

**I am using old Christmas cards to illustrate a children's book. How do I trace an illustrator if the card is only marked U.S.A. or is a company that may be out of business now. What are the copyright laws for using greeting card art?**

Q: I am using old Christmas cards to illustrate a children's book. How do I trace an illustrator if the card is only marked U.S.A. or is a company that may be out of business now. What are the copyright laws for using greeting card art?

The artwork on the cards is likely to be the property of an illustrator, a company, or a combination of the two. Using it without permission would be risky. It could jeopardize your book project and put you and your publisher in a difficult position legally. According to Marty Roelandt, a creative consultant with more than fifteen years experience in the greeting card and giftware industries, "Companies or artists who own rights to artwork will often take appropriate action against someone who is infringing on the rights to that artistic property."

The question of changing a percentage of the artwork to make it your own creation is also risky, though you'd have to check copyright law regarding fair use for specifics. If you don't want to use the art as is with permission, my advice would be to use the illustrations as inspiration, but to develop your own work. Artists have the most to lose when their work is adapted for other purposes without residual payment. It benefits everyone when ownership of the work is acknowledged and paid for rather than taking a chance that may infringe upon another's work.

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