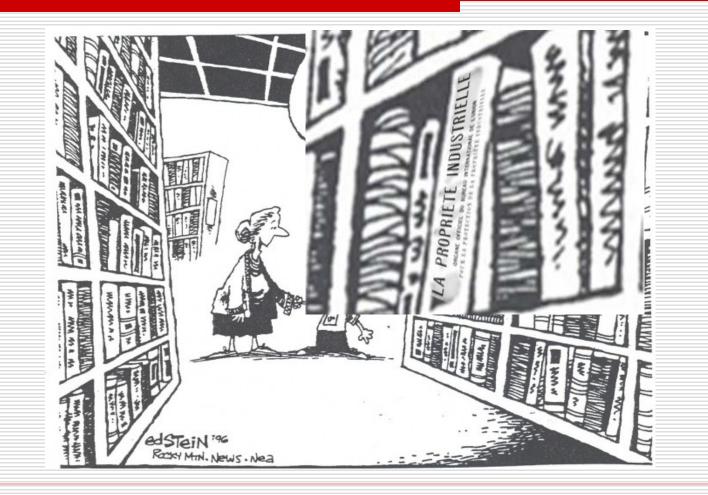
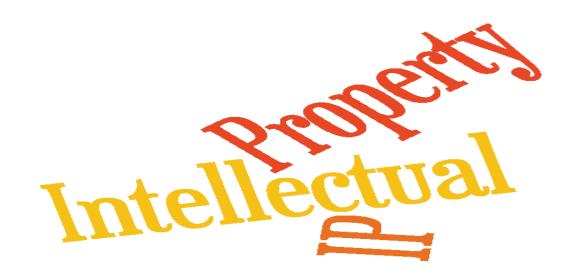
Digitizing and Copyright: A story





Intellectual property (IP) refers to creations of the mind: inventions, literary and artistic works, and symbols, names, images, and designs used in commerce.

Intellectual Property = copyright + industrial property

Copyright: literary and artistic works such as novels, poems and plays, films, musical works, artistic works such as drawings, paintings, photographs and sculptures, and architectural designs. Rights related to copyright include those of performing artists in their performances, producers of phonograms in their recordings, and those of broadcasters in their radio and television programs.

Industrial property: inventions (patents), trademarks, industrial designs, and geographic indications of source *Copyright,* in respect of literary and artistic creations, refers to the use of a work which may be carried out only by the author or with his authorization.

Use includes the making of copies of the work.

Paper or digital

Economic rights have a time limit, of minimally 50 years after the creator's death.

National law may establish longer time-limits. This limit enables both creators and their heirs to benefit financially for a reasonable period of time.

Moral rights, involve the right to claim authorship of a work, and the right to oppose changes to it. Most copyright laws state that the author or rights owner has the right to authorize or prevent certain acts in relation to a work. The rights owner of a work can **prohibit or authorize**:

- its reproduction in various forms, such as digitization;
- □ the distribution of copies (make available online);
- its public performance (via a computer);
- its broadcasting or other communication to the public (via a computer);
- □ its translation into other languages;
- □ its adaptation, such as digitization.

But it's our publication, right?



BIRPI / WIPO



What now?



Photo courtesy of Horia Varlan via flickr

Redaction

The action or process of revising or editing text, esp. in preparation for publication; (also) an act of editorial revision (definition courtesy of Oxford English Dictionary)

Table of Contents

Paraît chaque mois Abornement annuel: 145 litants suissti Fascinale mensuel: 15 Iranos suissos 100° année - Nº 1 Janvier 1987

Le Droit d'auteur Revue mensuelle de l'Organisation Mondiale de la Propriété Intellectuelle (OMPI)

Summaire

Autres matés dans les domaines du droit d'auteur et des droits voisius. - Administrés par l'OMPE : Convention internationale sur la protection des artistes interprêtes ou exécutants, des produsteurs de phonogrammes et des organiances de radiodiffusion (Convention de Rome) ...

Convention pour la protection des producteurs de phonogrammes contre la reproduction non autorisée de leurs ofnomigrantities Convention concernant la distribution de s'anaire perteues de programmes transmis par satellite 10 Convention multilatérale tendant à éviter la double împosition des redevances de draits d'auί. Π Arrangoment do Vienne concernant la protection des caractères typographiques et leur dépôt international

0

Non administris par POMPI .

TRATTES (simulation le 1er janvier 1987)

Convention universelle sur le devit d'auteur	12
Accend européen pour le répression des étitionurs de radicabilission effectuées par des sta-	
tions hurs des terratemes abationette	13
Arrangement européen pour la protection des émussions de sélévision	13
Arrangement curocéen aur l'échange des programmes au moyen de films de réléviaion	13

ORGANES DIRECTEURS &T COMITES (situation le 1or janvier 1987)

Institutés dans le cadre de trajtés administrés par l'OMPI ; Institués dans le cadre d'actres traités :

6 OMPI 1987

La reproduction due 100cs et topparts officiels, des articles ainsi que des traductions de textes législatifs e cursvalionneis, publiés dans la présente revue, tibet attorisée offacee l'accord préateixe de l'USDPI. TSSN 0012-6365

NOTIFICATIONS RELATIVES AUX TRAILES	
Convențion laternationale sur la protoction des antastas interpretus ou exécutants, de prostudicture de protoceptuonaes et des organisanes de radiodiffusion. Adhétion : République dominicaine	5
REUNIONS DE L'OMPI	
Journées d'étado sous-régionales sur lo droit d'autour et les deuits voisins (New Delhi, 24-2) novembre 1986)	
TUDIES	
Concession de licentres, perceptión of répartition des desits en initière de réprographie, na John—Willy Radolph	
LIVRES ET ARTICLES	
Liste hiblingraphique	. 28
CALENDRIER DES REUNIONS	31
LOIS ET TRAITES DE DRÔIT D'AUTEUR ET DE DROITS VOISINS (ENCART)	

ndi se la archite de adris manere le inicipal, de Anali (110 piturit) il difettato Adris, inicipal

KORENT TRAFFIC OR AND A DOMETRICK OF THE BRACH OFFICE

PERSONAL PROPERTY AND ADDRESS

CALCULATER REPORTS

Table destroy is super-ray for days is estimate on an in super-ray (Mark) destroys 1988

Process

Redact out the copyrighted content

Leave the bibliographic information

Searchable from the OCR layer

Add metadata!

Output

Etudes

21

Concession de licences, perception et répartition des druits en mutière de reprographie

Jolue-Willy RUDOLPH*

Concession de licences, perception et répartition des droits

Etudes

21

en mulière de reprographie

John-Willy RUDOLPH*

Now, ready to go ... no?



http://www.dicts.info/picture-dictionary.php?w=impatient

Questions to ask

- Do you own the copyright or have permission to digitize? Can you get permission?
- Is the work in the public domain or has its copyright expired?
- Could the digitization be covered under a copyright exemption?
 - a. Libraries & archives
 - b. Fair use

Process

Figure out whether the work is subject to copyright protection – Consult your national copyright law.
Find the copyright holder.
Request permission to use the work.

In parallel: Predetermine how the work will be used. The entire work or only part of it? Commercial or non-profit? Potential public use.

Document the entire process for future reference.

Do your research

Examine the work for copyright details. Study any accompanying documentation to find indication of rights or any special restrictions. Consult the contract (if you are lucky enough to find one).

Use library catalogues, internet, indexes, directories, etc.

No luck

What if the owner of the copyright:

Cannot be located (orphan work?) Never responds Declines permission

Demands high fees

Risk

Organization's risk management policy should define access levels: Archive Library Organization-wide Loan to other libraries Public with a password Public with an open licence For profit

Roll up your sleeves

Good luck

Thank you



Image: Web, public domain