

Photographers, illustrators, and authors all strive to have their work properly used and acknowledged. Type designers should have the same right, but there are some technological, legal, and ethical barriers that have made it difficult for them to get the same protection. While recent changes in technology have put the type designer at particular risk, the problem is by no means new. In the 1500s, Aldus Manutius petitioned the Venetian Senate for help in protecting one of his typeface designs from those who had copied it without his permission.

Many people are unaware of the responsibility that they assume when they use a font. And yet, because of the ease of copying digital fonts, it is extremely important to know just what is, and what is not permitted.

Common misuse of fonts

There are a number of ways that fonts are commonly misused by users. Here are a few examples:

- **Unchecked internal distribution** - Giving away copies of fonts to co-workers to be used on printers that are not covered by the original license is not permitted, and is illegal under the copyright laws of the United States and other countries. Without a multiple printer license, you are only allowed to make a single back-up copy of the font you purchased for use on two printers.
- **Font-swapping clubs** - Font-swapping clubs or designer's pools include a number of individuals who pool money to buy fonts. These fonts are then copied for everyone in the club. This is also not permitted.
- **Free fonts from outside sources** - Service bureaus, design houses, or in-plant output services may not give out outline fonts to clients. Screen fonts (also known as bitmapped fonts) may be distributed only if the owner of the font permits it (as Linotype-Hell has).
- **Inappropriate font conversion** - If, by using a font conversion program, you created a TrueType** font, based on a Linotype-Hell PostScript font, you may not sell that derivative¹ font, nor are you allowed to give it away, because that would infringe on the rights of the creator of that data. You may lawfully use the font for your personal and business purposes only.

¹Fonts that are based on existing font data are known as derivative products. Derivative products cannot be sold without prior agreement with the owner of the original font data.

Font licenses

By purchasing a font from Linotype-Hell, you also purchase a font license. When you purchase a font license, you are not buying ownership of the font, you are only acquiring the right to use the font in certain limited ways. These rights are shown on the license agreement that comes with the font. By opening the font package, you agree to follow the instructions in the license agreement.

Linotype-Hell offers two kinds of font licenses: a basic font license and a multiple printer license. A basic font license allows you to print to two output devices. Multiple printer licenses define the permissible use of fonts for a given number of printers. This type of license may be obtained by consulting with a Linotype-Hell sales representative.

Trademarks

Font licenses provide one way to protect fonts. Another way that type developers like Linotype-Hell can protect their fonts is through the use of a trademarked name. For example, the term 'Helvetica' is a trademark that is owned by Linotype-Hell Company. Anyone selling fonts named Helvetica must have a license from Linotype-Hell to do so.

The Linotype Library

The Linotype Library* is a collection of fonts produced by Linotype-Hell and is one of the most important intellectual properties² owned by the company. As of late 1992, it contained over 1,600 PostScript** fonts (with more fonts being produced every day). Some of the most famous fonts in the Linotype Library are Helvetica*, Times*, Janson*, Fairfield*, Granjon*, Optima*, and Palatino*. A number of these fonts have been licensed to companies such as Adobe, Apple, Hewlett Packard, IBM, and Xerox for use with their equipment.

²Intellectual property could be a name, a logo, a software program, or a type library. A person or company that owns intellectual property rights (like a copyright, patent, or trademark, for example) may license all or part of those rights to other people who wish to use that intellectual property.

ATypI

There has been a move recently by various industry organizations to combat software piracy. One of these organizations, the Association Typographique International (ATypI), has kicked off a Font Software Anti-Piracy Initiative. Linotype-Hell is an original member of ATypI and a co-founder of this initiative. This is the ATypI policy statement on font piracy:

"The use of a package of font software is governed by a license agreement. When font software is purchased, the rights the user has licensed do not include the right to make unauthorized copies of the type design or of the font software that embodies the design. If copies of the font are made to give away or resell, everyone involved in the creation of the font software, including the typeface designer, will be prevented from being properly rewarded for the hard work involved in its creation. This could discourage the creation of new typefaces, hinder font software development, and reduce the ability of manufacturers to make new products available."

Conclusion

Software applications which permit users to re-work existing font data pose complex ethical questions for type designers and the type industry as a whole. In future articles, Linotype-Hell intends to discuss font usage issues in greater detail. If you have any questions or issues that you would like to see explored, please contact the author at the address below. If you have any questions about your font license, please contact your Linotype-Hell font sales representative. (In the U.S. and Canada, call 1-800-633-1900.)

Comments

Please direct any questions or comments to:

Jim Hamilton, Marketing Department
Linotype-Hell Company
425 Oser Avenue
Hauppauge, NY 11788

Acknowledgements

Many thanks to Steve Byers, Otmar Hoefler, Gus Keysor, Bruce Lehnert, Lyndalee Maronna, Kevin O'Leary, and Alan Shelley of Linotype-Hell for their help in producing this document.