

**Gift Agreement**  
**L'dor V'dor Project Personal History Collection**  
*The Temple*  
*Congregation Ohabai Sholom*  
*Library and Archives*



The Temple Archives gratefully acknowledges receipt of documents, family trees, questionnaires, photographs and other personal information given on

\_\_\_\_\_ by:  
Date(s)

Name of Donor: \_\_\_\_\_

Address of Donor: \_\_\_\_\_

County, City, State, Zip: \_\_\_\_\_

**Property Rights:** I do irrevocably convey, transfer, and donate the above-described materials to The Temple Archives freely and without restrictions or conditions except those listed on the attached questionnaire.

**Literary Rights:** As far as it is in my power, I dedicate to the public such literary rights as I may possess in these papers.

In full understanding of the above provisions, I hereunto set my hand.

\_\_\_\_\_  
Donor

\_\_\_\_\_  
Date

The Temple Archives by its duly authorized agents accepts the above-described gift, which will be arranged, stored, and made available to researchers in accord with the usual procedures employed by The Temple Archives. The material will be available to the donor for copying or studying in perpetuity.

\_\_\_\_\_  
Authorized Agent of The Temple Archives

\_\_\_\_\_  
Date

# THE TEMPLE ARCHIVES

## TERMS AND USE OF THE PAPERS OF \_\_\_\_\_

Clear and precise instructions by the donor are necessary to insure that everyone- the donor, the Archives Committee, and researchers- understands the terms and conditions of the use of the L'dor V'dor Collections at The Temple Archives.

In order to completely understand your wishes for the use of your papers, we are asking you to fill out the following questionnaire. We are considering donating a copy of the collection to the Tennessee State Library and Archives to ensure its preservation for future generations. Any restrictions that you impose on your gift would preclude the inclusion of your file with those submitted to the State Archives. **Unless you have strong feelings against donating your papers without restrictions, we suggest that you impose no restrictions so that your work may be included and preserved by the Tennessee State Archives. If you consent to this please check-off the responses in BOLD type.**

Please consider the options carefully and indicate which are in accordance with your wishes. The listed options are those usually preferred; however, you may change the wording or choose other alternatives to serve your own purpose.

### Access and Restrictions:

1. Do you wish to make the materials being donated available, on an unrestricted basis, to anyone applying to use the resources of The Temple Archives? (If you wish to attach any restrictions whatsoever, you should check "NO.")

\_\_\_\_\_ **YES** \_\_\_\_\_ **NO**

2. If these materials are to be restricted, do you want them restricted to those researchers who first obtain your written permission?

\_\_\_\_\_ **YES** \_\_\_\_\_ **NO**

3. Do you want any alternative restrictions during your lifetime?

\_\_\_\_\_ **YES** \_\_\_\_\_ **NO**

4. Do you want any restrictions after your death?

\_\_\_\_\_ **YES** \_\_\_\_\_ **NO**

If yes, please specify:

5. Do you wish to restrict the use of all of this material, or only a portion thereof?

\_\_\_\_\_ALL

\_\_\_\_\_The portion of this material described below. (Please indicate the portion of the collection to be restricted):

6. If you wish all or a portion of these materials to be closed for a specific period of time, please indicate which of the following options are in accordance with your wishes.

I desire that the L'dor V'dor Collection, or the portion specified in question 5, be donated by me be

\_\_\_\_\_closed for a period of \_\_\_\_\_years.

\_\_\_\_\_closed for a period of \_\_\_\_\_years, or until my death, whichever is later.

\_\_\_\_\_closed until my death.

\_\_\_\_\_closed until my death and for a period of \_\_\_\_\_years thereafter.

\_\_\_\_\_closed until the following events occur (please specify):

\_\_\_\_\_other (please specify):

### Publication and Quotation: Literary Property Rights

The transfer of literary property rights relates only to those materials in the collections personally created by the donor or donors, created for the donor or donors as a work for hire, or in which copyright was transferred to the donor. Under the copyright law that came into effect in January 1978, the literary property rights, including the rights to unpublished manuscripts, belong to the author and her or his heirs during the author's lifetime and for fifty years thereafter even though the physical property has been given away or sold.

Over the years, literary rights can create problems for a manuscript repository. A scholar who wishes to publish a quotation from a collection after its donor has died may not be able to locate the heirs, or the heirs may be incompetent, or other difficulties in obtaining assets may make it impossible for a historian to utilize the material. Therefore, the Archives seeks to have the literary property rights transferred to The Temple Archives.

7. The following are the usual options elected by donors of manuscript collections with respect to the literary property rights. Please indicate which option most closely conforms to your wishes.

\_\_\_\_\_ I wish to transfer my literary property rights in the collection to The Temple Archives. It is agreed that The Temple Archives will not authorize publication or quotation during my lifetime without my written permission.

\_\_\_\_\_ I wish to transfer my literary property rights in the donated collection to The Temple Archives. It is agreed that The Temple Archives will not authorize publication during my lifetime without my written permission. However, readers may make brief quotations from the documents in the collection with permission of the Chairman of the Temple Library and Archives Committee or and authorized agent of The Temple.

\_\_\_\_\_ **I wish to transfer my literary property rights to The Temple Archives without restrictions.**

\_\_\_\_\_ Other? (If you wish your literary property rights to descend to an heir or heirs, please specify names and addressees and any special conditions. Please also indicate after what events or after what time period, if any, prior to the expiration of copyright, you would be willing to have literary rights transferred to The Temple Archives.

### Copying and Dissemination

8. Unless the donor has specified to the contrary, it is the practice of The Temple Archives to provide copies of documents included in the collections to researchers for their personal use upon request for borrowing from The Temple Archives. The request form used by Archives carries the legally required warning about copyright restrictions, and in the absence of other directions, the Archives will place on all copies the following legend: "THIS COPY IS FOR PERSONAL USE ONLY. No part may be sold, loaned, copied or published without the express permission of The Temple Archives."

- A. If you wish to impose any restrictions upon this practice, please specify those Restrictions and the time period during which they apply:

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- B. Under the new copy right act, unless an Archival institution has agreed Otherwise, an Archives may make a reproduction of an unpublished work for deposit for research use in another Archives. Do you object to reproduction for such purpose?

I object \_\_\_\_\_

**I do not object** \_\_\_\_\_

Deposition of Duplicates of Inappropriate Material

9. In organizing and cataloguing a collection the Archives sees to keep all significant material documenting the life and contributions of an individual or family or the activities of an organization. However, occasionally a collection may include material unrelated to the major focus of the collection and to the interests of the Temple Archives, or it may include duplicate materials. Should this be the case, please indicate how you wish such material handled.

\_\_\_\_\_ **I wish the inappropriate or duplicate material to be disposed of to other Archives or in any appropriate manner by The Temple Archives.**

\_\_\_\_\_ I wish inappropriate or duplicate material to be returned to me or my heirs.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Address

PLEASE RETURN TO:

L'dor V'dor Project  
c/o The Temple  
5015 Harding Road  
Nashville, TN 37205