-inclusive publishing package, make sure to find out more about their editors. Review the "What goes into editing?" email from two days ago on how to vet an editor. Mind you, I'm not here to trash publishing services but to encourage you to make informed decisions.

In the house-building description above, notice how I **bolded** the different professionals I need to consult to follow through with each part of the building process. I want to get the best of the game in each area (that I can afford, of course), not a bunch of subpar professionals all packaged up in a deal. You get what you pay for—literally.

Now, imagine the loan officer's face when I present to him the proposition of actually building the house himself. 🤨

Make sure that whoever you hire to manage an aspect of your book-publishing is an expert in that field or area—but especially in editing. All other efforts (book cover, layout, format, printing, publishing, and marketing) are worth diddly-squat if when it comes time for your reader to read your book, they find a bunch of errors. That's the whole point! All dressings aside, they need to be able to read it. 😊

Genres & Topics 🔍

Apart from finding an actual book editor (and not a graphic designer) to edit your book, you can narrow it down even further for quality assurance. The editor's knowledge of your genre and theme makes a world of a difference in the quality and accuracy of the edits. I've seen how much my specialization contributes to the work of my authors. They respond

to my revisions with gratitude, pointing out that it was exactly what they were trying to say or commenting that they are happy that I understand their field. An editor that is not well-informed in your genre or topic could make incorrect edits. Not to say that I have been an expert in every topic from every author I've worked with, but I do have a clear understanding of the self-help genre and it's intention for the reader. In terms of specific fields that can be covered in a self-help book like—for example—real estate investment or corporate culture, I do detailed research and querying to the author before making field-specific edits. Nevertheless, I'm far less clueless than if I were a fiction editor trying to approach a self-help book (insert confused face here 😞).

Ponder on these thoughts for tonight, more tomorrow.

Go forth and multiply,

Glee

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The Hiatus 🛑👋

From: Glee Lugo (Spot On Edit) (gleelugo@spotonedit.com)

To: glugo_21@yahoo.com

Date: Wednesday, May 11, 2022 at 09:22 AM EDT

Day 4

Calling all nonfiction authors! 📢

Listen up! 👂

Because this is what makes your genre more complicated than others.

Lugo,

I've decided to dedicate the next few emails to the topic of using *sources* because it's the part I see most self-help (nonfiction) authors struggle with in the editing process.

Why do I call it the *hiatus*? Because discovering that a nonfiction manuscript is...

1. not crediting a source properly (or not crediting it at all)
2. poorly investigated
3. in need of a permission to use material that belongs to another author
4. one, two, or all of the above

...puts a *loud screeching halt* 🛑👋 to the editing and, therefore, the publishing process.

Let's hear what *The Chicago Manual of Style, 17th Edition* has to say about source citations.

The Chicago Manual of Style is the guide (bible) that editors follow to revise manuscripts according to American editorial standards for publishing.

Chicago opens section 14:1 *The purpose of source citations* with the following statement, and I quote,

"Ethics, copyright laws, and courtesy to readers require authors to identify the sources of direct quotations or paraphrases and of any facts or opinions not generally known or easily checked" ("The Chicago Manual of Style, 17th Edition" n.d.).

Make sure it *really is* "generally known." If not, find the source. Never assume. 😓

It can be annoying to have to go back and review your sources after you've already written the book. It may be even embarrassing to discover you are using weak sources. But, acceptance is the first step, and it's just about diving in 🤿🌊 and doing it right. One thing is for sure, once you buckle down and get it done, you won't regret it! You'll feel like you know way more about your book and your field than you did before.

You will rest easy knowing that the references you are providing are:

1. legit
2. thoroughly investigated
3. properly cited
4. lawsuit-resistant💧🔥

Phew! (wipe sweat off of forehead)😓

Your book can then easily follow you through your career and won't come back to "bite you in the 🍑 " by threatening your reputation and standing.

We can't just glaze 🍩 over this fact when it comes to referencing or using material in our work that belongs to other authors, as troublesome as it may be.

To not overestimate your attention span for this email 🤪👉 , more on primary and secondary sources tomorrow.

We're going into the nitty-gritty now. Buahaha! 😈🔪

Peace, love, and vitamin C, 🍊

Glee

References:

"The Chicago Manual of Style, 17th Edition." n.d. The Chicago Manual of Style Online. Accessed June 29, 2021. <https://www.chicagomanualofstyle.org>.

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Halt 1: Primary and Secondary Sources

From: Glee Lugo (Spot On Edit) (gleelugo@spotonedit.com)

To: glugo_21@yahoo.com

Date: Thursday, May 12, 2022 at 09:21 AM EDT

Day 5

Lugo...we're back!

According to section 14.260: *Citations taken from secondary sources*,

"To cite a source from a secondary source ("quoted in . . .") is generally to be discouraged, since authors are expected to have examined the works they cite. If an original source is unavailable, however, both the original and the secondary source must be listed" ("The Chicago Manual of Style, 17th Edition" n.d.).

If the citations are from secondary or tertiary nebulous 🤔 or even *reliable* sources in a he-said-she-said fashion and you don't have the proof at hand that "he" or "she" actually said it, you just lose credibility as a supposed expert in the field....

Remember that movie? Loved it! 🤔

I digress...😓😓

Anywho. Back to the danger of secondary sources. You also run the risk of committing the P-word. That's right! *Plagiarism!*😱

More on primary and secondary sources:

1. **Go to "The Father."** 🌐🔍 For example, when you are supporting a theory or concept that has been created by someone else or even using it in opposition to your argument, look for that source—"the father" or "the mother" of that concept. If possible, look for the first book that was written on that theory or concept (even if it's old 😓😓) for original definitions.
2. **Opinions are like buttholes** 🍑 **(yeah, I said it)**. Remember, the danger with using secondary sources (experts talking about what "The Father of..." said) is that...
 1. you don't know if that secondary source is quoting correctly.
 2. theories are also open to interpretations, so a secondary source could have presented the theory in a light 🔦 that it was not intended for.
 3. after going back and reading the original source, you may end up with a completely different view of it—or it may not even apply to your argument anymore.
 4. in the end, you are an expert in that field just as much as that secondary source you're using is—probably even more so. So, who do you trust more? I hope the answer is yourself.

Don't even get me started on tertiary sources and so forth.

Citations along the lines of: *"The neighbor of my first cousin's (once removed) husband's co-worker's gym mate's sister said..."*

Please, 'nough said. 😓😓

Important details in collecting sources:

1. **How old** 🕒 **is your source?** If you are writing a self-help book, you want to be discussing the latest theories and information on the topic you're presenting—of course. Especially in relation to self-help, I recommend that you utilize sources that are five to ten years old, no more than that. But, it also depends on how fast-paced the field is of the source you are presenting. If it is an area that is constantly changing, two- to three-year sources—or less.

2. **Mark it, save it.** Once you've used the source (electronic or hard copy), mark where you extracted the information (page and line) and save it. Both the source and the information need to be verified by the editor, so you must supply these copies to them. Especially if you quoted directly, the editor has to verify that you quoted verbatim. For example, if the source has a typo in their quote, you still have to copy it exactly (with the typo) as is; do not correct it. There are editorial standards to handle these cases.

Now, what about when you have to ***ask for permission*** to utilize a source?

Tomorrow's topic: Permissions!

Can you handle it?

Only you can prevent forest fires, 🐻 🔥

Glee

References:

Marisa Silver and Ken Kwapis. 1991. *He Said, She Said*. Romantic comedy-drama. Paramount Pictures.

"The Chicago Manual of Style, 17th Edition." n.d. The Chicago Manual of Style Online. Accessed June 29, 2021. <https://www.chicagomanualofstyle.org>.

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Halt 2: Permissions

From: Glee Lugo (Spot On Edit) (gleelugo@spotonedit.com)

To: glugo_21@yahoo.com

Date: Friday, May 13, 2022 at 09:22 AM EDT

Day 6

Hey Lugo,

Ok, let's get to it! **Overall, you must ask for permission.**

What do I mean by *overall*? Not strapped trousers, that's for sure! 🧑🌱

Sometimes, you have to *ask for permission* to use another author's work. I know, as if following editorial guidelines on citations and references, and researching primary sources wasn't enough. 😞

Knowing when the use of an external source requires a permission or is considered fair use is not a one-size-fits-all answer. It all depends on what kind of material you are using, how much of it, and with what intention—among other details (next email).

Also, different scenarios can result from requesting permission.

1. They could give you permission, but you have to pay a fee to use it and follow the conditions they set.
2. They could deny permission, forcing you to make a case for "fair use" (if you want to use that source really bad).
3. They could not answer at all, or you might not even be able to locate the copyright owner.
4. You could then decide to still move forward with utilizing the source (without a response on permission request) by giving it credit and crossing your fingers 🙌 that it doesn't backfire later on. 🔥 (Again, you can always make a case for "fair use.")

These are the moments when we feel like following the Spanish saying: "*It's better to ask for forgiveness than to ask for permission.*" Don't follow this saying because sorry might not be enough.😂🙄 No worries. All of the circumstances and options in the list above are handled case-by-case.

Nevertheless, the responsibility of the author to seek permission from others to use said work is a clear principle in *The Chicago Manual of Style*, 17th edition.

According to the style manual, section **4.75 General principles for obtaining permissions** states that,

"...an author must obtain permission to use any copyrighted material created by others, unless the intended use is a "fair use"... Technically, permission need not be in writing, but it would be most unwise to rely on oral permission" ("The Chicago Manual of Style, 17th Edition" n.d.).

Remember, "fair use" will be discussed in the next email.

Also, some materials' copyrights may have expired, which allows you to use it without requesting permission, but the guidelines for that are a completely different topic for another email after this 7-day program.

Moreover, **section 4.75** further specifies,

"But whether permission is needed or not, the author should always, as a matter of good practice (and to avoid any possible charge of plagiarism), credit any sources used" ("The Chicago Manual of Style, 17th Edition" n.d.).

[drop mic 🎤]

It's the author's job.

Now, the part that you probably zoomed into, apart from the "fair use" one, was the "*author must obtain permission*" section. Yeah, sorry about that, but it is the author's job—not the editor's—to request permissions.

In case you don't believe me, cue the manual again now in section **4.76: Author's Role in Obtaining Permission**,

"Publishing agreements generally place on the author the responsibility to request any permission needed for the use of material owned by others" ("The Chicago Manual of Style, 17th Edition" n.d.).

Some publishing companies provide these services or have a department that is dedicated to it. But if you are self-publishing, you would have to do it yourself. However, there are specialized consultants you can hire to assist you if the permission-request load is too much.

That is why it is recommended that you start doing this once you've been approved by a publishing company—if you're not self-publishing. If you *are* self-publishing, you should do it as you're writing the book or before you hire an editor.

Many authors don't do this because they don't know. Well, thanks to this access program, now you know! It saves so much time in the editing and publishing process; you wouldn't believe how well it flows when this stuff is out of the way!

According to section **4.76: *Author's role in obtaining permissions*, the process of gaining these permissions can become complicated depending on what publishing company holds the license of your source to grant that permission. If that license is spread out through various publishing companies in different parts of the world, then you have to request multiple permissions worldwide to be able to sell your book worldwide ("The Chicago Manual of Style, 17th Edition" n.d.).**

So, again, it is something that should be done with enough time to avoid frustration near publishing.

Guidelines according to source.

There are different guidelines to follow in requesting permission depending on the type of source: for interviews and photo releases, for unpublished works, for cases where the copyright owner is missing (e.g., author is dead or the publishing company went out of business), and *in requesting to use your own prior work* (if it's a previously published work by you). Ahem, yeah that last one. 😬 I won't go into the details of each because it is better understood when approached on a case-by-case basis. However, this information can get you to start thinking 🤔 of your own sources, planning ahead, and jotting down questions you may want to ask your editor.

How to request permission.

Once again, let's take it from the Chicago manual (in section **4.95: *Information required***) —because I couldn't say it better than they do.

"Would-be users can help reduce delay and miscommunication by submitting their requests for permission in the best possible form. All requests for permission to reprint should be sent to the copyright holder in writing and in duplicate. The request should contain the following explicit information..."

1. **Title of the original work and exact identification.**
2. **Information about the publication in which the author wishes to reproduce the material...**
3. **The kind of rights requested. ("The Chicago Manual of Style, 17th Edition" n.d.)**

The Chicago online version even has letter samples you can use, so ask your editor.

Catch-22!

And to wrap up this extended story on permissions, let me further the subjectivity behind this topic by posting the entire excerpt from section **4.93: *Unnecessary permissions***.

"Given the ad hoc nature of fair use and the absence of rules and guidelines, many publishers tend to seek permission if they have the slightest doubt whether a particular use is fair. This is unfortunate. Fair use is valuable to scholarship, and it should not be allowed to decay because scholars fail to employ it boldly. Furthermore, excessive permissions processing tends to slow down the gestation of worthwhile writings. Even if permission is sought and denied, that should not necessarily be treated as the end of the matter. The US Supreme Court has held that requesting permission should not be regarded as an admission that permission is needed. In other words, where permission is denied, or granted but for an unreasonable price, publishers and authors should consider whether a sound case might be made for fair use." ("The Chicago Manual of Style, 17th Edition" n.d.).

So, there you have it! Tomorrow, we'll go into the concept of "fair use" of sources. I know you're dying to know. Can you get away with it? 🙄

May the Force be with you,

Glee

References:

"The Chicago Manual of Style, 17th Edition." n.d. The Chicago Manual of Style Online. Accessed June 29, 2021. <https://www.chicagomanualofstyle.org>.

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Fair Use, it's only fair.

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To: glugo_21@yahoo.com

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Day 7

So...Lugo,

What is considered fair use?

Let's start with Chicago's statement on the legal doctrine of "fair use" (**4.84: Overview of the legal doctrine of fair use**):

"The doctrine of fair use, which allows limited use of copyrighted work without permission, was originally developed by courts as an equitable limit on the absolute rights of copyright. Although incorporated into the new copyright law, the doctrine still does not attempt to define the exact limits of the fair use of copyrighted work" ("The Chicago Manual of Style, 17th Edition" n.d.).

Great. Disappointing, huh? This leaves us just as confused as with the permission topic from the last email.

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Thoughts along the lines of...

"Do I need to ask for permission? No, it's fair use. But, IS it fair use? How do I know? Because if not, then I need to ask for permission."

What does this sound like to you? Yossarian!

The parameters.

But wait, there are some parameters in place (section **4.84: Overview of the legal doctrine of fair use**).

"It does state, however, that in determining whether the use of a work in any particular case is fair, the factors to be considered must include the following:

- 1. The purpose and character of the use, including whether such use is of a commercial nature or is for nonprofit educational purposes**
- 2. The nature of the copyrighted work**
- 3. The amount and substantiality of the portion used in relation to the copyrighted work as a whole**
- 4. The effect of the use on the potential market for, or value of, the copyrighted work" ("The Chicago Manual of Style, 17th Edition" n.d.)**

So (also in section **4.84: Overview of the legal doctrine of fair use**)...

"...it allows authors to quote from other authors' work or to reproduce small amounts of graphic or pictorial material for purposes of review or criticism or to illustrate or buttress their own points. Authors invoking fair use should transcribe accurately and give credit to their sources. They should not quote in such a way as to make the author of the quoted passage seem to be saying something opposite to, or different from, what was intended" ("The Chicago Manual of Style, 17th Edition" n.d.).

Apart from direct quotes or paraphrases of a source, another area where fair-use analysis should be applied is in the reformatting or reproduction of pictorial and graphic materials, charts, tables, and graphs of other sources. Fair-use analysis should also be applied when other sources are used in the epigraphs or interior monologues of our work.

Once again, catch-22.

In conclusion, authors should use these guidelines to perform a *brief* fair-use analysis on each source they are referencing to in their work. I use the word "brief" because you don't want to overthink it. 🤔 It's one or the other and there is always a level of risk in choosing either one. You have to be comfortable with that. 🙌

Remember the Chicago excerpt from the past email that states that **even when you are requesting permission, (by law) that does not equal to permission being needed to begin with really** ("The Chicago Manual of Style, 17th Edition" n.d.).

In other words, once that source's work is published and out there, people have a right to argument on it. Isn't that the whole point? Once again, this does not include cases in which people use the source to defame its author or to put forth an argument for which it was not originally intended.

This whole unclear solution leads to publishers creating their own guidelines on what is “fair use” and what needs permission requests when working with their own projects—to keep things moving along (“The Chicago Manual of Style, 17th Edition” n.d.).

But at the end of the day, none of these self-created guidelines may stand up in court—if it were to get to that point (“The Chicago Manual of Style, 17th Edition” n.d.). The court is the one who finally decides while, at the same time, the court itself has no limits set out or **“ironclad formulas for fair use”** (“The Chicago Manual of Style, 17th Edition” n.d.). ⚖️

So, once again, catch-22!

The point is...

Section **4.86: A few general rules related to fair use** explains that **"fair use is use that**

is fair—simply that. Uses that differ in purpose from the original, and uses that transform the copied material by changing its context or the way it is perceived, will always be judged more leniently than those that merely parallel or parrot the original" ("The Chicago Manual of Style, 17th Edition" n.d.).

Again, I will leave it at that and not go into the details because reading it from a general perspective can be confusing. It is better to be viewed in a case-by-case scenario.

Now, is this all too subjective? Why yes, it is.

But that—many times, if not always—is part of being an author. Writing is about taking subjective or abstract ideas and shaping them into a tangible piece of writing to help your reader grasp at the meaning and make a decision, take action, or change the way they think about something.

The use of sources and how they are managed is part of that process and can be just as subjective and abstract.

Always a pleasure to point out life's amusing contradictions! 😄

With trepidation,

Glee

References:

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