Section 2: Conflict of Interest and Copyright

2.1 Ethics, Disclosure, and Informed Consent

a. Use of commercial product or vendor name

ADF&G images, information, and published or written materials may never be used as a direct endorsement for commercial or political purposes. Mention by name of a commercial product (e.g., Spam, Visqueen) or vendor (e.g., Bendix Corporation) in a departmental or external publication warrants inclusion of a disclaimer, either as a footnote or as a single generic statement at the back or front of all reports or publications.

Use: Product names used in this publication are included for completeness but do not constitute product endorsement.

The appearance of the product labels is for artistic purposes and to help illustrate the great economic benefits of sustainable salmon resources in Alaska. The Alaska Department of Fish and Game does not endorse or recommend any specific company or their products.

The appearance of [ADF&G article, image, etc.] is not an Alaska Department of Fish and Game recommendation for or implied endorsement of [company name or product]. The Alaska Department of Fish and Game, in accordance with State of Alaska ethics laws, does not favor one group over another through endorsement or recommendation.

Provide a disclaimer when ADF&G images or information are used for information only purposes by a commercial or political entity or in instances when there could be a perceived endorsement. An author’s inclusion of an editor’s assistance in a work does not imply endorsement.

If an agency outside ADF&G reprints a publication, it is understood that this act is not an endorsement by the department; ADF&G cannot promote one company, organization, author, or entity over another.

b. Scientific journal articles and professional papers

Scientific journals have specific standards and policies regarding conflict of interest. When submitting an article, review and follow their specific standards.
2.2 Copyright

The foundation of copyright is provided in the U.S. Constitution. The U.S. copyright law is contained in Chapters 1 through 8 and 10 through 12 of Title 17 of the United States Code. The Copyright Act of 1976, which provides the basic framework for the current copyright law, was enacted on October 19, 1976, as Pub. L. No. 94-553, 90 Stat. 2541.

a. ADF&G copyright information

The ADF&G Standard Operating Procedure III-401 Copyright Policy covers the following topics: the department’s copyrighted material, departmental contracts, copyright protection verses public disclosure, works made for hire, fair use, licenses and requests to reproduce the department’s copyrighted materials, how to handle requests from other agencies to reproduce copyrighted materials, Internet and copyright, the department’s copyright notice, and staff use of copyrighted material.

In addition, the department’s copyright notice describing ADF&G’s copyright authority is provided at the foot of each ADF&G web page.

All efforts should be taken to protect the state’s copyrighted materials while also respecting the copyrights of others. Copyright laws are enforceable and unlawful use can result in serious fines and penalties.

The simple rule ask before you use is the best protection against illegal use or copyright infringement. If you are unsure whether an image belongs to ADF&G with clear copyright, do not use or publish the image. Do not assume that permissions are still in effect for something previously used properly and within the policy of our agency. It is your duty to find out the use permissions and what they cover.

b. ADF&G copyright notice

Copyright protection begins automatically from the moment the work is created in fixed form and begins without any formality, process, or application. The standard copyright notice is not required to establish copyright. Nevertheless, copyright notice should be included on the department’s formal publications and any other important materials.

All unique works produced by ADF&G staff should include a copyright notice. When space is an issue, an abbreviation of the agency full title is acceptable, and the agency acronym may be used when the full title has been established in the published material.

Use:  ©2009 Alaska Department of Fish and Game. [entire work copyrighted]
©2009 Alaska Department of Fish and Game/Photo by ‘name.’ [standard]
©2009 AK Dept. Fish and Game/Illustration by ‘name.’ [abbreviated]
©2009 ADF&G/‘name.’ [full ADF&G title already established]
Occasionally, special materials that need the highest possible level of copyright protection (e.g., department logo, computer program) should be registered with the federal copyright office and may be additionally protected under federal and state trademark laws. The Copyright Office recommends online registration, and they have a lower filing fee for electronic submissions.

Library of Congress  
U.S. Copyright Office  
101 Independence Avenue SE  
Washington, DC 20559-6000

Registration can prove useful if copyright infringement is litigated by the State of Alaska. Registration is not required to hold intellectual property rights to materials.