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Editor, Comments from

With pandemic restrictions lifting, I hope you've all been able to step out into the big, wide world. Strange how every-day things like going out for a coffee or to a movie have become brand new again. I felt that way recently when I went to a restaurant for the first time in over two years—it was familiar but also newish and nice. More, please!

This issue is packed with interesting reads—upcoming events, conference reviews, awards, great articles, and a crossword (thank you, Heather Ebbs). The Society had another fantastic virtual conference this year; please read Matthew MacLellan's summary of the ISC/SCI 2022 conference "Past Perfect, Future Progressive." And Margaret de Boer has given us a summary of the ASI and ASAIB conferences.

Don Howes is back with Part 1 of his article "Derivative Works and Unauthorized Indexes." I'm pleased to say that Lisa Fedorak, this year's recipient of the Tamarack Award, is also this issue's "Focus On ..." interviewee. Barbara Cuerden has come on board as the new Eastern Representative; read her bio on page 8 and also her article on page 20, "A Monument to the end of Bookishness."

This issue marks the beginning of a new regular feature about keeping up-to-date with changes in language and how those changes are (or should be) reflected in our indexes. Alexandra Peace has written "Language Is Changing All the Time" to introduce the subject (page 10). In future issues, Jolanta Komornicka will be in charge of the column and is interested in contributions from our readers.

Thanks to the *Bulletin* team and contributors—this issue couldn't happen without you! I welcome ideas for articles for future editions. Feel free to contact me at <u>bulletin_editor@indexers.ca</u>.

Vicki Gregory

Le mot de la rédaction

A vec l'assouplissement des restrictions en lien avec la pandémie, j'espère que vous avez tous réussi à sortir dans le grand et vaste monde. Étonnant de voir comment les choses de tous les jours comme sortir boire un café ou aller au cinéma sont redevenues des nouveautés! C'est ce que j'ai ressenti quand je suis allée récemment au restaurant, pour la première fois depuis deux ans – c'était bien connu et en même temps nouveau et sympa. Encore, s'il vous plaît!

Ce numéro est bourré de lectures intéressantes : événements à venir, comptes-rendus de congrès, prix décernés, bons articles et un mot croisé (merci, Heather Ebbs!). L'association a connu un autre congrès virtuel fantastique cette année : lisez le résumé du congrès annuel 2022 de la SCI/ISC de Matthew MacLellan's, "Past Perfect, Future Progressive" (Plus que parfait, futur progressif"). Et Margaret de Boer nous a préparé une synthèse des congrès de l'ASI et de l'ASAIB.

Don Howes est de retour avec la première partie de son article "Derivative works and unauthorized indexes". J'ai le plaisir de vous annoncer que Lisa Fedorak, récipiendaire du prix Tamarack de cette année, est aussi l'invitée de la rubrique "Regard sur / Focus On". Barbara Cuerden est entrée au Bureau de direction comme représentante de la région Est: lisez sa biographie p. 8 et également son article p. 20, "A monument to the end of Bookishness".

Ce numéro marque le début d'une nouvelle rubrique régulière à propos de la manière dont se maintenir au courant des derniers changements linguistiques et de la manière dont ces derniers sont (ou devraient être) intégrés dans nos index. Alexandra Peace nous présente "Language is changing all the time" en guise d'introduction à ce thème (page 10). Dans les prochains numéros, ce sera Jolanta Komornicka qui sera responsable de la rubrique et elle est intéressée par la contribution de nos lecteurs.

Merci à l'équipe du Bulletin et à tous ceux qui y ont contribué — ce numéro ne pourrait pas voir le jour sans vous! Des idées d'articles pour les prochains numéros sont les bienvenues. N'hésitez pas à me contacter à <u>bulletin_editor@indexers.</u> <u>ca</u>.

Vicki Gregory

Upcoming Meetings and Events

BC Region—BC Regional meetings are the 1st Wednesday of the month at 7:00 p.m. PST, every other month.

For more information contact Matthew MacLellan, bc_rep@indexers.ca.

Central Region—Meetings are held on the 4th Saturday of the month, every other month. For more information contact Ronnie Seagren and Jolanta Komornicka at central_rep@indexers.ca.

Eastern Region—Meetings are held on the 3rd Wednesday of the month at 6:00 p.m. EST, every other month

If you are interested or have any questions, please contact Barbara Cuerden at eastern_rep@indexers.ca.

Prairies & Northern Canada— If you are interested or have any questions, please contact Liese Achtzehner at prairies_rep@indexers.ca.

Members Monthly Video Chat

The national monthly video chats are now held on either a Wednesday or Saturday on alternating months. Dates and links can be found on the website (https://indexers.ca/events/) under Upcoming Events on the home page.

The next executive committee meeting will be held on September 17, at 1:00 p.m. EST. Please let your regional rep know if you have any questions or concerns for the executive committee

Conferences

International Indexing Conference 2022: Continental Connections will be held in Berlin, Germany, on October 17–18, 2022. This is a hybrid event—online and on site—presentations will be live-streamed to online attendees.

Noteworthy News

Lisa Fedorak and Stephen Ullstrom were featured recently in this fantastic article in <u>The Globe and Mail</u>.

ISC/SCI Conference 2023 – Call for Proposals

The Conference Committee invites your proposals for ISC/SCI Conference 2023. Proposals are being accepted until October 3, 2022.

The committee is seeking proposals in the following areas:

- aspects of running an indexing business (social media for marketing, profitability, project scheduling, websites, etc.)
- technology related to indexing such as devices or equipment, non-indexing software, or apps
- improving/assessing index quality or usability from broad topics such as improving your speed to

- niche topics on specific languages, communities, or subjects
- non-back-of-book indexing such as taxonomy, controlled vocabularies, thesaurus development
- any niche or specialty topics you feel passionate about

The application form and more information can be found here: https://indexers.ca/wp-content/uploads/2022/08/ISCSCI-Conference-2023-Call-for-Proposals.pdf

Thank you!

Lisa Fedorak, on behalf of the ISC/SCI Conference Committee

Presidents' Messages

Presidents' Messages

ones for stepping in and answering some!

appy summer, everyone!
I've enjoyed seeing the questions and answers on the email list lately. Thanks to the more experienced wise

I've also greatly been enjoying working with Tere as our new co-president. She started at the busiest time of the year: budget and quarterly meetings, conference, and then the AGM! Now it's time for us to do some of the background maintenance work. I hope to finish the executive committee job descriptions that we started revising several years ago.

Thanks as always to you all for the work you do for the Society. If you haven't had a chance, do have a look at the Annual Report (located in the Member Dashboard); it's a record of all that has been done by everyone over the past year.

The next big event is the conference in Berlin and the triennial meeting of ICRIS. There will be several Canadians there. I'm looking forward to it!

Speaking of in-person conferences, I hope you have heard that we're hoping to have the next ISC/SCI conference in St. John's. Start saving your pennies—it's a magical place!

Hope to see you at some event soon, either virtual or maybe even in person.

Alexandra Peace

Spring is an exciting and busy time for the Society, and this year was no exception. We held our AGM in June, which was well attended via Zoom. It was wonderful to be able to celebrate our accomplishments and have a bit of time to catch up with everyone.

Our bi-monthly regional and national chats continue to foster community and connection virtually, and as pandemic restrictions ease, chats are beginning to occur in person once again. In fact, the Central region held a successful in-person meeting in June.

We've also welcomed new people to the executive committee: Patti Phillips is our new recording secretary and Barbara Cuerden is our new eastern representative. Thanks to Patti and Barbara for joining us.

Finally, Alexandra Peace and I were able to meet in person a few weeks ago to begin working on our thank-you cards for volunteers. We also enjoyed a nice chat ... and a little knitting time!

As I continue to learn the ins and outs of being co-president alongside Alex, I'm also delving into an exciting community-engaged research project with the King's University in Edmonton, Alberta. This will culminate in a presentation for Society members next spring, so stay tuned for that.

I look forward to easing further into my role through the dog days of summer, and to seeing you all soon at one of our indexing chats. Thank you everyone, for all of your hard work.

Tere Mullin

Messages de la Présidence

Le mot de la présidence

P on été tout le monde!

D J'ai bien apprécié de lire les questions et réponses sur notre forum récemment. Merci aux plus expérimentés d'entre nous d'être intervenus et avoir fourni des réponses!

J'ai aussi vraiment apprécié de travailler avec Tere comme co-présidente. Elle a démarré au moment le plus chargé de l'année.... budget et rapports trimestriels, congrès puis AGA! Il est maintenant temps pour nous d'avancer dans le travail de gestion à long terme. J'espère terminer la description de tâches du comité de direction que nous avons commencé à revoir il y a plusieurs années.

Merci comme toujours à vous tous pour tout le travail accompli pour notre association. Si vous n'avez pas encore eu l'occasion de le faire, jetez un coup d'œil à notre rapport

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annuel. C'est un record que tout ce qui a été fait par chacun au cours de l'année qui vient de s'écouler!

Le prochain grand événement est le congrès à Berlin et la réunion trisannuelle de l'ICRIS. Il y aura plusieurs Canadiens. J'ai hâte!

À propos de congrès en présentiel, j'espère que vous êtes au courant que nous espérons avoir notre prochain congrès de la SCI/ICS à St. John's de Terre-Neuve. Commencez à économiser vos deniers. C'est un lieu magique!.

J'espère vous croiser à une activité bientôt... que ce soit en ligne ou peut-être en personne!

Alexandra Peace

e printemps est une période excitante et active pour l'association, et cette année n'a pas fait exception à la règle! Nous avons tenu notre AGA en juin, qui a été très suivie par Zoom : c'était magnifique d'être capables de célébrer nos accomplissements et d'avoir un peu de temps pour contacter chacun. Nos clavardages bimensuels régionaux et nationaux continuent de nourrir notre communauté et nos connexions virtuelles et, avec l'assouplissement des restrictions liées à la pandémie, nous allons

pouvoir reprendre ces rencontres en personne – en fait, la région Centre à déjà organisé une rencontre en personne en juin. Nous avons aussi accueilli de nouvelles personnes au comité de direction : Patti Phillips est notre nouvelle secrétaire aux inscriptions et Barbara Cuerden est notre nouvelle représentante pour la région Est. Merci à Patti et Barbara. Pour terminer, Alexandra Peace et moi avons pu nous réunir en personne il y a quelques semaines pour commencer à rédiger les cartes de remerciements pour nos bénévoles. Nous avons savouré une belle discussion et un petit moment de tricot!

En même temps que je continue à apprendre les tenants et aboutissants de la co-présidence avec Alexandra, je suis plongée dans un projet de recherche lié à la collectivité avec la King's University en Alberta. Le sommet en sera une présentation pour les membres de l'association au printemps prochain, ne manquez pas ça!

J'espère apprivoiser encore mes fonctions durant la canicule estivale et j'espère vous voir tous bientôt lors de l'un de nos clavardages d'indexation. Merci à chacun pour toute cette somme de travail accompli!

Tere Mullin

INFORMATION DE DERNIÈRE MINUTE

Jolanta Komornicka nouvelle co-présidente. Veuillez consulter le message en anglais pour plus de détails.

Announcements

Society News

or your information, Tere Mullin, co-president since March, has had to step down from the position. We are grateful for her hard work and wish her the best as she continues her indexing career. Make sure to thank Tere as you see her in the regional and national meetings.

Jolanta Komornicka has agreed to stand as co-president. She, along with the rest of the executive committee, will stand for election at the next AGM in 2023.

<u>Jolanta</u> has previous academic experience in history, particularly medieval European history. She holds a PhD

and has both taught and published at the university level for several years. Jolanta studied indexing at Toronto Metropolitan University (previously Ryerson).

Previous to accepting this position as co-president, Jolanta was co-regional representative for the Central (Ontario) region.



Jolanta Komornicka. Photo provided.

Executive Committee News

Executive Committee Meeting, 12 March 2022

Alexandra Peace

n 12 March (it seems so long ago now!) the executive committee held a special budget meeting. Not one of the usual quarterly meetings, this meeting was specifically to go over the budget for the next fiscal year. The ISC/SCI fiscal year runs from 1 April to 31 March.

The meeting began by addressing a few extra items in need of discussion. As I'm sure you are aware by now, Jason Begy had to resign from his position as co-president; he has accepted a full-time position and will not be indexing. We wish him well in his new position. Tere Mullin has agreed to serve as the new co-president, and we welcomed her to her new position. The meeting then turned to discussion of the ramifications of these moves. Tere had been the Eastern Representative for ISC/SCI and the Mary Newberry Mentorship Program coordinator; those positions needed to be filled.

Lisa Fedorak brought up a conference issue regarding institutional members: how to manage multiple people from an institution registering for our annual conference.

These institutional members are usually Hansard folks (i.e., parliamentary indexers). We set a new fee for institutional members, in doing so agreeing that multiple people could view the virtual conference recordings.

Finally we turned to the primary purpose of this special budget meeting. Prior to the meeting, each member of the executive committee had gone through their areas of responsibility and provided JoAnne Burek, our treasurer, with their desired funding allotment for the coming year. At the meeting we went through the budget line by line. There was some debate about how the conference should be represented in the budget. This discussion continued after the meeting, both by email and at the AGM.

The bottom line is that we have a healthy bank balance in reserve, and enough money to spend on our various projects!

The financial statements and budget can be seen on the ISC/SCI website.

Executive Committee Meeting, 23 April 2022

Alexandra Peace

A s usual, we quickly passed the first few items: approval of the agenda, of the minutes, and of the consent agenda. We noted in passing that membership is up. One theory is that the number of new members joining ISC/SCI is the same while fewer members are leaving. Our efforts at increasing engagement seem to be working!

Another impromptu discussion concerned indexing resources for materials about Indigenous Peoples. TIDE will be working on this after this year's bursary is determined (around September).

Finally we got to the juicy bits. First up: Conference 2023!

We discussed the possibility of having it in person in St. John's and agreed to try for it. We also talked about changing the rotation. Previously the conferences have returned to central Canada (Toronto, Ottawa, or Montréal) every other year, alternating with each coast. The central conferences are more accessible to a greater number of people, and they bring in more money. With the advent of

virtual conferences—which we have agreed to hold every other year—the concerns about accessibility and funds are moot. The Society can now simply rotate through the three regions as follows: 2023 east, 2024 virtual, 2025 central, 2026 virtual, 2027 west, and so forth.

We briefly discussed the matter of incorporation. There is no pressing need, but if we ever want to get funding it may be necessary. Arising from that, we also discussed usability studies. Both are big topics, and we will continue discussing them in the future.

An article about how our language changes is in this issue of the *Bulletin*, and Jolanta Komornicka will be hosting a regular column on language issues.

We were happy to thank Judith Clark and Julia White for working on the email guidelines and FAQs. Both documents are available on the website (guidelines, FAQs). The guidelines will be emailed to members once a month as a reminder.

Upon hearing about a phishing attempt at another organization, the executive committee discussed whose contact information should be up on the public side of the website. Christine Dudgeon, our website administrator, has made some changes stemming from the discussion.

The rates survey engendered some discussion, particularly concerning how much information should be made public. Research remains to be done on this front; no decision has been made at this time.

Margaret de Boer brought the ICRIS agreement to our attention. Notably, at the triennial meeting in October, the ICRIS reps will be deciding on changes to the agreement. Margaret also raised a few other issues, including providing information about ANZSI's lending library—an idea we would like to copy; would anyone like to volunteer? She also mentioned ANZSI's being able to use the conference recordings.

Tere Mullin has been leading a project with Community Engaged Research. It's in the preliminary stages at the moment, but I'm sure you will see an article about it in the future!

Judith Clark, our communications director, brought forward an idea for promoting our Society: a social media campaign about reasons to become a member. We brainstormed a bit, and Judith will be working on the idea gradually. We do, however, need more people to post on social media.

The final portion of the meeting was devoted to passing motions about financial matters. Since many people, including some on the executive committee, are not conversant with financial matters or have issues with looking at numbers, we decided we would spend five minutes at the end of every meeting reviewing a financial concept. We began the practice at the end of this meeting, and it was very instructive for everyone.

As usual, we had fun and got lots of work done. Our next meeting will be in September. Do let your regional representative know if you have any comments about this summary or if you have anything you would like brought forward at the next meeting.

New Executive Member—Barbara Cuerden, Eastern Region Representative

recently finished a 5-year stint working for the International Development Research Centre (IDRC) library and archive (IDL). My job entailed skim reading an archive of "grey literature," about 11,000 research items, keywording them using the Dublin Core metadata system and a controlled vocabulary, thus making them accessible to researchers across the globe. I provided 100-word abstractions for about half of them. As a proud member of the ISC/SCI, and as a back-of-the-book indexer (again), I'm glad to become of service as the latest Eastern Rep. I also have a parallel life as an artist.

Barbara has contributed the article "A Monument to Bookishness" on page 20.



New Eastern rep. Barbara Cuerden. Photo provided by Alex Peace.

AGM Report—11 June 2022

by Tere Mullin

If you attended the Society's AGM this year, you know it was jam-packed with announcements and information about what our members have been up to. If you weren't able to make it, here is a brief overview.

After JoAnne Burek walked us through the budget and financial matters, we heard from our executive committee members about the New Indexers' Resources Committee, Member Initiated Groups (MIGs)—two brand new initiatives!—and the rates survey which was conducted this winter. We also heard from the TIDE committee, who continue to work diligently to support those who face structural disadvantages, and about the ICRIS meeting that was held this spring. Alexandra then announced next year's annual conference, which will be held in person, in St. John's, Newfoundland.

This year's Tamarack Award was presented to Lisa Fedorak for her contributions to the Society. Congratulations, Lisa, it is well deserved. We also awarded three Certificates of Recognition: JoAnne Burek, Victoria Gregory, and Alexandra Peace all received certificates.

This year, we thanked 37 volunteers for their service to the Society. It's fantastic to see people involved, having fun, and taking on such diverse initiatives. The energy and engagement that volunteers bring to ISC/SCI is what makes our society so dynamic. Thank you, everyone!

If you would like to view documents such as the ISC/SCI budget, financial report, and annual report, these can all be found on the indexers.ca website, from the dash-board page.



Alexandra Peace (co-president) receiving gift certificate; presented by Tere Mullin. Photo provided by Tere Mullin.



JoAnne Burek (treasurer, web developer) certificate of appreciation recipient. Photo provided by JoAnne Burek.



Vicki Gregory (managing editor, Bulletin) certificate of appreciation recipient. Photo provided by Alex Peace.



ICRIS Zoom meeting. Photo provided by Alex Peace

Language Is Changing All the Time

Alexandra Peace

Terms are changing all the time, and we would like to talk about this a bit. We do not aim to be prescriptive with respect to indexing practices, or to suggest a particular approach to handling language in the text, but we do want to be a resource for each other. Editors have lots of ways of keeping up to date. Some of us are editors as well as indexers and learn of language changes through discussion lists, webinars, conferences, and so forth—but some of us are not editors.

How can indexers keep up to date? *Why* would indexers need to stay up to date? Indexers create entries for concepts, and the word for the concept might not be in the text.

For example, what word might you use to point to a paragraph describing discrimination towards Jews? Many people would use *antisemitism*. How would you spell it? The Canadian Oxford Dictionary, 2nd edition, spells it "anti-Semitism"; so does Merriam-Webster Unabridged online and Lexico, the Oxford online dictionary. In contrast, the Conscious Language Toolkit for Editors has the following to say:

Word	Alternative	Reason
anti-Semitism	antisemitism	Because of the history and inaccuracy of this term, "the unhyphenated spelling is favored by many scholars and institutions in order to dispel the idea that there is an entity 'Semitism' which 'anti-Semitism' opposes." Resources: International Holocaust Remembrance Alliance; BuzzFeed News

The International Holocaust Remembrance Alliance has a few paragraphs about this. Here's the beginning of the article:

The International Holocaust Remembrance Alliance (IHRA) would like to address the spelling of the term "antisemitism," often rendered as "anti-Semitism." The IHRA's concern is that the hyphenated spelling allows for the

possibility of something called "Semitism," which not only legitimizes a form of pseudo-scientific racial classification that was thoroughly discredited by association with Nazi ideology, but also divides the term, stripping it from its meaning of opposition and hatred toward Jews.

In another example, how would you index the following paragraph?

Instead, Canada is largely the result, to borrow Teme-Augama Anishnabai chief Gary Potts' words, of a "squabble between white men over land that doesn't belong to them."

Some people might index this under "land claims," but Greg Younging recommends using "Indigenous Title" instead of "land claim." The problem lies in the word *claim*, which implies a lack of ownership.

These are but a couple of examples of how we, as indexers, can do harm through our lack of knowledge. To be clear, we are **not** discussing a situation where the word is in the text. We are discussing a situation where we gather information and point to an element using a word that is not in the text.

This article is just the beginning of a discussion. If you have a particular term that you would like to discuss, bring it up at a regional or national meeting, write a query to the *Bulletin*, or start a thread on the ISC/SCI discussion list.

What ISC/SCI is doing:

- Jolanta Komornicka will be hosting a regular column in the Bulletin that will tackle particular issues. To contribute to this column, please contact Jolanta at jnk@closereadingie.com.
- As we find resources, we will be sharing them on the website.

How else would you suggest that ISC/SCI help indexers stay current on language change? Have you faced challenges when it comes to selecting culturally appropriate terms? Are there issues related to this topic that you'd like to see discussed? Please write to presidents@Indexers.ca to let us know your thoughts.

Note

1. Gregory Younging, Elements of Indigenous Style (Edmonton: Brush, 2018), 57.

ISC/SCI Conference 2022 Summary

Matthew MacLellan

The title for this year's ISC/SCI (Indexing Society of Canada/Société canadienne d'indexation) conference invoked themes of temporality. Titled "Past Perfect, Future Progressive," the 2022 conference seemed like an invitation to ask myself if the past of indexing is indeed perfect, and if our future will be progressive. The presentations at the conference helped me to answer both questions, but the answers to the second question are particularly optimistic for our lives as professional indexers.

This was a very strongly attended conference, which was encouraging to see for our second virtual conference in a row. We had 123 registered attendees, with participants from Canada and several other countries.

The first presentation—the keynote—was from Dennis Duncan, author of a trade book that traces the history of indexes: *Index, A History of the*. Dennis helped us to think about the deep history of indexing. His presentation walked us through examples of indexing practice at various points in our pre-modern history, but he didn't dwell only in the past perfect, however. Dennis also helpfully pointed out the future progressive as well, insofar as Google (and, by extension, other search engines) also performs indexing tasks.

Continuing in our discourse around temporality, the live text chat on Zoom was quite animated during our session with Alexandre Grandmaître on parliamentary indexing. Although my own indexing practice is focused on back-of-the-book indexes, Alexandre's presentation animated several topics for me around databases, vocabulary control, and taxonomies. Dr. Valerie Nesset's presentation on teaching indexing concepts dovetailed nicely with those topics.

Addressing our present moment of security vulnerabilities and being constantly connected to the internet, Bryson Pane gave the conference participants a helpful primer on account security, issues around privacy, and more.

Of course, presentations on indexing practice at a practical level were not absent from our conference experience. Devon Thomas delivered an extremely compelling presentation on her practice of marking up text before indexing it. Representatives from MACREX, Index-Manager, CINDEX, and IndexExploit gave brief but highly informative presentations on their respective software packages. And three seasoned indexers—Judy Dunlop, Stephen Ullstrom, and Gillian Watts—discussed their various working methods in a panel format.

In addition, we had time to socialize and network in the breakout rooms. I personally participated in conversations about term selection around sensitive topics, the importance of hardware/software backups, and differences between the various indexing software packages. I'm sure other topics were discussed as well.

Describing these topics in full brings me back to the title of the conference: "Past Perfect, Future Progressive." If I were to sum it all up, I would say we were reminded of the sturdy practices that constitute current indexing practice (software, indexing's relationship with library and information sciences) as well as the ways in which indexing as a career might become future-proof (pedagogy around indexing instruction, security on the internet).

As our second virtual get-together in a row, the 2022 ISC/SCI conference seems to have shown us that although we might be geographically diverse, there are core tenets that our professional concerns are organized around. This should help us to feel secure in the professional community that we share with each other.

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ASI Conference 2022: The Future of Indexing

by Margaret de Boer

The American Society for Indexing (ASI) conference was held online this year on April 29–30. A pre-conference workshop for new indexers and post-conference software workshops were also held.

The first full day began on a delightful note, with an engaging presentation by Paula Clarke Bain about indexing Dennis Duncan's book *Index, A History of the: A Bookish Adventure from Medieval Manuscripts to the Digital Age* (W. W. Norton, 2022). Paula first met Dennis Duncan at a conference, and preliminary discussions and collaboration began from there. They both recognized they shared similar personalities, wit, and sense of humour. Dennis said he wanted an experienced indexer and that someone with clout too would be helpful. Paula fitted the bill, as she was on the SI (UK Society of Indexers) executive.

It's clear that the intentional voice of the indexer is in this book. While as indexers we strive to offer an unbiased view, in this book wit, humour, and snarkiness abound throughout the index in a pleasing way. For example, note the humorous use of cross-references and follow the meandering path from "tail" and "hopeless quest." Under this main heading, a subheading points to the index itself:

Bain, Paula Clarke

non-robotic, superior index, 309-40

Or how about this one:

X, no entries beginning with

Paula included an introductory note explaining herself: "This index was created by Paula Clarke Bain, who is a professional indexer and a human being."

Paula discussed the contrast between the seriousness and the silliness in the index. She has provided a suitable balance, as the index is a joy to read itself and, importantly, provides a clear map to the contents. She said she did experience imposter syndrome, and she also felt anxiety and the pressure of peer reviews, feeling she might have taken a professional risk with creating this index. However, she need not have feared—it is a superb index.

The different book covers for the American, British, and Italian editions were explained. An Italian indexer worked with Paula's index, and the Italian cover uses

the index in the background. Most people prefer the UK cover over the US cover, as the American version is more "Google-focused" and less scholarly looking. A German edition is forthcoming. Unfortunately, the British and North American editions are not the same. Changes were made in the US text that caused errors in the index. Fixes will be made in future editions or for a paperback edition.

Paula noted the excellent reception of the book in the UK, with numerous press reviews and interviews with Dennis Duncan. I was drawn to his interview with John Lloyd, which is available on Youtube (https://www.youtube.com/watch?v=AXD5F-6RLB8).

To end, here's Paula's concluding joke in the index:

Z, z, z, "And so to bed"

Paula's talk was followed by a presentation on indexing in the age of automation, by Joshua Tallent, an expert in metadata and an acclaimed digital publishing teacher. He began by explaining the publishing process for a book, from the idea to the editing, design, layout, and cover design. Simultaneously, metadata marketing work is begun and printing quotes are obtained. Currently there are paper shortages, making it difficult for publishers to get all the books they want printed. These supply issues are related to shipping delays and paper mill production issues. It was encouraging to hear that print books and their indexes aren't going away soon, as sales increased 8 percent last year. The e-pub process itself hasn't changed too much, but it is taking longer and becoming more complex.

Keywords (i.e., indexes) are important for book sales. Different online platforms set limits to the number of characters for keywords. Indexers have an opportunity to promote the value of and need for an index by offering a keyword list to the publisher. Joshua affirmed that search functionality should be based on human-entered taxonomy. His main takeaway is that being able to adapt is more important than being able to predict. Change isn't

Next came John Coe's presentation on marketing your business. Marketing is about getting sales leads and growing your current clients; business growth comes mostly from current clients. (By the way, John recommends using the HubSpot marketing platform.) He summarized four

successful marketing components:

- 1. **Who are you targeting?** Is it production editors, academic editors, packagers, and/or authors? They all have different needs and wants. Do you have a unique proposition to offer them? For example, offer keywords for their online marketing campaigns. He suggests that indexers compile data on where to find contacts, publishing associations, for example. Keep your data current; otherwise it becomes of little value to any prospects.
- 2. **What interests and sells new clients?** Offer content such as sample indexes. Offer testimonials.
- 3. What communication methods are best? Use a blend of email, postal mail, and phone. Don't rely on just one method. Keep the subject line in emails concise. John feels that direct mail is having a revival, since email is becoming less effective.
- 4. Learn to write good copy that engages and sells. Putting a Post-it note on a direct mailing makes it more personal. Handwritten (legible and neat!) works best, and use a real stamp. Include something with your direct mail. Think creatively, and have some fun. Maybe add brownies (enjoy one and read my letter!) or a free pen.

Hubspot has information on how to leave an effective voice message when cold calling. Don't wait to generate leads. Do it regularly, be relevant, and target the right individuals. Place priority on the contacts you feel will yield results.

John's final thoughts: Grow your current clients. Thoughtfulness and kindness work. Referrals come from satisfied clients.

The next presentation was from Fred Leise, an experienced indexer and ASI member, who explained how to improve the index-editing process by following a checklist. Fred edits in a day or two, then lets the index "rest" for a day or two before editing. He recommends making a backup copy of the index before you begin to edit. It's helpful if you delete something and later find out you need to add it back in.

The order of the editing process matters:

- 1. Review and adjust all the entries you marked as requiring attention.
- 2. Normalize entries for similar headings. Find the best heading to use and get rid of extraneous subheadings.
- 3. Check index length and adjust according to the publisher's requirements.

- 4. Read the headings one by one. Are they clear and concise? Reword as necessary. Don't look at subheadings during this step.
- 5. Look for multiple headings that begin with the same word and find the most general term. Use compound headings when necessary.
 - 6. Validate heading style.
 - 7. Verify double postings.
- 8. Review subheadings. Remove extraneous words and ensure that subs use consistent style throughout.
- 9. Verify that cross-references lead to legitimate targets. Indexing software will do this too.
- 10. Verify "see" and "see also" placement for cross-references.
- 11. Make subheadings for long strings of undifferentiated locators. To avoid long strings, it's a good idea to make a habit of indexing in pairs from the start (heading and subheading).
 - 12. Fix unruly locators.
- 13. Review index in page-sort order to validate that nothing has been missed from the text. Look for erroneous locators past the maximum length of the book. Confirm style for notes and illustrations, etc.
 - 14. Fix any overlapping page ranges.
 - 15. Confirm publisher's style.
 - 16. Spell-check.
- 17. Use the validation tools that come with your indexing software.
 - 18. Take care of editor/author queries.
 - 19. Read the entire index—every word from A to Z.

The second day of the conference began with Melanie Gee, an SI indexer and "metatopic muser." Via a survey, she explored how indexers from the UK and the US treat the metatopic. She found that there isn't one correct approach, as it depends on the content. She gave numerous examples of different approaches—simple, multiple, multifaceted, nebulous—and also dealt with the absent metatopic.

Melanie had initially thought that British and American indexers differed in their treatment of the metatopic, but her survey found this not to be true. Do people explicitly write down the metatopic? Some do, but most didn't. There was lively discussion in the chat during the presentation, indicating the array of opinions on this topic. We were given much food for thought, and it sounds like this discussion will continue for some time.

Connie Binder presented next on indexing children's books. She offered important tips when indexing for

children:

- Index the glossary.
- Index poop!
- Keep it simple, so don't use subheadings.
- Avoid page ranges, as kids may see them as math.

Connie also gave marketing tips on how to find work indexing children's books:

- · Work your network.
- · Let your clients know.
- · Update your online presence.
- Monitor Literary Marketplace and Publisher's Weekly.
- Research and use direct marketing to children's book publishers.

Then followed a presentation by Maria Sullivan, on upcycling an existing index to create an index for a new edition. What kinds of books are good candidates? Well-structured books are best, such as textbooks, legal publications, manuals, cookbooks, and books that have undergone partial editing—for example, reflow, scattered changes, or minor additions. The old index should be a good index to work with, with a strong structure.

Extensive preparation is very important. Discuss with the publisher and vet the old index (ask for the previous edition and understand exactly where the changes are). You are the index engineer as opposed to the index creator. Analyze and compare. Find out what's similar and what has changed.

Maria's tips for methodology included working chapter by chapter, by page sort, or from scratch, making use of auto-complete. Flag or label all entries that need changes or add 1,000 to their locators—this will flag them as beyond the maximum number of pages for the book, showing you which ones to fix. A pitfall of revising an index is that clients think it should be less expensive, assuming that it's less work than it really is. They may say there aren't many

changes ... but you know there are!

The final presentation of the conference was about accessible content. The speakers were Bill Kasdorf, a publishing consultant active in the W3C and EPUB 3 community, and Caroline Desrosiers, owner of Scribely and a creator of image descriptions.

Bill Kasdorf spoke about how EPUB 3 has become the recommended format for interchange of accessible content for those who need and navigate with assistive technology. It's reflowable and you can change font and font size, line spacing, and colour. Your phone can speak along with it and synch text and audio. These features were designed to improve accessibility for those with visual, physical, or cognitive disabilities.

Bill said that the full content of a print book should be accessible. Therefore, indexes and image descriptions need to be included. A standard requirement should be to link page-break markers and index locators (as some publishers do). Find further details about publishing and reading accessibility at The Daisy Consortium, https://daisy.org.

Caroline Desrosiers explained the process of creating image descriptions for print-disabled users. The conversation centered on exciting new possibilities for indexers to create alternative text, using their existing skill sets. Indexers are encouraged to learn more at https://www.scribelytribe.com.

The conference covered many topics and proved to be a worthwhile two days of listening and learning. While it was held online, that didn't detract from the connections and sense of community among indexers. I encourage everyone to register next year. You won't be disappointed! Whatever you take away from it, your registration fee will translate into a return on your investment: increased knowledge and new opportunities and contacts.

Association of Southern African Indexers and Bibliographers Conference

By Margaret de Boer

The Association of Southern African Indexers and Bibliographers (ASAIB) held a two-day conference on May 19–20, with the first day focused on abstracting and bibliography. The second day focused on indexing and all things digital. Given the very early hour in Canada, I attended two sessions on the second day.

Karien Hutchison, an educational publisher, spoke about indexing in the ever-growing digital publishing world. From the publisher's point of view she identified the problems with digital publishing:

- having to develop the print version first, then the digital
- misunderstanding the value of an e-index
- · avoiding changes to current workflow
- sourcing trained e-indexers

In addition, publishers in South Africa are under financial strain.

Karien suggested new steps going forward:

- Evaluate all options and determine the best value.
- Use a digital-first product, and better understand the e-pub workflow and the skills required.

- Set e-pub standards.
- Adapt the publishing workflow to incorporate e-indexing and end-user needs.

Dr. Elizabeth Du Toit, a specialist librarian at the University of Johannesburg, spoke about the importance for embedded librarianship, where the embedded librarian is considered to be the virtually integrated information expert. We live in a knowledge-driven society. We have shifted from traditional ways to modern information networks where information is accessible anytime, anywhere, and where you need to anticipate user needs. Digital libraries must have ease of access and precise retrieval systems. She explained methods of retrieval and the considerations of natural language versus controlled vocabulary in searches.

ASAIB is a smaller association, with 23 participants in attendance at its conference. The atmosphere was welcoming, and while our countries are far from each other, we are connected closely by the commonalities we have as indexers. We are all in good company together.

Awards

Indexing Society of Canada Announces 2022 Tamarack Award Recipient

The Indexing Society of Canada / Société canadienne d'indexation (ISC/SCI) is pleased to announce the 2022 recipient of the Tamarack Award. Lisa Fedorak (Vancouver) is being recognized for her contribution and commitment to the society.

Lisa was chosen for her warmth, her diligence, and her independent spirit. Lisa's colleagues had the following to say about her:

I wanted Lisa to be given the Tamarack Award to acknowledge her courage and stamina. Through Lisa's initiative and her untiring efforts, we are on a path to becoming better at our business.

Lisa is highly conscientious and has donated an enormous amount of energy to the ISC/SCI. Lisa is a team player who is always doing what she can to make things better for others.

[Lisa] is someone in the world you're so grateful to have crossed paths with, and I appreciate her gifts of compassion, human values, and warmth.

Co-Presidents Alexandra Peace and Tere Mullin said: "We are thrilled to present this award to Lisa, and we are honoured to have her as a member of our society. Thank you, Lisa, for all you have given to the society and its membership."

The Tamarack Award was instituted to recognize members who go "above and beyond the call of duty" in their volunteer work for the Society. Past recipients can be found on the website here: http://indexers.ca/isc-awards/

Tere Mullin and Alexandra Peace, Co-Presidents ISC/SCI



Lisa Fedorak (left) receiving Tamarack Award.
Photo provided by Margaret de Boer.

Prix et récompenses

La Société canadienne d'indexation dévoile la récipiendaire du prix Tamarack 2022

a Société canadienne d'indexation / Indexing Society of Canada(SCI/ISC) est heureuse de dévoiler la récipiendaire du prix Tamarack 2022. Il s'agit de Lisa Fedorak (Vancouver), en reconnaissance de sa contribution et de son dévouement à l'association.

Lisa a été choisie pour sa chaleur, son zèle et son esprit libre. Voici ce que ses collègues ont à dire sur Lisa :

J'ai voulu que Lisa reçoive le prix Tamarack en reconnaissance de son courage et de son endurance. Grâce aux initiatives et aux efforts inépuisables de Lisa, nous sommes sur le chemin de l'amélioration de notre entreprise.

Lisa est très consciencieuse et a donné une somme colossale d'énergie à la SCI/ISC. LIsa est une joueuse d'équipe qui fait toujours ce qu'elle peut afin que les choses aillent bien pour les autres.

Lisa fait partie des personnes sur la planète dont on est heureux d'avoir croisé le chemin, et j'apprécie ses dons de compassion, ses valeurs humaines et sa chaleur.

« Nous sommes ravies d'offrir ce prix à Lisa, nous sommes très honorées de la compter parmi nos membres » ont déclaré Alexandra Peace et Tere Mullin, co-présidentes de la SCI/ISC, en ajoutant : « Merci, Lisa, pour tout ce que tu as offert à notre association et à ses membres ».

Le prix Tamarack a été créé en l'honneur des membres qui « vont bien au-delà des attentes exigées par leurs fonctions » dans leur travail de bénévolat pour la Société. Les noms des récipiendaires du prix Tamarack sont en ligne sur le site de la SCI à : https://indexers.ca/fr/isc-awards-2/

> Tere Mullin et Alexandra Peace, Presidentes SCI/ISC



Tamarack photo note: We were unable to find the owner of this photo to give them credit. If this is you, please contact us.

Focus on: Lisa Fedorak

How long have you been indexing?

Since 2019.

How long have you been a member of ISC/SCI?

Since 2019.

Where did you get your indexing training?

The UC Berkeley online course.

Which indexing software do you use?

CINDEX and Index-Manager on a Mac. For macros I used Keyboard Maestro, as Megabit Macros aren't compatible with CINDEX on a Mac. I flip between Adobe Acrobat Reader and Preview for PDFs.

What did you do before you started your indexing career?

I am a contemporary artist and that used to be my career. For a day job, I began to work at a non-profit and found myself being promoted or recruited to increasingly senior positions. As I moved up I continued learning about business, collecting certifications and formal training along the way in human resources, fundraising, book-keeping, and non-profit financial management. I stopped exhibiting in the mid-2000s as I began to focus on my managerial career. In 2019 I shut down my studio practice.

Do you see these things as having any relation to indexing?

Yes. My art practice was text-based, revolving around language and making meaning from imposed rules or systems.

What was it that attracted you to indexing? Why did you think it would be a good fit?

In searching for a new career, I had determined that I wanted to be self-employed and able to work while travelling. The former because at that time I had chronic migraines and couldn't work regular hours. The latter because my father lives outside of Canada and portability would allow me to visit him for extended periods of time. During my search I was investigating careers related to writing; I saw an indexing course as part of an editing program and realized I'd found a good fit.

What do you hope to do next that isn't related to indexing?

I've started sewing for the first time in ages and am enjoying it. Moving to a quieter part of the province with enough space to accommodate a piano, becoming a better curler, and some travelling are near the top of my list.

What is the craziest thing you have ever done in your life?

Well, it depends on what one considers crazy! I travelled around Europe and Japan working as a fashion model when I was in my early 20s. There are stories of some precarious situations with a camera pointed at me where I'm hanging off the side of a grain elevator or in the middle of traffic in Tokyo, as well as nightlife escapades.

What other sorts of things do you like to do?

I like to work with my hands and colour (knitting, sewing, dyeing textiles, baking), and reading fiction.

What index was the most fun to work on?

Beginning with the Seventies, ed. Lorna Brown, Greg Gibson, and Jana Tyner (Vancouver: Morris and Helen Belkin Art Gallery, UBC, 2020). Lorna Brown had been a mentor to me, and local artists, in my early non-profit arts career.

Do you have any thoughts that you would like to share about ISC/SCI?

The ISC/SCI community is a supportive, sharing, and caring group of intelligent people. When I began to volunteer, I was extremely impressed by the Society, as people step up to the plate and get the work done that needs to be done. Having worked for a number of volunteer boards in my non-profit career, it is truly amazing the quality and volume of work that gets done.

Do you have any advice specifically for new indexers?

For freelance indexers, do a business plan and pay attention to the areas of being a business owner that you don't want to do or think about, as those are likely the areas you need the most help with. It truly is different writing down your plan as opposed to just thinking about it.

Volunteers Needed, Summer 2022

Alexandra Peace

Thank you as always to all the volunteers who devote time and energy to the Society. We all benefit greatly from it. We have need of several volunteers, so if you've been thinking about getting more involved in the Society, this is a great opportunity. If you are unable to volunteer at this time, no worries!

Conference 2023

Yes, unbelievable as it is, we are starting to think about next year. And (cross your fingers, nose, and toes) it might even be in person. This is a committee of six people, each with their own tasks, who come together to make decisions as a collective. Team players need apply!

Conference 2023 Scholarships

Along with the excitement of an in-person conference comes the realization that we need to start thinking about travel and accommodation costs. The Society thinks that attending the conference is important in the career of a new indexer; therefore we are subsidizing some travel expenses. If you don't plan to apply for this scholarship, please help us decide who will! This is an ad hoc committee, so the duties will be finished even before the conference has begun.

New Indexer Resource Committee (NIRC)

This is a brand-spanking-new committee. It started as an ad hoc committee, but its members have requested that it become a standing committee. We now need a few volunteers for this. If you feel creative and enjoy writing, this is the job for you. Conversely, if you (like me) can't write your way out of a paper bag but enjoy editing and proof-reading, the committee needs you too! This is a good volunteer position for either an experienced or a new indexer.

Social Media Committee

We have someone at the moment (thanks, Jess!) who

is posting what's given to them by the communications director, but we really need a few people to be on a committee to determine what to say and when.

Outreach

ISC/SCI has the ability to get the word out about itself, and learn about related organizations, through events such as WOTS (Word on the Street) and FOLD (Festival of Literary Diversity). However, we need someone to organize our presence at these events—to keep track of when they are, who is going, and what they need—and we need some people to attend the events.

Webinars

We have a webinar coordinator and someone else with good ideas. However, the committee could use a nuts-and-bolts person to help with registration forms, payment options, and so forth. If you like those sorts of details, the committee would be grateful for your contributions. We could also use a host to welcome the presenter and facilitate the webinar in real time.

Ad Hoc Committees

Often when the executive committee is meeting, we come up with an idea for something we think will benefit the Society, and form an ad hoc committee to do the research and come back with a recommendation. It's great if we can find Society members who are not on the executive committee to belong to those committees. If you would like to help somehow and are not excited by any of the above possibilities, please consider volunteering for an ad hoc committee. You are under no obligation to be on any of them; I just email to ask once in a while and you can decide whether you think a particular committee might work for you.

Please contact <u>presidents@indexers.ca</u> to find out more about these volunteer positions.

A Monument to the end of Bookishness

written by Barbara Cuerden, photos by Karina Kraenzle

oes the scanning activity of online reading reach only surface depths? Skipping on and offscreen, scanning sideways, sliding down under or even deeply, the hyper of hypertext transfer protocols and 'https' take you outside yourself to external realms, under glass, away from where you 'are' - then back again. Command click, or double click, are there enough live link dimensions to re-construct a monument (built from books)?

Grounded in a backstory of material culture, and having abandoned "thumbing" through books, with no-longer handwritten marginalia, cracking the spines, or dog-earing pages "earmarked" where eyes have scored a treasure, the escape from materiality lingers as physical loss. Eyes sliding over a screen is an act of differently slippery sensations. The sense of loss of three-dimensional physical reality led artist Karina Kraenzle and I to construct a "Monument to the End of Bookishness" built out of

discarded books. In the countryside outside of Perth, Ontario, created from a thousand books, our mute 'Tower of Babel' was gathered, struggled with, collected, amassed, transported and installed by us in a pine forest at the Fieldwork eco-art site. This was our ultimate book return, back to the (tree) gods that made them.

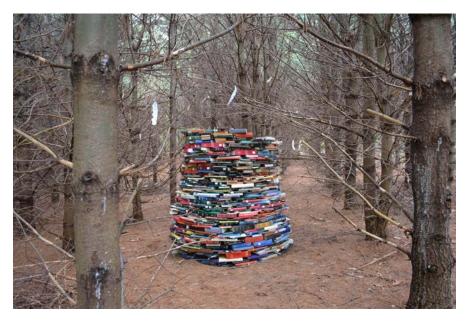
As a professional indexer for scientific research, as well as being an artist, it's my daily occupation to work with books, texts, records, and digital files on and off the screen. A call for articles about books called me to reflect on "...books... bought, inherited, given away, stolen, returned, used to level table legs, prop open doors..." and, as immediately came to mind, books as building materials.

An index re-builds the content of the book it serves through networks of words. Eyes scan a paper index much like a screen. Useability and browse-ability pertain to its structure. The spaces contained in an index act as neural synapses. We jump from one thing to another re-constructing meaning, through an alphabetized wordlist. As an artist and as an indexer, I've noticed that a great index feels like a work of art; it's a code for something culturally deeper, unfolding a lineage of related works and words.

From the indexer point of view, the backbone of an index reveals itself as you build from the content, which I feel is akin to the limitations of artist materials. Maybe three-quarters through the book matter, cross-references, and page locators, a pattern emerges whereon you can hang most of the terms. It literally starts to "make sense," sometimes in ways the author did not foresee. Something new emerges when you get down to the DNA, or you read in-between the lines.

Through a pared down index that includes links to external other sites, I invite the reader to re-construct the book monument (referred to on the website as "Still Voices"). You can slip your eyes over this spinal column of index entries, using hyperlinks as page locators, and in the meantime ask: can our internally created spaces be three-dimensional as well?

The original article appeared in On Site Review, issue #40 (page 20) "The Architect's Library" with a link https://onsitereview.ca/



INDEX academic research art, installation artists Barbara Cuerden Karina Kraenzle blog, See https://stillvoices.weebly.com/blog/ the-site books library number of (1,000) bookstores browse $\overline{}$ catalogue Cindex, indexing software. See https://www. indexres.com/cindex creaturality Cuerden, Barbara (artist) See https://creaturality. wordpress.com/2013-2/ curation, see https://stillvoices.weebly.com/blog/ category/eco-art \square donations eco-art, see also Fieldwork eco-pedagogy, see also Jardine encyclopedias environmental art fiction Fieldwork, See https://www.facebook.com/ fieldworkproject/ See also https://stillvoices.weebly.com/blog/ category/fieldwork Frameworks (Ottawa International Writer's Festival) See https://stillvoices.weebly.com/blog/ frameworks-writers-festival-event G givens, the Н hardcovers hyperlinks Illich, Ivan (1996) In the Vineyard of the Text See also https://thefrailestthing.com/2010/12/28/inthe-vineyard-of-the-text/ indexer, See https://www.index-s.com/ influencers, See: Illich, Ivan; Jardine, David

Barbara Cuerden is an artist and a professional indexer. She lives in Ottawa, Ontario and works for the International Development Research Centre (IDRC) digital library.

installation See https://stillvoices.weebly.com/

Karina Kraenzle is a photo-based artist living and working in Ottawa. Using original and found photography, and occasionally other ephemeral materials, she creates series as well as site-specific installations. blog/archives/04-2014 intertextuality, see https:// stillvoices.weebly.com/blog/fieldworkproject-2014-poetry-reading-live-books

Jardin de Métis, see https://www.ledevoir.com/opinion/idees/295779/controverse-sur-l-usage-de-livres-aux-jardins-de-metis-le-cycle-de-vie-du-livre

Jardine, David (2000) "Unable to Return to the Gods that Made Them". See https:// www.taylorfrancis.com/chapters/ edit/10.4324/9780203826133-44/ unable-return-gods-made-david-jardine

Kraenzle, Karina (artist). See https://www.karinak-

raenzle.com/

L libraries M material culture

monuments

0

Osler, Susie (artist). See Fieldwork

naper

Perth, Ontario

pine forest

R

reading

S

Still Voices See website https://stillvoices.weebly.com/blog/category/site-work

texts

W

words, on the land *See* https://stillvoices.weebly.com/blog/fieldwork-words-on-the-land
Writer's Festival *See* https://stillvoices.weebly.com/blog/frameworks-writers-festival-event





Derivative Works and Unauthorized Indexes. Part 1: Derivative Works

by Donald Howes

Introduction

Indexes share with adaptations and translations¹ the distinction of being derivative works² in which copyright subsists.³ In cases where the copyright holder creates the derivative work, or has authorized another individual to create that work, there is no conflict between the holders of copyright in the underlying and derivative works. But is that the case when the creation of the derivative work is unauthorized?

Consider the following hypothetical case:

Alex is an author who publishes a non-fiction book that is lacking an index. After publication, Isabel, who is a professional indexer, purchases a copy of the book. Isabel creates an index for Alex's book, which she then posts on her website, where visitors can view and download the index. Has Isabel infringed⁴ Alex's copyright?

This is something many indexers (myself included) have done, as a way to showcase their skill to potential clients early in their careers.

Note that these two articles (this and the following article on unauthorized indexes) are unavoidably theoretical in scope and somewhat speculative in tone. There is limited case law that addresses derivative works,⁵ so precisely how the relevant sections of the *Copyright Act* would be interpreted is not yet settled. However, modern scholarship in the field of translation studies, and that of adaptations more generally, advances positions vis-à-vis copyright that have potential applicability to indexes.

Derivative Works

William Braithwaite defines a derivative work as:

the contribution of further creative effort to an existing intellectual product to produce a new and different intellectual product. This new creation is known in copyright law as a "derivative work." ... A derivative work, by definition, involves a second tier of creative effort superimposed upon that of the underlying author.⁶

Braithwaite recognizes three instances in which a derivative work may be created:

first, where the underlying work is in the public domain, that is, the underlying work is not or no longer is, the subject of copyright; second, where there is copyright in the underlying work and the owner of the copyright produces the derivative work; and third, where the derivative work is produced by someone else, with or without the permission of the owner of the copyright in the underlying work.⁷

While derivative works are afforded copyright protection,⁸ only the creation of a derivative work without permission of the copyright owner is problematic, since s. 3(1) of the *Act* gives the copyright holder the sole right to "produce or reproduce the work or any substantial⁹ part thereof in any material form whatever."

In this case, the question to be answered is—does an unauthorized index constitute the reproduction of a "substantial part" of the underlying work?

Translations

During the 18th and early 19th centuries, translations were acknowledged not only as works that deserved copyright protection, but also as original works that did not infringe the copyright of the underlying source text.¹⁰ This changed in the mid-19th century with the development of a new conceptual paradigm of copyright and the concomitant development of a new idea of authorship.¹¹ These changes are reflected in **the Berne Convention**¹² and, in fact, were a major catalyst for the creation of the **Convention**.¹³

In article 2(3), the **Convention** lists translations as protected original works: "Translations, adaptations, arrangements of music and other alterations of a literary or artistic work shall be protected as original works without prejudice to the copyright in the original work." As Tong points out, the phrase "original work" has two distinct senses in this article: "first, that translations are to be considered on the same footing as other works protected under the Convention; and second, that they are nonetheless to be considered derivative (i.e., non-original) in relation to an antecedent work that is translated."¹⁴

Additionally, article 8 of the **Convention** treats the right of translation as follows: "Authors of literary and artistic

works protected by this Convention shall enjoy the exclusive right of making and of authorizing the translation of their works throughout the term of protection of their rights in the original works." There is an inherent contradiction here—between the originality of a translation, on the one hand, and the right of the author of the source text to control the creation of that translation.¹⁵

This contradiction is reflected in the Canadian *Copyright Act*, where the definition of "every original literary, dramatic, musical and artistic work" lists translations as a separate class of work in which copyright subsists. But the *Act* also gives the copyright owner the sole right "to produce, reproduce, perform or publish any translation of the work."¹⁶

Attempts to resolve this contradiction is one of the driving forces in translation studies.¹⁷ As Basalamah has stated,

On the one hand, the language (the form) of the work changes, and, on the other, the work passes from one set of culturally-influenced potential interpretations or readings to another, thereby adding a supplementary dimension to the original. The resulting translation necessarily escapes the original's interpretative determinations ... how can the original remain present within the translation, when the change in language constitutes a major change in form, and it is the form alone—the expression—which is protected under copyright?¹⁸

Venuti also comments on this contradiction:

since authorship here is defined as the creation of a form or medium of expression, not an idea, as originality of language, not thought, British and American law permits translations to be copyrighted in the translator's name, recognizing that the translator uses another language for the foreign text and therefore can be understood as creating an original work ... In copyright law, the translator is and is not an author.¹⁹

Taken to its logical conclusion, attempts to solve this contradiction have allowed some scholars in translation studies to advocate the position that a translation is a distinct original work.²⁰ This work is related to, but not dependent on, the underlying source text.²¹ Tong takes a more centrist path, advocating a distributed approach to originality and authorship.²² He states:

It is in this light that the duplicity of the term "original" in Art. 2(3) Berne Convention should be properly understood. There is no necessary contradiction in the proposition that a translation is and is not an original, or that a translator is and is not an author at the same time, if we understand authorship and originality not as bounded

concepts but as distributed ones. The paradox on the face of the language should not prevent us from acknowledging that copyright law does afford translation and translators their own tier of originality/authorship.²³

Adaptations

In a similar vein to the scholarship on translations, van Eechoud holds that adaptations should be considered as a general category of work and something distinct from copies (reproductions): "I use adaptation as the more general term that covers the realm beyond mere direct copying, that of the reworking of works whether in text, image or sound. When I speak of 'copying' it refers to taking verbatim or literal parts." ²⁴

The rights of reproduction and adaptation are explicitly granted to the copyright holder in the *Copyright Act*.²⁵ However, the act of creating an adaptation may create a situation where the relationship between the source and the adaptation is complex and hard to define. The distinction between copying (reproduction) and adaptation is important for two reasons:

The first is that copying does not give rise to new rights, whereas the making of an adaptation often will. Standards of originality required for copyright protection are low, so the adaptation will qualify as a protected work itself. The second reason is that copying without permission—in whole or in part—will normally infringe whereas creating something on the basis of another work without literal copying might not.²⁶

When an analysis is being made as to whether copyright has been infringed by an adaptation, the following holds:

To lawyers, adaptations are not about what is lost, but about what is not lost ... The predominant view in law is that what matters is how much has been taken, not how much has been added²⁷ ... when courts are called upon to decide whether a work is original, they tend to consider the creative space that was available to the author in the case at hand. If such space existed, the work is judged to be original. No particular comparison is made with other creations to ascertain originality, the existence of creative space suffices. If on the other hand courts are asked to judge whether a work infringes, they will compare the later with one very specific earlier work.²⁸

Canadian courts take this holistic approach to the determination of infringement. This also explains how a derivative work can potentially be simultaneously both original and infringing.

Afterword

The two questions posed above—whether an unauthorized index constitutes a "substantial part" of the source work, and whether an unauthorized index infringes the copyright of the source work—will be answered in Part 2: "Unauthorized Indexes."

Acknowledgements

I would like to thank Dr. Michael Geist (Professor, Faculty of Law, University of Ottawa), who suggested I examine the legal status of derivative works and explore their relationship to indexes. I would also like to thank Dr. Graham J. Reynolds (Associate Professor & Associate Dean, Research and International, Peter A. Allard School of Law, University of British Columbia), who provided comments on an earlier version of this article. Any errors here are, of course, my own.

About the Author

Donald Howes is a freelance indexer who provides back-of-book and embedded indexes for a diverse clientele. You can reach him through his website (www.dhindexing.ca) and by email at dwhowes@shaw.ca.

Notes

- 1. The Copyright Act (Canada, Copyright Act, R.S.C., 1985, c. C-42, https://laws-lois.justice.gc.ca/eng/acts/c-42/fulltext.html) does not define either adaptation or translation, but s. 3(1)(a)–3(1)(e) lists the sole adaptation rights held by the copyright owner, including translation. As a comparison, UK copyright law (Copyright, Designs and Patents Act 1988, https://www.legislation.gov.uk/ukpga/1988/48/contents) in s. 16(1)(e) grants the exclusive right to create an adaptation, while s. 21(3)(a)(i) defines a translation as an adaptation in respect to literary and dramatic works; US Copyright Law (Copyright Act of 1976, 17 U.S.C., https://www.copyright.gov/title17/title17.pdf), in 17 U.S.C. §106(2) grants the copyright holder the right to create derivative works, and 17 U.S.C. §101 defines derivative works to include translations.
- 2. The Canadian Copyright Act (see note 1, above) does not define or directly address derivative works. However, many of the sub-sections of s. 3(1) enumerate sole rights that are derivative in nature. US copyright law (17 U.S.C § 101) defines a "derivative work" very broadly:

A "derivative work" is a work based upon one or more preexisting works, such as a translation, musical arrangement, dramatization, fictionalization, motion picture version, sound recording, art reproduction, abridgment, condensation, or any other form in which a

work may be recast, transformed, or adapted. A work consisting of editorial revisions, annotations, elaborations or other modifications which, as a whole, represent an original work of authorship, is a derivative work.

While UK copyright law does not define "derivative work," the UK copyright service does: "A derivative work is a work that is based on (derived from) another work; for example a painting based on a photograph, a collage, a musical work based on an existing piece or samples, a screenplay based on a book" (UK Copyright Service, Fact Sheet P-22, "Derivative Works," https://copyrightservice.co.uk/copyright/p22_derivative_works), and holds that derivative works can be produced only with permission of the copyright holder. Note that this is at odds with the narrow definition of literary adaptations as defined in the Act, where literary adaptations are restricted to translations, dramatizations, and the conveyance of the story wholly or in part by pictures; Copyright, Designs and Patents Act, s. 21(3)(1)(i)-(iii).

- 3. See Donald Howes, "Canadian Copyright Law and Indexing," ISC/SCI Bulletin 43, no. 3 (2021): 19–23, https://tinyurl.com/mr2hnpz3, for an examination of the copyright status of indexes under Canadian copyright law.
- 4. Under Canada, Copyright Act, s. 2, "infringing means: (a) in relation to a work in which copyright subsists, any copy, including any colourable imitation, made or dealt with in contravention of this Act." There are additional definitions that cover performance, sound recording, and telecommunications that are not relevant here. Merriam-Webster defines colourable as "having an appearance of truth, validity, or right," https://www.merriam-webster.com/dictionary/colorable#legalDictionary.
- 5. See Théberge v. Galerie d'Art du Petit Champlain Inc ([2002] 2 SCR 336, https://scc-csc.lexum.com/scc-csc/scc-csc/en/item/1973/index.do, at paras. 49, 56, 70–73); Beach v. Toronto Real Estate Board (2009 CanLII 68183 (ON SC), https://canlii.ca/t/26xg8 at para. 101; and Desgagné c. Groupe Ville-Marie Littérature inc. (2015 QCCS 5448 (CanLII), https://canlii.ca/t/gm810 at para. 52. The large majority of decisions that even tangentially involve derivative works are narrowly divided on whether contract or user agreement provisions governing the creation and/or distribution of derivative works had been violated. Those decisions deal mainly with contract, not copyright, law.
- 6. William Braithwaite, "Derivative Works in Canadian Copyright Law," Osgoode Hall Law Journal 20, no. 2 (1982): 191–231, http://digital-commons.osgoode.yorku.ca/ohlj/vol20/iss2/1, 192, 193.
- 7. Ibid., 193.
- 8. See Canada, Copyright Act, s. 5, for the conditions in which copyright will subsist in a work. I have previously shown that copyright subsists in an index as an original work (Howes, "Canadian Copyright Law"). Authorization (or its lack) does not effect that protection.
- 9. "Substantial" is not defined in the Copyright Act, making this an area of frequent litigation.

- 10. See Burnett v. Chetwood [1720] 35 Eng. Rep. 1008; 2 Mer 439, Millar v. Taylor [1769] 98 Eng. Rep. 201; 4 Burr 2303, Wyatt v. Barnard [1814] 35 Eng. Rep. 408; 3 V. & B. 77; and Stowe v. Thomas [1853] 23 F. Cas. 201. All these cases held that a translation was an original work in its own right and did not infringe the copyright of the source text.
- 11. Lee identifies this paradigm shift in copyright as a change "from the right to print a work (the Gutenberg Model) to the right to revenues generated by a work in the market (the Market Model)." As part of the actualization of this change, the idea of authorship also changes, so that "an original work is seen as authentic in that it ostensibly captures the author's thoughts and feelings directly, unmediated by transindividual determinants (linguistic, cultural, social) that might complicate authorial identity and originality ... The implication is that a translation is always of a derivative order and subsidiary status." This leads inexorably to the conclusion that an unauthorized translation is a violation of the copyright held by the author of the original text. Tong King Lee, "Translation and Copyright: Towards a Distributed View of Originality and Authorship", The Translator 26, no. 3 (2020):
- 12. Berne Convention for the Protection of Literary and Artistic Works, World Intellectual Property Organization, https://wipolex.wipo.int/en/text/283698.
- 13. Lee, "Translation and Copyright," 243-45.
- 14. Ibid., 251.
- 15. This contradiction arises because the word original is being used in both its legal and ordinary senses within these articles; ibid. A translation (like an index) can never be "original" in the ordinary sense, since it is based on a source text. Its legal originality "lies in the cognitive effort expended by a translator in rendering a text from one language into another. Cognitive effort is entailed in, for instance, the selection of specific words from among a range of candidates in the target language to translate corresponding words in the original text"; ibid., 251, citing Vaver. This language should sound very familiar to an indexer, as it echoes how we describe the index creation process. It also echoes the language used in the CCH decision (CCH Canadian Ltd. v. Law Society of Upper Canada, [2004] 1 SCR 339, https://decisions.scc-csc.ca/scc-csc/en/item/2125/index.do) for the determination of originality. See CCH, para. 16.
- 16. Canada, Copyright Act, s. 3(1)(a). To make matters even more confusing, translators are considered to be the authors and first holders of copyright in their translations; David Vaver, "Translation and Copyright: A Canadian Focus," European Intellectual Property

- Review 16, no. 4 (1994): 161, https://digitalcommons.osgoode.yorku. ca/scholarly_works/1250/. The acknowledgement of an independent copyright for translations is longstanding; ibid., 160.
- 17. Much of the recent criticism in translation studies of the relationship between translations and copyright takes a post-positivist and post-colonial perspective and can become quite forceful. See, for example, David Venuti, The Scandals of Translation: Towards an Ethics of Difference (Milton Park, UK: Routledge, 1998); The Translator's Invisibility: A History of Translation (Milton Park, UK: Routledge, 2003); Translation Changes Everything: Theory and Practice (Milton Park, UK: Routledge, 2013); and Contra Instrumentalism: A Translation Polemic (Milton Park, UK: Routledge, 2019).
- 18. Salah Basalamah, "Translation Rights and the Philosophy of Translation," in Translation: Reflections, Refractions, Transformations, ed. Paul St-Pierre and Prafulla C. Kar, 117–32 (Amsterdam: John Benjamins, 2007), 122.
- 19. Venuti, Translator's Invisibility, 8.
- 20. What was old is new again. These scholars are advocating a position that was held in British and American case law until the mid-19th century; see note 10 above.
- 21. See Basalamah, "Translation Rights," 122–23; and Venuti, Scandals of Translation, 62–66. See also Mireille van Eechoud, "Adapting the Work," in The Work of Authorship (Amsterdam: University of Amsterdam Press, 2014), 145–73, on adaptations in general.
- 22. Lee, "Translation and Copyright," 252-54.
- 23. Ibid., 253.
- 24. Van Eechoud, "Adapting," 147-48.
- 25. While the Copyright Act does not specifically name them as such, s. 3(1)(b) 3(1)(e) specify the adaptation rights reserved to the copyright holder.
- 26. Van Eechoud, "Adapting," 148 [emphasis added].
- 27. Canadian courts take a more holistic view of the determination of infringement than the EU and European national courts that van Eechoud studies in her article; see Cinar Corporation v. Robinson [2013] 3 SCR 1168, https://decisions.scc-csc.ca/scc-csc/scc-csc/en/item/13390/index.do, paras. 34–36, 41, 143.
- 28. Van Eechoud, "Adapting," 160 [emphasis added].

Announcements

ISC/SCI Diversity in Canadian Publishing Bursary for Indexers

It's that exciting time of year at ISC/SCI when the Inclusion, Diversity and Equity (TIDE) committee seeks another winner for our bursary. This bursary is part of a special program that aims to achieve equality of opportunity for aspiring indexers who belong to under-represented or marginalized groups. The recipient will receive tuition coverage for an approved educational indexing program, two years of ISC/SCI membership, including a listing in Find an Indexer, and entry into the Mary Newberry Mentorship program.

We have had three winners so far (and numerous people who won six-month ISC/SCI trial memberships) and are looking for our fourth!

Please let friends, family, and colleagues know about the bursary. The deadline to apply is August 31, 2022. To apply, visit our website at https://indexers.ca/tide-application/.

Thanks for spreading the word!

Crossword Solution

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Solution to Elephants Can Remember

by Heather Ebbs

In Agatha Christie's Elephants Can Remember, ex-Chief Superintendent Garroway says to the little Belgian detective, Hercule Poirot, "There is a proverb my grandmother used to repeat: **Old sins have long shadows**. Was the cause of death some long shadow, a shadow from the past?" Although the origin of the phrase is uncertain, its meaning is clear: Misdeeds can have consequences long into the future. That idea lies at the heart of many a piece of fiction.

Awards

2022 Ewart-Daveluy Indexing Award

The ISC/SCI will not be presenting the Ewart-Daveluy Indexing Award this year. While the committee is pleased with the number of submissions and the diversity of trade and scholarly books, we agreed unanimously that none of the indexes reach the level of excellence that merits the award.

All of the indexes do some things well. Specifically, most of the indexes are clearly structured and easy to navigate, include multiple and relevant access points, are clearly worded, and accurately map the contents of the text. These are qualities we expect in all professional indexes. All of these criteria and more are listed on the ISC/SCI website.

What we are looking for is that elusive quality of elegance. Elegance is that sense that there is an unusual clarity, a memorable ease of use, a succinctness, or even a strikingly simple presentation of difficult ideas. Another view of indexing elegance appears in the criteria for the ASI Excellence in Indexing Award: "Succinctness; the right word in the right place—even if the word isn't found in

the text; a certain 'charm'; visual appeal; a sense that the index contains exactly what it needs to, no more, no less; simplicity; grace."

We encourage indexers to strive for elegance. Take the extra time to go over the index once more. Tighten up the phrasing; search for the precise word, and imagine what readers might look for that you have not included. The index does not need to be perfect, but it does need to stand out. Give your index that final polish to make it shine!

Next year we will begin again to look for an elegant index. As you write indexes this year, look for that index that is almost there, the one that needs a bit more care, and then consider giving it the extra polish so that you can send it when submissions open in the fall.

Thank you to those who submitted indexes. As mentioned in the submission form, we will send summaries of our comments and suggestions.

Judy Dunlop, Co-ordinator, Ewart-Daveluy Indexing Award, Audrey McClellan, François Trahan, Stephen Ullstrom

Awards

Prix d'indexation Ewart-Daveluy 2022

a Société canadienne d'indexation (SCI/ISC) ne décernera pas de prix Ewart-Daveluy cette année. Le comité est heureux du bon nombre de candidatures reçues et de la diversité des ouvrages commerciaux et scolaires, mais est unanime sur le constat qu'aucun des index présentés n'atteint le niveau d'excellence que ce Prix récompense.

Tous les index reçus remplissent plusieurs fonctions correctement. Plus précisément, la plupart sont structurés clairement et sont faciles à utiliser, incluent de multiples points d'accès pertinents, sont rédigés clairement et rendent compte adéquatement du contenu du texte. Ce sont des qualités attendues de tout index professionnel. Tous ces critères et plusieurs autres sont mentionnés sur le site de la SCI/ISC.

Or nous sommes en quête d'une qualité supplémentaire subtile, celle de l'élégance. L'élégance correspond au ressenti devant une clarté exceptionnelle, une facilité d'utilisation hors du commun, la concision, voire la présentation remarquablement simple d'idées complexes. Une autre manière de définir l'élégance en indexation est présente dans les critères du prix d'excellence en indexation de l'ASI (American Society of Indexing) : « la concision; le bon mot à la bonne place, même si le terme n'est pas

présent dans le texte; un certain "charme"; une attirance visuelle; l'impression que l'index contient exactement le nécessaire, ni plus ni moins; la simplicité; la grâce. »

Nous encourageons les indexeurs et indexeuses à s'efforcer d'atteindre l'élégance. Prendre un temps supplémentaire pour parcourir encore une fois l'index. Resserrer le phrasé, trouver l'intitulé précis et imaginer quels lecteurs pourraient rechercher ce que vous n'avez pas inclus. L'index n'a pas besoin d'être parfait, mais il doit se démarquer. Donnez à votre index le poli final pour qu'il brille!

L'an prochain nous allons de nouveau être en quête d'un index élégant. Lorsque vous créerez vos index cette année, recherchez cet index qui n'en est pas loin, celui qui a besoin d'à peine plus de soin, et envisagez de lui donner ce poli supplémentaire qui fera que vous pourrez l'envoyer à la période des candidatures à l'automne.

Merci à tous ceux qui ont soumis un index. Comme le formulaire de candidature le mentionne, nous allons envoyer des synthèses de nos commentaires et suggestions.

Judy Dunlop, coordonatrice, Prix d'indexation Ewart-Daveluy, Audrey McClellan, François Trahan, Stephen Ullstrom

Obituary

Anne Taylor-Vaisey (1947–2022)

Anne Taylor-Vaisey (1947–2022) died in March of this year. As president of ISC/SCI (IASC at that time) from 1993 to 1995, she was energetic and engaged, a pleasure to work with. While serving as president, she was also at the University of Toronto's Office for Continuing Medical Education and contributed to the indexing of medical literature. In 2001 Anne started as a reference librarian with the Canadian Memorial Chiropractic College. In its tribute to Anne on the Index to Chiropractic Literature Facebook page, the College notes that she "was instrumental in keeping up the success of the Index to Chiropractic Literature." She continued to serve on the editorial board of the Index past her retirement and was appointed editor in 2018.

Anne had a lively interest in her profession and in medical research. She served as president of the Toronto Health Libraries Association and was cited as co-author on numerous publications. In 2012 Anne joined the Institute for Disability and Rehabilitation Research (IDRR) as a research associate, and she was still contributing to IDRR up to January of this year. In early 2022 the Society for Academic Continuing Medical Education awarded Anne a Presidential Tribute for her decades of service. Her passing after almost two years of cancer treatment leaves Anne's husband, Bob, their three children, her siblings, and extended family in mourning.



Anne Taylor-Vaisey. Photo provided by Ontario Tech University

Membership

ISC/SCI MEMBERSHIP REPORT, JULY 17, 2022

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21

Julia White, Membership Secretary

As of July 17, 2022, we have 133 memberships. Since the previous report in March, fifteen new members have joined or rejoined.

Within Canada	109
British Columbia	20
Alberta	12
Saskatchewan	3
Manitoba	0
Ontario	52
Quebec	12
New Brunswick	5
Nova Scotia	4
Prince Edward Island	1
Newfoundland and Labrador	0
Outside Canada	24
Australia	1

Membership types

United Kingdom

United States

India

Individual	126
Basic	41
Listed	79
Student	2
Emeritus	4
Institutional	7
British Columbia	1
Alberta	1
Saskatchewan	1
Ontario	3
Outside Canada	1

New Members

The following members have joined, or rejoined, since the previous report.

Michelle Braiden, Basic; Montreal, QC Susannah Buehler, Listed; Toronto, ON Caitlin Christie, Basic; Fredericton, NB Jannaya Friggstad Jensen, Basic; Victoria, BC Gavin Goodwin, Basic; Sackville, NB Sarah Kahale, Basic Trial; Victoria, BC Jude Klaassen, Basic Trial; Montreal, QC Janice Logan, Listed; Victoria, BC Teri Morrison, Basic; Tiny, ON Susan Morton, Basic; Riverview, NB Linda Presto, Basic; Shorewood, WI, USA Denise Rechlo Larsen, Listed; Victoria, BC Christina Stansbury, Basic; Burlington, ON Susan Stott, Basic; Pontypool, ON Laurna Tallman, Basic; Marmora, ON

Changed Your Address?

If you have moved recently, please send your new mailing address to Julia (<u>membership@indexers.ca</u>) so that she can update your subscription to *The Indexer*.

Crossword. Solution on p. 26

Elephants Can Remember by Heather Ebbs

Across

- 1. Big brass
- **6.** "Zounds!"
- 10. About
- 15. Spirit
- 16. Dorothy's dog
- 17. Ancient Greek theater
- **18. START OF QUOTE**
- 20. Verso's opposite
- 21. Off colour?
- 22. Philippines ethnic group
- 23. Like many second editions
- 25. Genre of quote's source
- 29. Grp. involved in "the Troubles"
- 32. Constrictive neckwear?
- **33.** Nude
- 34. Ireland
- 35. Genre of quote's source
- 39. "Get it?"
- 40. Choir member
- 41. Clairvoyant's gift
- 42. Ages
- 44. Not great
- **47.** Kooks
- 52. US travel safety org.
- 53. "Dear" one
- 54. Italian "bye"
- 55. "Wheel of Fortune" purchase
- 58. Investigator in quote's source
- **63.** Bog
- **65.** Arid
- **66.** Cry
- **67.** "The law is a
- **68.** Author of quote's source
- 72. Portuguese woman
- 73. "If I Ruled the World" rapper
- 74. Contemptuous comment (often doubled)
- 78. More cunning
- **79.** END OF QUOTE
- 83. African antelope
- **84.** Italy's di Como
- **85.** Where to find Eugene
- **86.** Indian dignitary
- 87. Dirty coat
- 88. Kind of wave

Down

- 1. "Madness takes its "
- 2. Language of Lahore
- 3. Stationed
- 4. Baba

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15		1		+			16			+		17	+		+	
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86	+			+		87					88	+	+		+	

- 5. Ottawa player
- 6. Work
- few rounds
- 8. Off-roader, for short
- 9. Hors
- 10. Ropes
- 11. Imagine
- 12. Clergy
- 13. Inner circle
- 14. Soother
- 15. Throng
- 19. Boat or clam
- 24. Looked closely
- **26.** Alien lifeform, for short
- 27. Recipe abbr.
- 28. Egyptian goddess of milk
- 29. Muslim leader
- 30. Govern
- 31. Digital marketing agency in Toronto
- **36.** "I dare you!"
- 37. Squamish a/p code
- 38. Rude one
- 43. Vaccine experts grp
- 45. Rhyming syllable of kids' clothing company

- 46. Roman emperor
- 47. Black gold
- 48. Words on a themed party invitation
- 49. Italian bread
- 50. Neighbor of Cambodia
- **51.** Tipplers
- 53. Litigant
- 55. Gatherer
- 56. Cook Lawson
- 57. Shiraz resident
- 59. Remembers
- 60. Hypothalamus product, for short
- 61. Random criticism
- 62. Japanese sash
- 64. Hydrocarbon gas
- **69.** Throng
- 70. Metal bar
- 71. Finished
- 75. Meditative discipline
- 76. Military no-show
- 77. PM purchase place?
- 80. Social media "bye" 81. Charitable agency, often
- 82. Jackie's "O"

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