Laws for PR Professionals

- Common law copyright – An author who creates a tangible expression of his or her ideas immediately acquires common law copyright of the work.
- This right continues until the author dedicates the work to the public.
Laws for PR Professionals

- Statutory copyright – Author must provide two copies to the Library of Congress and display the copyright symbol © on the material.
- Notice/use of the copyright symbol must be on the very first copy sold or publically distributed.
The dividing line between common law and statutory copyright is *publication*. 
Laws for PR Professionals

- If there is a general publication and the author has not obtained statutory copyright, he has no further right to prevent use by the public.
- Limited publication – such as delivery of a manuscript to a possible purchaser – does not cause the author to lose any common law rights.
Photography and Artwork

- Determine in contract who owns the copyright to photos or artwork created by non-employees.
- Copyright owner determines use and cost of use of the creative work.
- Be clear about negatives and hard copies.
- The organization owns the work that an employee does on behalf of that organization.
Slander and Libel

- Defamation is untruth that damages a reputation.
- Libel – Written or pictorial defamation.
- Slander – Spoken or verbal defamation (need not be spoken in a public setting).
- To qualify as defamation, the statement must be untrue.
Slander and Libel

- To be actionable as libel, five elements must be present:
  1. Defamation
  2. Identification
  3. Communication (publication or broadcast)
  4. Fault (malice or negligence)
  5. Damage (or injury)
Slander and Libel

- Truth is the traditional defense against libel, but truth is hard to prove.
- Reports of official proceedings are privileged and cannot be charged with libel.
- Fair comment – The privilege that insulates a reporter or publication against defamation.
Slander and Libel

- Fair comment is a recognized defense against a libel action, based on the argument that the statement was either true or privileged (taken from a public document).
Slander and Libel

Libel has four defenses:

1. Truth.
2. Privilege.
3. Fair Comment.
4. Retraction.
Fair Use

- Law that allows use of parts of copyrighted materials without violating copyright laws and without paying a royalty or fee when used for criticism, comment, news reporting, teaching, scholarship or research.
Fair Use

- If you begin to question how you’re using something or how much you’re using, be cautious.
- Drawing the line as to what is fair use is one of the most difficult challenges of copyright law.
Slavish Copying

- This term is used for extensive word-for-word copying.
- Paraphrasing is not a violation, but without attribution, it raises ethical concerns.
Intellectual Property

- Legal term that describes rights or entitlements that apply to the ownership and use of certain types of information, ideas or other concepts in an expressed form.
New York Times vs. Sullivan

- Court case that ruled that since a public figure puts himself or herself out before the public, actual malice must be proven by a public figure.
Right of Privacy

- This law ensures an individual’s right to be left alone and can be violated if name, likeness and/or information is used for commercial purposes.

- Different from defamation – The publication through media outlets need only injure the feelings of the person, even though it may have no effect on his or her reputation.
Right of Privacy

- Securing permission from the individual protects the public relations professional.
- Also a good idea to protect your employees’ right of privacy by obtaining signed waivers.
Right of Privacy

- Four kinds of damages to privacy exist:
  1. Appropriation
  2. Intrusion
  3. Public disclosure of embarrassing private facts
  4. False light
For purposes of the computer-based Examination for Accreditation in Public Relations, familiarity with the following common ethical principles is recommended (along with the PRSA Member Code of Ethics).
Common Ethical Principles of PR

- Act in the public interest – Find the greater good for the majority of the people.
- Use honesty and integrity as your guide.
- Ensure accuracy and truth – Do not disseminate false or misleading information.
- Deal fairly with the public – Respect yourself and others. Leave proprietary information behind when you change jobs.
PRSA Member Statement of Professional Values

- Values set the industry standard for the professional practice of public relations.
- Values are the fundamental beliefs that guide our behaviors and decision-making process.
- We believe our professional values are vital to the integrity of the profession as a whole.
PRSA Member Statement of Professional Values

- Advocacy
- Honesty
- Expertise
- Independence
- Loyalty
- Fairness
Advocacy

- We serve the public interest by acting as responsible advocates for those we represent.
- We provide a voice in the marketplace of ideas, facts and viewpoints to aid informed public debate.
Honesty

- We adhere to the highest standards of accuracy and truth in advancing the interests of those we represent and in communicating with the public.
Expertise

- We acquire and responsibly use specialized knowledge and experience. We advance the profession through continued professional development, research and education.
- We build mutual understanding and relationships among a wide array of audiences.
Independence

- We provide objective counsel to those we represent.
- We are accountable for our actions.
Loyalty

- We are faithful to those we represent, while honoring our obligation to serve the public interest.
Fairness

- We deal fairly with clients, employers, competitors, peers, vendors, the media and the general public.
- We respect all opinions and support the right of free expression.
PRSA Code Provisions

- **Free Flow of Information** — Protecting and advancing the free flow of accurate and truthful information is essential to serving the public interest and contributing to informed decision making in a democratic society.
- **Intent** — To maintain the integrity of relationships with our publics and to aid informed decision making.
PRSA Code Provisions

- **Competition** — Promoting healthy and fair competition among professionals preserves an ethical climate while fostering a robust business environment.

- **Intent** — To promote respect and fair competition among public relations professionals by providing the widest choice of practitioner options.
PRSA Code Provisions

- **Disclosure of Information** — Open communication fosters informed decision making in a democratic society.

- **Intent** — To build trust with the public by revealing all information needed for responsible decision making.
PRSA Code Provisions

- **Safeguarding Confidences** — Client trust requires appropriate protection of confidential and private information.

- **Intent** — To protect the privacy rights of clients, organizations and individuals by safeguarding confidential information.
PRSA Code Provisions

- **Conflict of Interest** — Avoiding real, potential or perceived conflicts of interest builds the trust of clients, employers and the publics.
- **Intent** — To earn trust and mutual respect with clients or employers.
PRSA Code Provisions

- **Enhancing the Profession** — Public relations professionals work constantly to strengthen the public’s trust in the profession.

- **Intent** — To build respect and credibility with the public for the profession of public relations.
Ethical Decision-Making Process

- Define the specific ethical issue or conflict.
- Identify internal and external factors that may influence the decision.
- Identify the key values.
Ethical Decision-Making Process

- Identify audiences who will be affected by the decision and define the public relations professional’s obligation to each.
- Select ethical principles to guide your decision-making process.
- Make your decision and justify it.