

Copyright Article #1

(2,700 hits on the intranet)

By Marie Gettel-Gilmartin

Title: Don't use that photo without permission!

Lead-in: Avoid damaging your reputation and exposing the firm to liability by understanding when it's safe to use photos in CH2M HILL deliverables.

Body:

True or False?

- If a photo is on the Internet, it's okay to reuse.
- If it doesn't have a copyright notice, the image can be used.
- The Fair Use doctrine allows me to use photos if I'm not publishing them online.

Answers: All false.

Unless you have permission, you cannot distribute, copy, display, or reuse someone else's photos for any CH2M HILL product, including reports, proposals, presentations, and web sites.

Because we are a for-profit company, the Fair Use doctrine does not apply. As a large global company, CH2M HILL is a large target for a lawsuit. Juries have awarded more than US\$1 million in damages for copyright infringement.

Can you identify which of these cases occurred at CH2M HILL?

1. A photographer filed suit against a company for using two photos without permission and won a judgment of \$19,462 in federal court.
2. A photography vendor issued a copyright infringement notice to a company with four unlicensed images on its web site. The images came from a report produced by another firm, which was fined \$8,000. Further research revealed that an employee had legally acquired these images, but personally rather than for the company. Fines were negotiated to a smaller sum, but the embarrassment remained.
3. A court found in favor of a company pursuing a lawsuit against another company for using a photo without permission and manipulating it in Photoshop.
4. An employee questioned the legality of a photo in a report for a federal agency only to find that the agency had taken it off the Internet. Once identified, the photographer gave usage permission for the photo's use.
5. A photographer offered images for a government web site, but when another organization lifted the images, the photographer sued and won £10,000 in damages.
6. A company hired a web site designer. When a photographer found unlicensed images on the web site, he sued both companies. The court found both companies liable for the copyright infringement.
7. A project team wanted to use native, natural Alaskan images and found several on the Internet. When steered to photos they could legally purchase, the team chose the legal and ethical solution.

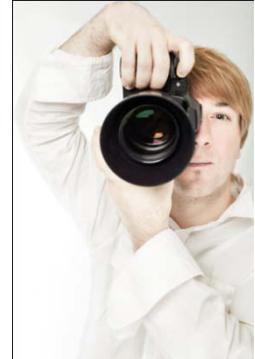


Photo from Microsoft Images

Answers: #2, 4, and 7 happened at CH2M HILL.

Not only is violating copyright a serious crime, but it's also unethical. We need to have proper licensing for all our photography, whether used internally or externally.

When we disobey copyright law, we risk damaging our reputation and client relationships. It's easy to do the right thing. You can access free images through [Microsoft](#) or [Flickr Public Domain](#) or purchase images on other sites. Your local [Publications Services](#), [Business Development Services](#), or [Creative & Brand Services](#) professional can help you ascertain whether an image is okay to use.

This article is the first in a series about ways to protect CH2M HILL legally and ethically by avoiding copyright infringement. For more information, contact [Publications Services](#) or CH2M HILL's [legal counsel](#).

Copyright Article #2 (2,700 hits on the intranet)

By Marie Gettel-Gilmartin

Title: Avoid costly fines and embarrassment by respecting others' intellectual property

Lead-in: When you use borrowed text in a document you are claiming it as your own. Not only is this unethical, but it's also illegal. Make sure you do not make this mistake.

Body:

Which of the following is acceptable?

- Copying text from the Internet or a book and incorporating it into a document without listing its source
- Including copies of a non-CH2M HILL document in an appendix, or making copies of documents or articles and distributing them without permission
- [Using others' photos without permission or payment](#)



Source: Microsoft Images

Answer: None. All of these are examples of plagiarism or copyright infringement.

It happens at CH2M HILL:

- A project manager wanted to include copies of three documents that were not ours in an appendix. The editor discovered one of them was in the public domain, but the others weren't. They were pulled at the last minute.
- An editor discovered that an author had copied text directly from several agencies' web sites without attribution. She noticed the lack of citations and the changed text tone, but she also recognized some of the plagiarized text, because she had written it in a former job.

How can I avoid plagiarism or copyright infringement?

- **Avoid using more than a few lines of text** from another person's work, unless you have permission.
- **Use quotation marks, cite your source (or hyperlink), and list as a reference** when you use or paraphrase ideas, facts, or statistics that are not common knowledge. Do not change the words and claim it as your own.
- **Do not photocopy non-CH2M HILL documents** and distribute; this violates copyright law unless you have written permission. [The Fair Use Doctrine](#) does not apply to CH2M HILL, because we are a for-profit firm.
- **Never use Wikipedia as a source, even with citation.** CH2M HILL can be held financially or professionally liable if we include plagiarized, incorrect, overly biased, or stolen material from Wikipedia. ([This article](#) [link to internal article] explains more about why Wikipedia is unreliable.)
- **Adapt this form letter**, prepared by COR Legal ([LINK](#)), for your use in requesting permission, and **save approvals and denials** on your project or proposal server or SharePoint site.

When is it okay to use someone else's documents, words, or ideas?

- If you are discussing common knowledge or generally accepted facts, such as climate change, scientific observations, and historical events
- If the work exists in the public domain, but you should still cite the source (**Note: Publication on the Internet does not constitute public domain**)
- If you get written permission to do so and cite the source correctly

According to studies cited on plagiarism.org, plagiarism is becoming more acceptable in our society. However, it is no less unethical or illegal.

This year, [UCLA rejected 52 of its MBA applicants](#) for plagiarism in application essays. In the business world, most U.S. cases of plagiarism are misdemeanors, punishable by fines from \$100 to \$50,000 and up to 1 year in jail. If the offender profits more than \$2,500, he or she could face up to \$250,000 in fines and 10 years in jail.

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Copyright Article #3 (1,976 hits on the intranet)

By Marie Gettel-Gilmartin

Title: **Why it's not okay to use a client's logo without permission**

Lead-in: Unauthorized use of a client logo could get you in trouble with your client or even disqualify your proposal.

Which of the following is acceptable?

- Putting a client's logo on the cover or inside of a proposal or project deliverable we are submitting to that client
- Listing the logos of the companies we've worked with in a proposal for another client
- Using a client logo in a presentation to that client or internally within CH2M HILL
- Putting a client or partner organization logo on a CH2M HILL web site or document

Answer: None are acceptable...*unless you have the express (written) permission from the client.*

It does happen at CH2M HILL:

- After we used a new (potential) client's logo on a proposal, the client threw out the proposal without even reading it.
- We used a client logo in an internal presentation, and the client was very unhappy about it and made that clear.
- A trademarked cover from *FORTUNE* magazine (with Ralph Peterson's photo) continues to be used in proposals and other documents, even though *FORTUNE* explicitly forbids us from using its logos or images beyond a contracted period of time.



Photo from Microsoft Images

Some organizations (*FORTUNE*, the International Olympics Committee) are particularly sensitive about having their logos used without permission. In the worst-case scenario, unauthorized use of logos could result in legal action for trademark infringement. (Logos are protected by trademark or copyright law.)

At the least, we risk harming our relationships with clients or partners.

The solution is simple:

***If you want to use another organization's logo,
ask for written permission.***

The last thing you want to do is offend a potential or existing client, so it's far better to ask for permission rather than asking for forgiveness later.

Some organizations make it easier by publicizing their logo usage guidelines and instructions for approval on their web sites. You can adapt [this form letter](#), prepared by COR Legal, to request permission...then save the approvals and denials on your project or proposal server or SharePoint site.

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Copyright Article #4

(2,603 hits on the intranet)

By Marie Gettel-Gilmartin

Title: That Google Earth image could get you into hot water

Lead-in: Learn how to legally use Google Earth Pro images to protect the firm and respect copyright.

Did you know that reproducing a Google Earth image without a license could get the firm into big legal trouble?

Using Google maps as a handy reference or for personal use is fine. But to use these images or maps for *commercial* purposes (such as presentations, reports, and proposals), you must obtain the proper images from a licensed Google Earth *Pro* user.

The good news: you are not alone!

CH2M HILL has more than 220 licensed Google Earth Pro users, including [more than 40 designers in Publications Services](#). They can help you find an image and prepare it correctly for publication. You can use the free online Google Earth to locate and orient the image you need, and then send it to the licensed user for download and customization as needed.

Because we are a business, using Google Earth images without a license is copyright infringement.

- **We must protect Google's copyright:** Google Earth Pro images must be accompanied by the Google logo and copyright information. Google has strict copyright guidelines and attribution requirements, and the firm's Google Earth Pro licensed users are aware of these rules.
- **We must apply the same level of scrutiny to subcontractor-authored deliverables submitted under CH2M HILL's name:** For example, while working on a document, an editor found unauthorized Google aerial imagery without the proper disclaimer language. He contacted our legal counsel, who confirmed that our Google Earth Pro license does not cover subcontractors, and we would have violated our licensing agreement if we had included the unauthorized imagery in a CH2M HILL deliverable.

The solution is simple:

*If you want to use a Google Earth map or image,
[find a licensed Google Earth Pro user.](#)*

For more information about using Google Earth Pro images, refer to [Google's web site](#).

This article is the fourth in a series about ways to protect CH2M HILL legally and ethically by avoiding copyright infringement. For more information, contact [Publications Services](#) or CH2M HILL's [legal counsel](#).

Copyright Article #5 (Summary)

(3,300 hits on the intranet)

By Marie Gettel-Gilmartin

Title: Are you putting the firm at risk?

Lead-in: As a large global company, CH2M HILL is a large target for a lawsuit. Juries have awarded more than US\$1 million in damages for copyright infringement.

Body:

Risk management is critical to protect the firm and our clients, but it doesn't apply just to engineering, design, and construction. It also applies to making sure we operate ethically and legally by protecting others' intellectual property.

This is the fifth and final article in a series on copyright infringement. Do your part in protecting the firm by reviewing the four important ways to honor others' copyright:

- **Photos** ([Don't use that photo without permission](#)): Unless you have permission, you cannot distribute, copy, display, or reuse someone else's photos for any CH2M HILL product, including reports, proposals, presentations, and web sites.
- **Logos** ([Why it's not okay to use a client's logo without their permission](#)): Unauthorized use of a client logo could get you in trouble with your client or even disqualify your proposal.
- **Text** ([Avoid costly fines and embarrassment by respecting others' intellectual property](#)): When you use borrowed text in a document, you are claiming it as your own. Not only is this unethical, but it's also illegal.
- **Google Earth Pro** ([That Google Earth map could get you into hot water](#)): To use Google Earth images or maps for *commercial* purposes (such as presentations, reports, and proposals), you must obtain the proper images from a licensed Google Earth *Pro* user.



Source: Microsoft Images

It's not only legally correct to protect others' intellectual property...it's also the ethical thing to do.

This article is the final in a series about ways to protect CH2M HILL legally and ethically by avoiding copyright infringement. For more information, contact [Publications Services](#) or CH2M HILL's [legal counsel](#).