

Family Tree Maker's™



**Family
Archives™**



World Family Tree™

Volume 1, pre-1600 to present

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Accessing Your Family Archive Data

Accessing your Family Archive™ data is easier than ever! You can now access most of the Family Archives directly from Family Tree Maker's™ FamilyFinder™ view or from our FamilyFinder Index and Viewer™ program.

To access the information on the Family Archive CDs:

- (1) Start your Family Tree Maker or FamilyFinder Index and Viewer program. (If the program is already running, skip to step 2.)
- (2) Insert the Family Archive CD in your computer's CD-ROM drive.
- (3) From the **View** menu, select **FamilyFinder**.

A few Family Archives require a DOS-based program, GRS, which we provide for you on a diskette accompanying your order.

To install the GRS software from the floppy diskette:

- (1) Exit Windows® and/or your menu system so that you are at the DOS prompt.
- (2) Insert the diskette in your diskette drive.

Change to the drive where you just inserted the diskette. For example, if your diskette drive is drive A, at the c:\> prompt, type **a :** and press **Enter**.

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- (3) Type **install** and press **Enter**.
 - (4) Follow the instructions on the screen to finish installing the GRS program. If you have not previously installed GRS, it will create a GRS directory. If you already have the GRS software on your hard drive, this more recent version will overwrite the older version.

To access the information on Family Archive CDs that can only be read through GRS:

- (1) Place the Family Archive CD in your CD-ROM drive.
- (2) At the `c:\>` prompt, type **cd\grs** and press **Enter**.
- (3) At the `c:\grs\>` prompt, type **grs** and press **Enter**.

Your Privileges and Responsibilities as a Family Archive CD Owner

Family Tree Maker's Family Archives are a wonderful way for you and your family to reduce the amount of time needed to discover your ancestors. With the help of these electronic databases, you can focus your library trips, official correspondence, and microfilm browsing down to the exact records you need. That's why we make the CDs – so that people can learn about their family history as easily as possible.

Yet with all the benefits you can gain from Family Archives, there also come some responsibilities. Today's technology is opening up many tempting new ways to copy, transfer, and share electronic information. As quick and uncomplicated as this might seem, some such uses are illegal. That's because software programs, just like books and movies, are protected by copyright law. Since Family Archives are among the materials that U.S. laws and international treaties apply to, Brøderbund expects Family Archive users to respect the conditions for use that are allowed by these laws.

You can usually find out what range of uses a publisher permits by reading the license agreements found in software manuals and on program screens, but the legal language of license agreements can be vague and confusing. Therefore, we've developed some guidelines that more clearly illustrate what is considered legal, appropriate use of the Family Archives, and what other uses would be illegal.

The purpose of this booklet is to explain what copyright law says and how it affects you as a user of Family Archives. The topic is divided into five sections:

- Section 1** Uses that are acceptable by law, and how “Fair Use” determines them.
- Section 2** Examples of copyright abuse (illegal uses).
- Section 3** Reasons why Family Archives have copyright protection.
- Section 4** Basic methods for citing sources and documenting your research.
- Section 5** Most common questions from Family Archive users.

1. Acceptable Use

Brøderbund knows that genealogy is something that families and friends enjoy doing together. It would be unrealistic for us to expect family members to buy duplicate CDs, when they could be pooling their money and using the same funds to buy more CDs and do more research. At the same time, we do need to enforce the legal limits on how much sharing you do with your Family Archives, because much of our business depends on people's desire to purchase CDs of their own.

For your own research, you may use any and all data from the CDs. If you have an opportunity to collaborate with others on family research, that support can be a great advantage! As long as you stick to the guidelines

given in this section, sharing your Family Archives can sometimes be a good way to do research. Copyright law permits sharing of small quantities of data with family members and friends, and if applicable, with clients of your professional genealogical services.

What does “small quantities” mean?

Here are some examples of information that you may share:

- Information about one nuclear family.
- The names of all individuals with the same first or last name, living in an *exact* county in an *exact* decade.
- Complete information about one individual on the CD.

Note that the examples listed above are all very *specific* pieces of information. The key thing to remember is that it's OK to use your Family Archives to help someone else quickly fill in a small blank in their family research. But if they want to rely on your CDs for anything more than a name here or a date there, they should buy their own copies to use.

“Fair Use” rules let you be the judge

In addition to these examples of what is definitely acceptable to share, you're likely to run into situations where something seems OK, but you're not sure. The “Fair Use” doctrine of U.S. copyright law has led us to specify the three examples above, and it could also help you make the right decision in a questionable situation.

Fair Use arose in the courts as a compromise between having very strict interpretations of copyright protection and having no restrictions at all. The four standards of Fair Use, given below, might better prepare you to make decisions about how you use your Family Archives.

- (1) ***Purpose and Character of the Use:*** If it is for non-profit or educational purposes, it may be fair. If it is for commercial gain, to make a profit, it may be unfair.
- (2) ***Nature of the Copyrighted Work:*** Must be original and creative enough to warrant copyright protection.
- (3) ***Amount and Substantiality of the Portion Used:*** Must not be too large compared to the copyrighted work as a whole.
- (4) ***Effect of the Use on the Copyrighted Work:*** Must not harm the potential market for, or value of, the work.

Incidental use (small quantities) of copyrighted material is permitted, but if a publisher perceives that copyright protection is being violated, he can bring legal action against the person or company suspected. Judges use these four rules of Fair Use to determine whether a copyright has been violated. As indicated in item (1), courts are more generous towards educational and non-profit use of copyrighted materials than they are towards commercial enterprises. Libraries are usually considered educational institutions, so that's why they are allowed to let many different patrons share the same published materials.

To illustrate what would not be considered Fair Use, the next section gives some examples of copyright abuse.

2. Abuse of Copyright

Brøderbund relies on individual users of Family Archives to do a few things to help protect a goal that's in the common interest of all genealogists: the continued digitalization of vital records. Businesses like ours will only be able to keep publishing genealogical CDs as long as it makes sense economically, so we must insist that users be conscientious in observing copyright law. Before sharing or copying data from your Family Archives, read this section to find out what kinds of uses can be illegal.

What kind of sharing is a violation?

- Systematically making a CD freely available to more than one person at a time.
- Systematically making large parts of a CD's contents freely available to others.
- Uploading all or part of a CD's contents onto an electronic bulletin board.
- Circulating a printout taken straight off the CD.

What "large part" of a CD is too much to share freely with others?

- The whole CD.

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- The results of more than two or three blanket searches: all or most records that match a search for name, date of birth, or other generic characteristic.

If someone else wants to use your Family Archives for such a broad search, they are clearly interested in doing research and they expect to find useful information on the CD. That makes them a potential Family Archive customer, so sharing the information would be a violation of Fair Use.

There is a lot of open ground between what is appropriate to share and what is illegal to share. We trust you to use your best judgment when weighing such a decision, but keep this in mind: when you share large amounts of information with others, it shrinks the number of customers who together help pay the costs involved in producing Family Archives. We price the CDs at very reasonable levels, with the expectation that most of the people who know about them and want to use them will buy their own copies. When Family Archive owners ignore their responsibility, Broderbund can't renew the resources needed to keep bringing valuable data and software to genealogists.

3. Why are Family Archive CDs Copyrighted?

In some cases, the source material of genealogical databases is factual historical information that can be found in libraries and public records. That leads many people to wonder how anyone can claim ownership of public genealogical records or prohibit people from freely exchanging

the data they contain. The fact is, nobody can *own* historical information itself. Instead, publishers earn copyright protection only if they add value to the bare facts. Genealogical publishers start with information dispersed in public (and sometimes private) records. Then, they add value to that data and are granted copyrights because they:

- (1) **Select** which records and data fields to compile.
- (2) **Fill in** missing or incomplete areas by merging sources.
- (3) **Interpret** ambiguous information.
- (4) **Arrange** their compilation in a unique format.
- (5) **Add retrieval software** to make the data easy to search.

The resulting genealogical tools are comprehensive and easy-to-use, but they wouldn't exist if publishers didn't invest their own technology and expertise. U.S. copyright laws protect the use of information published in indexes, abstracts, interpretations, and/or search engines, even if they don't apply to the original data. Because Family Archive CDs are entitled to protection, and because Brøderbund has paid heavy costs for their development, we rely on copyright law to help safeguard that investment.

Because Family Archives index so many different facts, allow Soundex searches, come with efficient software search tools, and are so convenient to use, they help minimize these barriers between you and the facts – that's the value Brøderbund has added to the raw information.

If you've used Family Archives to find facts about your relatives, think about what you would have needed to do if you had to uncover that same information on your own. Here are just a few of the hurdles: library trips, phone calls, microfilm readers, microfiche binders, limited-access archives, letters to municipal record-keepers, dusty card catalogs, long lines at government offices, and clerical fees.

Now think about how Family Archives can help you bypass many of those hurdles. It automates the search function. It separates the records you want to view from those you don't. It indexes and cross-references historical information about actual individuals. It formats the information into data fields. It compresses millions of facts into a disc that fits in the palm of your hand. And most conveniently, you can use it on your own computer at home!

If you paid tens of thousands of dollars to buy unlimited access to records, and paid a staff to develop costly software that could help people efficiently use those records, would you invite people to freely make copies? Unless you were a rich philanthropist, of course you wouldn't. Well, neither can Brøderbund. Typically, even if the records are public, we pay hefty licensing fees to obtain the genealogical data from the institutions that compile it. Then to produce each CD, Brøderbund invests a great deal of money, machinery, and manpower. Costs don't even end at development; we invest more in quality control, manufacturing, and distribution before we can bring these CDs to market. We constantly test and update the software at every stage of publication. Later, if you have trouble using

the CDs, our Technical Support staff is here to help you at no additional charge. The purchase price you pay for a CD helps absorb these many costs, and fuels the development and availability of more CDs.

Freely distributing Brøderbund's Family Archive data isn't simply a violation of our copyright; it is also unfair to other customers paying the asked price. We have faith in the genealogical community – the same community that has propelled Family Tree Maker into the #1 spot for genealogical software – to keep using and respecting these Brøderbund Software products.

Now that you have the facts you need to help you use Family Archives responsibly, the next section of this booklet offers some tips on making clear records of your research.

4. Documenting Your Research

The terms “citing sources,” “documenting sources,” “adding source notes,” and “using footnotes” are all different ways to describe the same activity: making a record of where you find your information. No matter how it's said, it's important for two big reasons:

- (1) ***To help future genealogists:*** You want people who later use your research to be able to easily locate your same sources, in case they need to verify the accuracy of your information or simply dig a little deeper. They can only do that if they know exactly what your sources were.

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- (2) **To give authors their due credit:** Authors who supply information to the public in books, computer disks, newspapers, videotapes, or almost any other media, must rightfully be given mention by people who use the published information to produce something of value (such as a family pedigree).

Although discovering your family history is a personal project you've undertaken, your notes should enable you or someone else to easily re-trace your research steps. When it comes to making notes about your research sources, genealogists will say that the most important principles are *accuracy*, *thoroughness*, and *consistency*. Record all the identifying details you know about a source, check to make sure the information given is correct, and try to write the details in roughly the same format for all your sources.

Sources and notes

Research is only as reliable as the sources you use to compile it. Notes help make your family history research more credible, because they show exactly where you found the information it's based on. Following are some examples of where you can include source notes, formats you can use, and what information about your sources is essential to record. A good rule of thumb is: if a bibliographical fact seems like it might be helpful to know later on, you should go ahead and make a note of it.

Where can I include source information?

- Type it into the Source fields (or “tags”) of your genealogical software program.
- Write a bibliography for the end of a biography, pedigree, or family book.
- Compile a numbered list of all your sources. Then, when you use information from a source, put the corresponding number next to it in parentheses. (This method works best as a shorthand in your own research notes, since it can be confusing for someone else to follow.)

How should I cite Family Archives?

Include all of the following information in your notes: (You can find the first three items on the CD or on the card inside the plastic CD case.)

- (1) CD number
- (2) Volume number (if any)
- (3) Title of the Family Archive CD – this will typically include the type of record, the state(s) covered, and the years included
- (4) Date of CD publication
- (5) Page number (if applicable)
- (6) Record number (if applicable)
- (7) The copyright symbol ©, followed by the year of CD publication and the name Brøderbund Software, Inc.

Here's an example of a citation you might use if you found information on CD #2:

- Family Archive CD #2, Marriage Index: IL, IN, KY, OH, TN, 1720-1926, Du Page County, IL (1826 to 1877), September 1994 Edition, Page 20, Record 50. © 1994 Brøderbund Software Inc.

Family Archive CDs are secondary sources, meaning they're an interpretation of the actual historical documents which are their primary sources. Future researchers may want to verify all of your secondary sources, so it's helpful if you add the words "Secondary Source" to your notes for such sources.

Where can I learn more about citing my sources?

- Greenwood, Val D.: *The Researcher's Guide to American Genealogy* (2nd ed.). Genealogical Publishing Co., Inc., Baltimore, © 1990. Library of Congress # 89-81464, ISBN # 0-8063-1267-X.
- Lackey, Richard S.: *Cite Your Sources: A Manual for Documenting Family Histories and Genealogical Records*. University Press of Mississippi, Jackson, © 1980-1986. Library of Congress # 85-20371, ISBN # 0-87805-286-0.
- Silicon Valley PAF Users Group: *PAF Documentation Guidelines, 1995 Edition*. San Jose, © 1992-1995. Order copies for a nominal fee from: Silicon Valley PAF Users Group, 4417 Pitch Pine Court, San Jose, CA 95136. Phone 408-578-4619.

As you continue with your family history research, you're sure to encounter many eager and helpful people. In addition to your own community of family and friends, there are numerous genealogical societies, professionals, and clubs that can offer more insight to help you on your quest.

5. Some Common Questions

Can I charge people a fee to let them use my Family Archives?

No. It is not Fair Use to “rent” your CDs. Such use, especially if you publicize an offer, is a violation of Fair Use because it harms Brøderbund's potential market. The more people you try to attract with your offer of renting your CD, the clearer your intention to profit is shown, and the greater your violation of our copyright.

You can, however, charge people a fee for your research services if you look up information for them on your CD. That's because you are adding your own value to the information. If you're creating a pedigree, assembling a list of someone's relatives, or tracking all records for a “Katherine Conrad of Ohio,” for example, then it's appropriate to use your Family Archives as much and as often as you need to. Still, the information you deliver to your clients should not be copied electronically off the CD (as a screen download or printout), because that requires no expertise, takes only mechanical effort, and does not add any value to the copyrighted work. Asking someone to pay for a screen download is so similar to renting your CD that it can't be considered Fair Use.

What if my neighbor wants to look up her grandfather on my CD?

That's fine. Your neighbor has a specific person in mind to search for, and she'll only be using a tiny portion of the data from your CD. If she later buys a different CD of her own, hopefully she'll return the favor and let you do a search or two!

Can I use my Family Archives to answer a search request on an electronic bulletin board?

No. Posting the results of a broad search onto an electronic bulletin board is always a violation of copyright, because the information is projected to a large number of people. On the other hand, if you and another *specific person* want to use e-mail to communicate with each other, it's fine to share small quantities of *specific data* from your Family Archives. As long as your messages aren't being broadcast to an entire bulletin board community, e-mail can be a real time-saver for checking and finding family history facts quickly.

Is Brøderbund serious?

Yes. Brøderbund actively protects its rights wherever copyright abuse might have a measurable negative impact on the company's business interests. Brøderbund's foundation for copyright protection of Family Archives is solid. When the company has cause for legal action against violators of its copyright, it will not hesitate to pursue such action.

Warranty – Brøderbund’s 90 Day Satisfaction Guarantee

If you are not completely satisfied with your purchase, return the product to Brøderbund Software within 90 days of the date of purchase, along with the original sales receipt and the reason for return. Please state whether you would prefer another Brøderbund product of equal or lesser value, or a full refund. Limit 1 per household. Dealers, distributors, and their employees are not eligible. Please call Brøderbund Software direct at 415-382-4745, or return the merchandise to Brøderbund Software, PO Box 6125, Novato, CA 94948-6125. If you wish to return the product via UPS, please send it to Brøderbund Software, Attention: Customer Support, 775 South Point Boulevard, Petaluma, CA 94954.

The Brøderbund 90 Day Satisfaction Guarantee also warrants for a period of 90 days that this Family Archive CD is free from substantial defects. This policy applies to the initial purchaser only.

If you believe you have found any such defects during the 90 day period, call the Banner Blue Division’s Technical Support Department at 510-794-6850 between the hours of 8am and 5pm (PT), Monday through Friday. Banner Blue’s Technical personnel will attempt to help you correct or avoid the problem. If any such defects cannot be corrected or reasonably avoided, Banner Blue will inform you how to obtain a corrected CD.

License Agreement

Family Archives

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