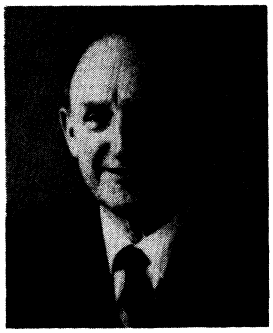
Editorial: Copyright Problems of Optical Engineering Journal



With this issue we start a new year and volume of *Optical Engineering*. The past year has been a rewarding one for me and I'd like to take this opportunity to thank the authors, reviewers, and staff for all of the time they put into the papers to make this journal a success. We've had some interesting issues to deal with during the last year, and one of them involved the use of copyrighted material in journal papers.

The concept and the laws of copyright came into being once printing became a viable technique for producing multiple copies of an original piece of writing. The copyright may be held by either the author or the publisher—today it seems most common, at least for scientific material, that the copyright is held by the publisher. That is certainly true of this journal and most other scientific and technical journals. This gives the publisher the authority to protect the interests of both the author and the publisher against unauthorized use. Copyright laws vary from country to country as do the rights under those laws, including the length of the protection. The international or universal copyright was first agreed to under the Bern Union in 1886 and has been modified many times including by the so-called Universal Copyright Convention sponsored by the United Nations in 1952. Most countries currently adhere to these copyright rules. In the United States, copyright was first protected by law in 1783 in one of the earliest laws enacted by Congress. The driving force for this law was Noah Webster who, from self-interest, wished to protect his American Spelling Book.

Optical Engineering received a letter in August 1991 from Playboy Enterprises, Inc., that stated:

> It has come to our attention that you have used a portion of the centerfold photograph of our November 1972 PLAYBOY PLAYMATE OF THE MONTH Lenna Sjööblom, in your July 1991 issue of *Optical Engineering* magazine. . . . Playboy Enterprises, Inc., the publisher of PLAYBOY magazine, owns the copyright in and to this photograph.
>
> As fellow publishers, we're sure you understand the need for us to protect our proprietary rights. We assume you did not intentionally make unauthorized use of our material and we ask that you contact us for authorization before using any of our copyrighted material in the future.

They were correct. *Optical Engineering* had used Playboy Enterprises copyrighted material unintentionally in several papers published in our July special section on visual communications and image processing. The image in question is used a great deal by workers in image processing and is often referred to as the "Lena" image. As SPIE noted in its response to Playboy Enterprises, "The image is widely used in the worldwide optics and electronics community. It is digitized and its common use permits comparison of different image processing techniques and algorithms coming out of different research laboratories." We also pointed out that SPIE is a nonprofit scientific society and, hence, the material published by SPIE is intended for educational and research purposes.

We ran into a related situation with the rabbit head design (a trademark of Playboy Enterprises, Inc.), which was used in a paper[1] to illustrate an imaging technique. The author requested and was granted a one-time-only permission to use the design.

With regard to the "Lena" image, we reached an understanding with Playboy and appreciate their cooperation. However, because publishers do not know whether or not material is borrowed, adapted, etc., from other sources, be advised that ***it is each author's responsibility to make sure that materials in their articles are either free of copyright or that permission from the copyright holder has been obtained.***

Brian J. Thompson
Editor

[1] J. S. Sanders, R. D. Driggers, C. E. Halford, and S. T. Griffin, "Imaging with frequency-modulated reticles," *Opt. Eng.* 30(11), 1723 (1991).

Optical Engineering Editorial Schedule

March 1992

Optics in Poland

Romuald Jozwicki
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April 1992

Optical Methods and Means of Information Processing

Mikhail M. Miroshnikov
S.I. Vavilov State Optical Institute
199034, Birjevaya Liniya 12
Leningrad, USSR

May 1992

Optical Implementation of Information Processing, Pattern Recognition, and Neural Networks

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June 1992

Adaptive Signal Processing

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416/525-9140

July 1992

Biomedical Optics

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Manuscripts due Jan. 15, 1992.

August 1992

Optical Engineering and U.K. Industry

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R. J. Parker
Rolls Royce plc
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Derby DE2 8BJ, United Kingdom

Manuscripts due Jan. 1, 1992.

September 1992

Wavelet Transform

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Manuscripts due March 23, 1992.

October 1992

Acousto-Optics

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This special issue will focus on all aspects of research on acousto-optic effects and devices as well as their signal and image processing applications. Manuscripts due Feb. 1, 1992.

November 1992

Relay Mirror Experiment

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This special issue will cover the Relay Mirror Experiment and associated experiments. Topics will include the development, deployment, operation, and performance of the space-based Relay Mirror and its associated ground-based equipment. Manuscripts due April 1, 1992.

December 1992

Automatic Target Recognition

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The areas to be considered for inclusion are sonar, radar, laser and passive IR, visible ATR techniques, modeling of sensors, target segmentation, detection and tracking, model-based target recognition, multisensor processing and sensor fusion for ATR, role of performance evaluation in ATR, invariant object recognition, neural networks for ATR, adaptive and learning systems for ATR, and optical processing for ATR. Manuscripts due April 1, 1992.

January 1993

Optical Research in Asia

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Manuscripts due Feb. 1, 1992.

March 1993

Optical Fiber Reliability II

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908/582-2378 • 908/582-2783 FAX

Manuscripts due July 15, 1992.

May 1993

Phase Contrast Microscopy

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Manuscripts due Oct. 1, 1992.

June 1993

From Numerical to Symbolic Image Processing: Systems & Applications

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This special issue will present innovative research and results on the integration between numerical and symbolic processing. Examples covering real applications will be considered. Manuscripts due Oct. 15, 1992.

July 1993

Visual Communication and Image Processing IV

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Manuscripts due Dec. 1, 1992.

September 1993

Optical Science and Engineering in Canada

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Manuscripts due Feb. 1, 1993.