

Permissions/Licensing Information for Authors of Translated Tests

Obtaining Permissions

A translated test is a “Derivative Work” of the original test as defined by the U.S. Copyright Act. This means that the author of the translation and the copyright owner of the original test actually share rights in the translated test. This means that both of you must grant permissions and rights to those who wish to reproduce or distribute the translated test. Consent from one of you is not enough.

As the author of the translated test you can provide your consent to APA as follows.

- For publication in an APA journal, fill out and sign the standard **APA Publications Rights Form**.
- For reproduction and distribution in PsycTESTS, fill out and sign the **PsycTESTS Agreement for Authors of Translated Tests**.

As mentioned above, the copyright owner of the original test needs to provide consent as well. You will need to obtain this permission in writing and provide a copy to APA. If the copyright owner is the original test author, you can use the form titled **Permission from Test Author to Reproduce and Distribute a Translated Test Version**.

If the copyright owner is a publisher, then you will need to make your request to the publisher’s Permissions Office and follow their directions.

Clarifying the PsycTESTS License Agreement

The **PsycTESTS Agreement for Authors of Translated Tests** contains a few sections that often lead to questions. Below are some explanations we hope will be helpful.

Section 2.2 reads:

The Translated Test may have been previously published in whole or in part as a portion of a larger work in a non-APA journal or book (“Work”), and if so, I warrant that either I retained the right to republish the Translated Test since it is a portion of my prior published Work or I obtained permission from the publisher to include the Translated Test in PsycTESTS.

Has the translated test been published previously in a non-APA journal or book? If so, did you retain ownership or did you assign copyright to that publisher? If the latter, then you will need to obtain permission from that publisher to include the translated test in an APA journal and in PsycTESTS.

Section 2.8 reads:

Translation Test Author represents and warrants that the Translated Test content is original and that all necessary permissions to use any third party materials incorporated in the Test Content have been obtained, including permission from the Copyright Owner of the Original Test.

This section indicates that you are the creator of the translation. Also, if your work has reused or is based on other copyrighted content, such as the original test, then you have obtained permission from the appropriate copyright owner(s) for the translated test to appear in PsycTESTS.

Section 2.10

Section 2.10 includes the three checkbox options detailed below. What are these about?

In the PsycTESTS database there is a Permissions field to let users know what they should do about seeking permission to use the test. The field is populated with the choice you indicate in your Agreement. Please note that both you and the copyright owner of the original test must be in agreement on the selection of options (a) or (b).

If selection (b) is made, then you are obligated to contact the original test author for consent any time a user contacts you for permission. This is because, as stated in the opening paragraph above, both owners must provide consent, not just one.

If selection (c) is made, this is because you and the original test copyright owner have previously transferred your rights in the translated test to a journal or book publisher. Since the publisher then owns the rights, only that publisher can administrate permissions requests.

In cases where APA is the publisher and rights holder, option (a) is what is used in PsycTESTS.

☐ a. The Translated Test content can be reproduced and used for non-commercial research and educational purposes without seeking my written permission. Distribution must be controlled, meaning only to the participants engaged in the research or enrolled in the educational activity. Any other type of reproduction or distribution of the Translated Test content is not authorized without my written permission.

OR

☐ b. Any type of reproduction or distribution of the Translated Test content by authorized users of PsycTESTS is not authorized without my written permission.

OR

☐ c. Any type of reproduction or distribution of the Translated Test Content by authorized users of PsycTESTS is not authorized without prior written permission from the non-APA journal or book publisher where my Work appeared.