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However, those who avail themselves of these materials must be mindful of the limitations on their use. Some of these limitations derive from copyright law. Meher Baba could have placed his writings, and other copyrightable material, in the public domain. But that was not his choice. Rather, he entrusted his copyrights to certain designated caretakers, and the provisions he made in His Last Will and Testament in this regard were detailed and definitive. In that document, executed by Him at Guruprasad on 17th June 1967, copyright receives more attention than any other topic. Meher Baba's wishes regarding the future management of His books and messages are clearly spelled out there.

To read Baba's Last Will and Testament go to:

<http://www.ambppct.org/trust/docs/Will%20and%20Testament.pdf>

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Other content on this website, however, is copyrighted to individuals and entities other than, or in addition to, the Trust, and the Trust itself has used this material by their permission. It is the responsibility of each user to establish who the copyright holder is for any given item. (See "Frequently Asked Questions" below for information on how to determine the owner of specific copyrights.)

For your convenience, a list below identifies the copyright owners for many books by and about Meher Baba.

FAIR USE

The Trust expressly prohibits the unlicensed copying of any protected materials on this website, except for the purposes of fair use. The fair use privilege applies primarily in situations where a writer quotes or otherwise uses a limited amount of protected expression for scholarly, educational, or other non-profit purposes. Pursuant to the fair use rule, an author is permitted to make *limited* use of a prior work without asking permission.

The fair use privilege is codified in the copyright laws of India, the United States, Great Britain, and almost every other nation in the world. For example, Section 107 of the Copyright Act of 1976 (Title 17, US Code), provides that "the fair use of a copyrighted work ... for purposes such as criticism, comment, news reporting, teaching . . . scholarship, or

research, is not an infringement of copyright." In determining whether a particular use is fair, courts have found the following factors to be relevant: (1) the purpose and character of the use, whether such use is of a commercial nature or is for non-profit 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; and (4) the effect of the use on the potential market for, or value of, the copyrighted work. Not all of these factors are equally important in every case, but all are relevant in deciding whether a use is fair. If the use of the copyrighted material is fair, one need not ask for permission to use the copyrighted work. If the intended use of the material protected by copyright is not a fair use, one must seek permission to use it.

If you, the potential user of the copyrighted material on this website, are unsure whether your intended use is fair, you are strongly advised to get permission to use the material. To do so, send an e-mail or letter to the rights holder requesting permission to use the material. Your permission request letter should provide all the details about the material you wish to use, how you expect to use it, and the permission you seek. If you establish that the rights holder is the Trust, you can e-mail your request for permission to use copyrighted material to: ward@ambppct.org or send a letter to the Avatar Meher Baba Trust, Copyright Department, Post Bag 31, King's Road, Ahmednagar 414001, M.S, India. The Trust will make its best effort to respond within ten days.

For further information on fair use and copyright law in general, see the following websites:
www.copyright.gov US Copyright Office website
www.findlaw.com Caselaw; statutes; further explanation of the fair use privilege

BOOKS BY AND ABOUT MEHER BABA

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By Manija Sheriar Irani. Copyright © 1976, Avatar Meher Baba Perpetual Public Charitable Trust, Ahmednagar, India.
- Avatar: The Life Story of the Perfect Master Meher Baba. A Narrative of Spiritual Experience.* By Jean Adriel. Copyright © 1947, Jean Adriel.
- Beams from Meher Baba on the Spiritual Panorama.* By Meher Baba. Copyright © 1958, Sufism Reoriented, Walnut Creek, California.
- Discourses.* By Meher Baba. 6th edition. Copyright © 1967, 1987, Avatar Meher Baba Perpetual Public Charitable Trust, Ahmednagar, India.
- The Everything and the Nothing.* By Meher Baba. 3rd edition. Copyright © 1989, Avatar Meher Baba Perpetual Public Charitable Trust, Ahmednagar, India.
- Glimpses of the God-Man, Meher Baba. Volume I (1943-1948).* By Bal Natu. Copyright © 1977, Sufism Reoriented, Inc., Walnut Creek, California.
- Glimpses of the God-Man, Meher Baba. Volume II (Jan. 1949-Jan. 1952).* By Bal Natu. Copyright © 1979, Avatar Meher Baba Perpetual Public Charitable Trust, Ahmednagar, India.
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The God-Man: The Life, Journeys and Work of Meher Baba with an Interpretation of His Silence and Spiritual Teaching. By C. P. Purdom. Copyright © 1971, Meher Spiritual Center, Inc., Myrtle Beach, SC.

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Lord Meher: The Biography of the Avatar of the Age, Meher Baba. By Bhau Kalchuri.

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Stay with God: A Statement in Illusion on Reality. By Francis Brabazon. Illustrated by John Parry. 3rd edition, first illustrated edition. Copyright © 1984 Avatar's Abode Trust.

The Wayfarers: Meher Baba and the God-Intoxicated. An Account of the Work of Meher Baba with the God-Intoxicated, and Also with Advanced Souls, Sadhus, and the Poor. Fully Illustrated with Many Photographs and Maps. By William Donkin. Copyright © 1988 Avatar Meher Baba Perpetual Public Charitable Trust, Ahmednagar, India.

CONTACT INFORMATION FOR SOME COPYRIGHT HOLDERS LISTED ABOVE:

Sufism Reoriented, 1300 Boulevard Way, Walnut Creek, CA 94595 Ira Deitrick
email: ira@ConsortiumOfTheArts.org

Meher Spiritual Center, 10200 North King's Highway, Myrtle Beach, SC 29572
Email: MDilruba@aol.com

Avatar Meher Baba Perpetual Public Trust, Post Bag 31, King's Road, Ahmednagar 414001, M.S, India.
email ward at: ward@ambppct.org

Charles Haynes, 610 S. Royal St., Alexandria, VA 22314
Avatar's Abode Trust, 19 Meher Road, Woombye, Qld. 4559. Australia Email:
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Sheriar Foundation, 807 34th Ave. S., N. Myrtle Beach, SC 29582 U.S.A. email Bob Ganz at: bob@Sheriarfoundation.org

FILMS ABOUT MEHER BABA

Meher Prasad is the copyright holder for all the films listed below. To contact Meher Prasad for permission to use copyrighted material, write to Meher Prasad, 283 Center Drive, Myrtle Beach, SC 29572 Attention: Ann Edelman or email: annedelman@gmail.com

The Ancient One
Meher Baba 's Call
Journey with God
Mehera, Meher Baba 's Beloved
Eternal Beloved
Beholden to Him
Offering Our Imperfections
To Be Natural
His Ways Are Unfathomable

FAQ REGARDING COPYRIGHT ISSUES

1. Q: How do I determine who the copyright holder of a written work is?
 A: Go to the front of the book and look for the copyright notice, usually found on the back of the title page. If you do not find it there, look in the back of the book. The relevant information will be as follows: copyright symbol ©, the year of first publication of the work, and the name of the owner of the copyright. The name in the copyright notice indicates the rights holder as of the date of publication. However ownership may have been transferred since the notice was published.

2. Q: What Internet resources exist to help me find out who currently owns the copyright to a given work?
 A: The US Copyright Office website www.copyright.gov has records that may help you to determine who currently owns the work, because many transfers are recorded with the Copyright Office. Also, the University of Texas (<http://tyler.hrc.utexas.edu>) maintains a searchable database entitled WATCH (Writers, Artists, and Their Copyright Holders). This database contains the names and addresses of copyright holders or contact persons for authors and artists whose works are housed in libraries and archives in North America and the United Kingdom.

3. Q: What is the proper form of notice for a copyrighted work?
 A: For "visually perceptible copies," *i.e.*, books, etc., the copyright symbol © (the letter C in a circle), the year of first publication, and the name of the owner of the copyright. Example: © 1994 John Doe. For "phonorecords of sound recordings," *i.e.*, works fixed by means of sound in an audio recording," the symbol P in a circle ®, the year of first publication, and the name of the owner of the copyright. Example: ® 2001 A.B.C., Inc.

4. Q: How do I determine whether I need to obtain permission to use an author's

copyrighted written words?

A: Determine if your intended use goes beyond the bounds of fair use.

Pursuant to the fair use privilege, an author is permitted to make limited use of a prior author's work without asking permission. Determining whether the fair use privilege applies in a given situation requires a delicate balancing of the four factors discussed in the Fair Use Section above.

5. Q: Regarding the third factor in a fair use analysis, i.e., the amount and substantiality of the portion used, is there a legally established word limit for the fair use privilege?

A: No, there is no legally established word limit for fair use. However, many publishers act as if there were one and require their authors to obtain permission to quote more than a specified number of words (ranging from 100 to 1000 words). As a general rule, never quote more than a few successive paragraphs from a book or article, or more than one or two lines from a poem, or take more than one illustration. For example, if you wish to incorporate several sentences from a discourse of Meher Baba's into an article that you are writing, or if you wish to reproduce a brief quote or message of Baba's in a group newsletter, you may do so without seeking permission. On the other hand, if you are compiling a collection of Meher Baba's "sayings," plan to quote extensively from various statements of Baba's in the course of a book that you are writing, or wish to incorporate a substantial discourse or message (such as "The Universal Message") in a published volume, permission is required. When in doubt, inquire of the copyright holder.

6. Q: When I quote from a copyrighted work within the text of a written work of my own, should I always provide attribution and copyright information?

A: Yes. Always provide attribution and copyright information for any quoted or paraphrased material from which you quote.

7. Q: When I quote from a copyrighted work and I omit some of the author's words, how do I indicate the omission?

A: Use an ellipsis (...) to indicate where words have been omitted from the text you quoted. Otherwise, quote the exact words as they were written. If you intend to combine passages from several works, be sure to indicate the source of *each* passage.

8. Q: Are any of Meher Baba's literary works in the public domain?

A: No. Although Meher Baba could have placed His literary works in the public domain, that was not His choice. On the contrary, the provisions for copyright He made were detailed and definitive.

9. Q: Who owns the copyright in Baba's written works?

A: The crucial document relating to Meher Baba's copyrights is His Last Will and Testament, executed by Him 17th June 1967. Eleven years prior, on 4th February 1956, Meher Baba granted to His secretary, Adi K. Irani, the management of most of His copyrights. Baba explicitly gave Adi the prerogative to "use, control and exploit Baba's copyrights for Adi's own personal benefit for the remainder of his lifetime, on the condition that these copyrights revert to Baba or His legal representatives after Adi's death. In His Last Will and Testament, Baba confirmed these arrangements, further specifying that, on Adi's demise, the copyrights should become the property of the Avatar Meher Baba Trust, which had been created eight years earlier. At the same time, Baba confirmed His prior gifting of the copyrights in certain major works to Sufism Reoriented in the United States.

10. Q: If I want to use material whose copyright belongs to the Avatar Meher Baba Trust, whom should I contact?

A: You can always address such requests directly to the Avatar Meher Baba Trust, King's Road, Ahmednagar 414001, MS, India; email: ward@ambppt.org

The Trust has authorized certain representatives to act on its behalf in certain areas; and if it is more convenient for you, you can address permissions requests to ward@ambppct.org. If you want to quote Trust-copyrighted literary material, you can contact Sheriar Foundation, 807 34th Ave. S., N. Myrtle Beach, SC 29582 U.S.A.; or email Bob Ganz at:

bob@Sheriarfoundation.org

Permissions to use Trust-copyrighted film material can be sought from Meher Prasad, attention Ann Edelman, 283 Center Drive, Myrtle Beach, SC, 29572 or e-mail: annedelman@gmail.com

11. Q: After I have secured permission to use excerpts from a copyrighted work, how do I indicate this in my work?

A: When permission has been secured, you will usually need to incorporate a copyright acknowledgment in the front matter of your book. This copyright acknowledgment should contain four elements: the copyright symbol, or ©; a date; the name of the copyright holder; and some indication of what it is that you have reproduced. For example, if you have obtained permission to reproduce material from the 82 Family Letters and from the seventh edition of Meher Baba's Discourses, which bear copyright notices dated 1976 and 1987 respectively, your acknowledgment might look like this:

Words of Meher Baba reprinted by permission, © 1976, 1987 Avatar Meher Baba P.P.C. Trust.

The precise wording of the copyright acknowledgment is not crucial provided it contains the key elements indicated above.

12. Q: Do I need to obtain the copyright owner's permission to create a derivative work, i.e., an adaptation of a copyrighted work, such as a translation, an abridgement, or a condensation?

A: Yes, you usually cannot create and publish a derivative work by using someone else's copyrighted expression without obtaining his/her permission. Such permission usually takes the form of an exclusive license to prepare a particular derivative work from the preexisting material.

13. Q: Who owns the copyright in translations of Meher Baba's works?

A: It is a Trust policy that anyone who translates Trust-copyrighted material must assign the copyrights to the Trust.

14. Q: Does the Trust own any photograph copyrights?

A: With the exception of one small collection, the Trust does not own any photo copyrights.

15. Q: When does the term of copyright in a photograph expire?

A: Under copyright law in India, the United States, and perhaps other countries as well, the term of copyright extends for sixty years from the beginning of the first calendar year after the photograph was taken. When copyright expires, the formerly copyrighted material enters into the public domain and can be used by anyone without any permissions required as far as copyright is concerned. However, the Trust requests anyone who uses Baba photographs which are in the public domain to properly identify the original copyright holder as well as the photographer in any credits or acknowledgements.

16. Q: Are any of the photographs of Baba now in the public domain?

A: Yes, in general, as of January 2007, photographs of Baba taken in 1946 and earlier are now out of copyright and belong to the public. (Of course, the actual negatives and digital files for the photographs continue to belong to their owners. Copyright law does not pertain to the ownership of such materials but to the intellectual property only.)

17. Q: Is it a copyright infringement to scan or download a protected image, e.g.,

a photograph, document, etc., and use it without the copyright owner's permission?

A: Yes. Images are fundamentally no different from text for copyright purposes. Subject to the fair use rule, the copyright owner has the exclusive right to copy, distribute, adapt, and display such works.

18. Q: Is it copyright infringement to download a protected image from the Internet and then modify it or adapt it by using computer graphics software?

A: Yes. One of the exclusive rights a copyright owner has is to create derivative works from his/her work. A derivative work is created when an existing image is modified or altered to form part of a new work. Such a work would be a copyright infringement unless permission is obtained to create it or it constitutes fair use.

19. Q: Under what circumstances can an author prepare a derivative work using someone else's protected expression without obtaining the copyright owner's permission?

A: Pursuant to the fair use privilege, an author of a derivative work may take a *limited* amount of the protected expression in pre-existing works without the copyright owner's permission.

20. Q: Is there such a thing as an "international copyright" that will automatically protect an author's writings throughout the entire world?

A: No. Protection against unauthorized use in a particular country depends, basically, on the national laws of that country. However, most countries do offer protection to foreign works under certain conditions, and these conditions have been greatly simplified by international copyright treaties and conventions. For more information on international copyright treaties and conventions, see the website of the US Copyright Office, at www.copyright.gov Of special interest is the following Circular provided by the US Copyright Office:
Circular 38b, "Highlights of Copyright Amendments Contained in the Uruguay Round Agreements Act (URAA) (GATT Circular).

21. Q: Does copyright law protect published and/or unpublished letters and diaries?

A: Yes, letters and diaries, both published and unpublished, are protected by copyright law, whether they have artistic merit or not. Don't assume you can use an unpublished letter, no matter how old, without permission, unless the fair use privilege applies.

22. Q: Who owns the copyright in a letter or diary?

A: The copyright in a letter or diary is generally owned by the person who wrote it, or his/her heirs, if the author is deceased. Exception: letters and/or diaries written in the service of an employer.

23. Q: What property rights does the recipient or purchaser of a letter have?

A: The recipient or purchaser of a letter only owns the physical letter itself, not the copyright in the letter. This means that unless the fair use privilege applies, the recipient may not reproduce or publish the letter without the writer's permission.

24. Q: Will the Trust help me to identify and locate the copyright holders of letters, diaries, or photographs on the Trust website?

A: No, the Trust does not have the resources to assist individuals in the search for the copyright holders of letters, diaries, and photographs.

25. Q: If a book or magazine is out of print, does that mean its copyright has expired?

A: No. Just because a book or magazine is out of print does not mean its copyright has expired. The use, without permission, of text from an out-of-print publication may still amount to infringement. If you intend to use text from an out-of print publication, find out who the copyright holder is. First try to locate the publisher. If the publisher no longer exists, try to locate the author. (Authors often own the rights to their out-of-print works because publishing contracts often return rights to the author if the publisher stops selling the book. If your search for the publisher and the author proves fruitless, you will have to do more extensive copyright research or hire a copyright search firm to determine the current owner.

26. Q: Do I need to seek permission to use text from an unpublished work?

A: The rules regarding copyright protection for unpublished works depend on if and when the author died and, in the event the work was ultimately published, the date of publication. It can be quite difficult to locate copyright owners for unpublished works. Copyright Office records may help, if the unpublished work was registered. Determining is especially difficult if the author is deceased and the author's estate or heirs are hard to track down.