

FONT COMPLIANCE IN PUBLISHING

Best Practices Guide

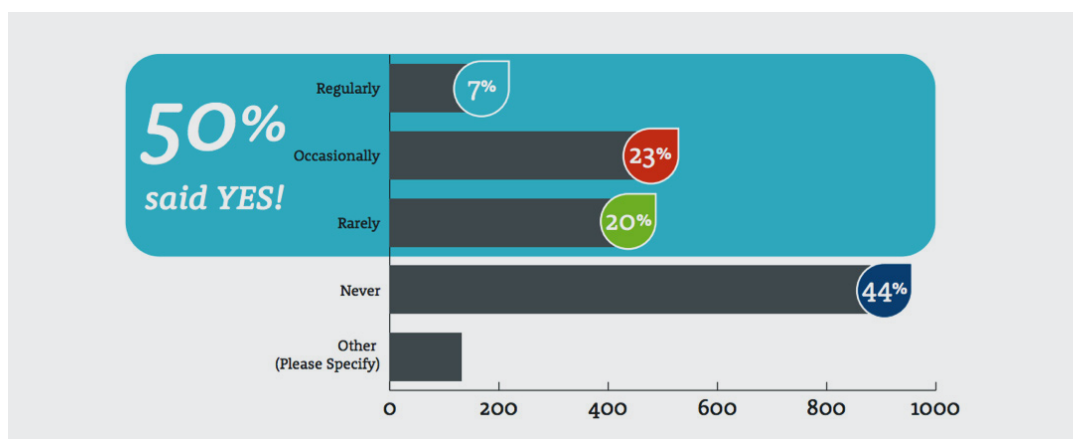
By Jim Kidwell

Best practices for mitigating font usage risks in publishing

Fonts are a critical part of every publishing workflow. Missing fonts, improperly licensed fonts, and font conflicts can quickly derail any project.

While it's not always the first thing that comes to mind, fonts are licensed just like any other piece of software and covered by various laws: licensing, intellectual property, and in some countries, trademark and copyright. These protections stress the importance of examining font licenses in your production workflow.

Half of designers surveyed bring personal fonts into the office



Do designers bring personal fonts into the office?

We surveyed professional graphic designers, and while there is a trend toward using appropriately licensed fonts, there are still ways where unlicensed fonts can enter your workflow. For example designers like to consider fonts their tools, and will frequently bring their own tools into work.

Fonts in Publishing

Using the correct fonts for output is critical whether your team is working on an entirely new project, or reissuing material published a decade ago.

The wrong font can lead to serious layout and design issues. Document reflow issues can at best add new signatures to print runs, and at worst cause reflowed text to disappear entirely. These issues can cause a routine project to turn into an unprofitable one – something that everyone on the team strives to avoid.

What are the legal consequences?

Ignoring the permissions and restrictions of font licensing can cause legal, financial and public relations concerns.

Some fairly prominent recent legal cases for major brands include:

- *Wizarding World of Harry Potter™ sued for \$1.5 million in damages as well as destruction of all merchandise created with the font software*
- *NBCUniversal has been sued multiple times, once for \$2.0 million, and then again for \$3.5 million later*
- *TBS & TNT, the UK's Home Office, and France's anti-piracy campaign have all been caught up with public misuse of licensed fonts causing professional embarrassment.*

What's the Risk?

So what are all of the ways that fonts can eek into your workflow and cause problems? The risk from fonts typically comes in the end user license agreement (or EULA) that aren't completely understood or appropriately followed. Usage outside of licenses vary with EULAs from different foundries.

Risks include:

- *Using older licensed fonts that don't include rights for modern digital usage – ePub, online, etc.*
- *Distribution of fonts to unapproved external resources for printing, etc.*
- *The prominent use of a single glyph of a typeface without foundry approval – this can include logos, dust jackets, etc.*
- *Converting a font from one format to another – even the conversion of older PostScript to OpenType formats*
- *Using a font as a web font without licensing for it (this one can get very expensive)*

Other risks include:

- *Any user, anywhere in your organization, even outside the creative team, bringing in and using unlicensed fonts*
- *The use of "Free" fonts where commercial use is not explicitly permitted.*
- *An insufficient number of licenses needed by your team*
- *Font "sharing" between internal employees*
- *Inadequate record keeping that breaks the audit trail*

Best practices to mitigate the risk

Audit your collection

If your creative team has been around for more than a few years, it's likely that you have quite a large font collection. You may or may not know where all of these fonts came from. Maybe an editor or designer put the purchase on their credit card. Maybe you licensed 5 copies, maybe 10. It's important to assess what you know you have rights to use, and where you may need to purchase additional licenses based on your team's growth and use.

Manage your fonts centrally and control user access

By using a font server, you have the ability centrally store your fonts and control who you give access to that collection. By controlling access it's easy to ensure that your design team has the variety they need, the production team has the assets required for print runs and everyone is happy and productive

Institute font purchase policy

When you think about how many people will need access to font assets that you are buying, it should be fairly easy to determine how many licenses you'll need.

For example, if you have a team of 20 and only 10 people work on the creative team, you may choose to purchase a license that covers your 10 creative users. Other teams who are actively growing, often choose to over-license to cover future growth. Using the the same example, this type of team could choose to purchase licenses for 20, 30 or more users depending upon the type of growth expected.

Create a font purchase process

When you codify a purchase process, you are ensuring that you have a known method for bringing fonts into your organization. When the process is restricted, you ensure that unknown and unlicensed fonts aren't entering your workflow.

Most organizations have only one user who is allowed to purchase fonts, and only one or two who are allowed to add new fonts to the font server. This combined with a restriction that your creative team only uses fonts that come from the font server ensures unlicensed fonts stay out of your workflow.

Deploy font management to every desktop

It's not just the creative team that needs fonts. Even if it's just to support your own branding, the sales and marketing teams will likely need specialized fonts beyond the default OS fonts. With font management clients on every desktop, you can ensure that they aren't bringing in fonts that could potentially cause you trouble down the line.

Periodically track your status

Every policy needs checks and balances. You may set a policy to purchase a set number of fonts per project, but when you go back to run a tracking report you find that you actually used more than you thought. This is a perfect opportunity to purchase more licenses. This does more than just ensure you're covered; it also shows the type foundry that you're paying attention to your license count. This does a lot to build trust with the foundry as they are constantly trying to fight against those who would rather game the system than buy the appropriate licensing.

Read your font license agreements

Unfortunately, there's no such thing as a "Universal Font License," and every EULA is likely its own beast. Of course, this has more to do with those who would try to skirt the law than those who would try to obey it. That being said, understanding what you're allowed to do with a font after you license it can be incredibly important.

Font EULAs can cover:

- *How many users can use a font*
- *The commercial use of a font*
- *If a font can be used on the web as a web font*
- *Whether the font can be transferred to another user for output purposes*
- *If the font can be used on packaging*
- *Use of the font in an eBook*
- *Embedding of a font file into an application*
- *The prominent use of a single character of a typeface*
- *The ability to modify the original font file*

Font Licensing Report

Not sure if your team is putting you at risk? [Download our report](#) to learn what designers told us about their approach to font licensing.

Learn about more mitigating your font risks at www.extensis.com.

About Extensis

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