SLA 2011 International Chapters Session

Global Copyright Challenges

Mike Linksvayer
VP, Creative Commons

2011-06-14 / Philadelphia
straining, "gum" to suit taste and a few dashes of vichy or seltzer. Shake well and pour into two glasses partly filled with finely shaved ice, crowning with fruit and a sprig of bruised mint leaf. Use straw or glass sipper for this delicacy.

MIXING THE PHILADELPHIA PUNCH

Here's an individual Philadelphia Punch from which you may estimate for larger portions, if you like it. Into a large tumbler pour a pony of brandy, two ounces of rum, two dashes of lemon juice, two tablespoons of gum. Stir thoroughly and add one ounce of Arrack. Now fill glass with fine ice, decorate with fruit in season and drink through straw or glass sipper. It's cooling.

MIXING A CENTURY CLUB PUNCH

I still remember my enjoyment of this punch when a guest of some member of the old Century Club in New York and I am happy to pass on its ingredients:

One quart of Jamaica rum, one quart of old Santa Cruz
What Shall We Drink? by Magnus Bredenbek (1934)

From the collection of the San Francisco Public Library.

I waive any copyright claim I may have in this image and dedicate my copyright interest in the image to the public domain. I also believe that the book depicted in the image is in the public domain, though I do not warrant that it is. The book was published between 1923 and 1963, so the author was required to renew the copyright 28 years after publication to prevent it from entering into the public domain. My search of the copyright renewals database (http://collections.stanford.edu/copyrightrenewals/) indicates that the copyright in this book was not renewed.

— MetaGrrrl, flickr.com/photos/dinah/2893796625
copyright
daily challenge for librarians, libraries, budgets
global additional challenges: more complexity, often fewer resources
it’s getting worse...
For obvious reasons there has been a lot of attention paid to the Georgia State copyright infringement case recently. In that litigation three academic publishers are asking a judge to fiercely restrict academic fair use in favor of a pay-per-use system that, in my opinion, disregards the expressed intent of Congress in the 1976 Copyright Act and is foreign to the purposes of that law. The trial was completed yesterday, and a decision from the judge can be expected over the summer. But in our justifiable anxiety about that case, we should not miss the fact that it is only one part of an overall strategy to undermine the educational exceptions to copyright; yesterday the publishing community opened a second front in their attack on education by issuing a statement of principles designed to hobble inter-library loan.
First, they would forbid ILL across national borders without specific permission (paid, of course) from the publisher. Second, they would make digital delivery entirely the province of the publishers (for a fee, undoubtedly). Libraries would not be able to e-mail a journal article to a patron, even though nothing in the current law forbids such a practice. Third, it would impose a vague standard of "due diligence" — language not found in the law — on all document delivery for "private, non-commercial use." Presumably this is the thin end of a wedge to attack all private research use for which permission fees are not paid.
It is important to understand that such a standard would give the United States the most restrictive copyright law in the world, and it would do so without the intervention of Congress.

...

Open access alternatives seem more and more to be not just a nice alternative, but the only path scholarly communications has left to survival.

– Kevin Smith, Scholarly Communications Officer, Duke University, blogs.library.duke.edu/scholcomm/2011/06/09/a-second-front/
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non-profit organization
foundation, corporate, individual supporters
100+ global affiliate institutions
sharing infrastructure
respect the law, build a sustainable and scalable society
legal and technical tools enabling effective “some rights reserved” and “no rights reserved”
culture, education, public sector, science...
Namensnennung-Weltergabe unter gleichen Bedingungen 3.0 Unported (CC BY-SA 3.0)

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  - Das Urheberpersönlichkeitsrecht des Rechteinhabers;
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With the understanding that:
Belgian Court Rules That Violating Creative Commons License Subjects You To Copyright Infringement Charge

from the legitimate-license dept

There hasn't been too much case law around the legitimacy of Creative Commons licenses, and some have questioned whether or not they're really legitimate. I'll admit that I do have some questions about certain aspects of CC licenses, but over in Belgium a court has pretty clearly claimed that Creative Commons licenses are perfectly legitimate. The case involved a band that had released its music under a CC attribution-non-commercial-no derivatives license. However, a theater apparently used the music (in a modified form) as part of an ad for its upcoming season, and the ad played on national radio.

The band sued, noting that the theater violated the CC license and, thus, had violated copyright law. The court agreed, noting the near total failure of the theater to respect the specific license terms, and found the theater's defenses unconvincing:

The theater defended itself by arguing a mistake (the court said that as a professional of the cultural sector, they should pay more attention to licensing conditions) and its good faith (traditionally not accepted in Belgian as a defense to copyright infringement).

This is certainly at least a nice boost to the legality of Creative Commons licenses, though it does sort of highlight how many users of CC-licensed content don't really understand (or pay attention to) the specific restrictions in the licenses of content they use.

12 Comments | Leave a Comment.
Curry wint zaak Creative Commons

Creative Commons, 10 mrt, 2006

De Amsterdamse rechter heeft gisteren in kort geding uitspraak gedaan in de zaak die Adam Curry had aangesprenen tegen Weekend.

Curry had een verbod van publicatie geëist van foto’s die hij zelf eerder onder Creative Commons licentie (NonCommercial-ShareAlike) publiceerde op www.flickr.com. Curry beriep zich op schending van artikel 4 sub c en sub a van de licentie. Hierin wordt bepaald dat het gebruik van de foto’s geen commercieel voordeel mag opleveren en er altijd een verwijzing moet worden geplaatst naar de licentie. De rechter stelt Curry op beide punten in het gelyk en verbiedt Weekend het ongeoorloofd gebruik van de foto’s te stelen onder straf van een dwangsom.

Weekend verweerde zich door te stellen dat zij door de mededeling ‘This photo is public’ op het verkeerde been was gezet en daarom geen kennis had genomen van de inhoud van de licentie. Dit vond de rechter geen steekhoudende reden, en oordeelde:

“Dat Audax door de mededeling ‘This photo is public’ op het verkeerde been is gezet (en daardoor geen kennis heeft genomen van de inhoud van de licentie), is niet ontbegaarlijk, maar er mag van haar als professionele partij worden verwacht dat zij een goed en nauwkeurig onderzoek verricht alvorens zij foto’s die afkomstig zijn van het internet afrukt in het blad Weekend. Indien zij een dergelijk onderzoek had verricht, was zij door middel van het aanklikken van het symbool bij de mededeling ‘some rights reserved’ gestuurd op (de verkorte versie van) de Licentie. Bij twijfel over de toepasselijkheid en de inhoud van de Licentie had zij de rechtshoudende op de foto’s (in dit geval [aaron]) toestemming voor publicatie moeten vragen. Audax heeft negatief een dergelijk...

Recente berichten
De Publieke Omroep, het internet en Creative Commons
Muziek Pete Philly met CC-licentie
Creative Commons lanceert Public Domain Mark
Onderzoek auteursrecht, digitale distributie en creatie
Winnaars (Un)limited Design Contest 2010
Superhelden gezocht!
Nieuw Blender project Sintel

Archief
november 2010
oktober 2010
400MM+
TOTAL CC LICENSED WORKS
AS OF 2010

40%
USING A FULLY OPEN
CC LICENSE
AS OF 2010

- Total CC Licensed Works
  2003 – 2010

- CC BY, BY-SA, Public Domain
  20% first year, nearly 40% by 2010
Welcome to BioMed Central
Publisher of 215 peer-reviewed open access journals

- From the BioMed Central blog
  - Systematic Reviews journal to increase transparency and innovation in healthcare publishing (13 May 2011)
  - The ultimate price for poor access to health information (13 May 2011)
  - Stem Cell Research & Therapy's first year (13 May 2011)
  - Sizing up Alzheimer's disease (12 May 2011)
  - Evaluating cost effectiveness models of vaccine implementation (12 May 2011)

- Featured articles
  - Stem cell therapy clinical trials
    - BMC Medicine 2011, 9:52
    - Trounson and colleagues review recent developments and future prospects of clinical trials for stem cell therapies, highlighting usage of mesenchymal and neural stem cells, and reporting on the start of trials involving lines derived from pluripotent cells.
  - Coffee consumption modifies breast cancer risk
    - A Swedish study finds that a high daily intake of coffee is associated with a statistically significant decrease in estrogen receptor-negative breast cancer among postmenopausal women.
  - Stem cells for acute lung injury
    - Stem Cell Research & Therapy 2011, 2:27
    - Therapy with human multipotent stromal cells isolated from bone marrow was able to significantly reduce acute lung injury in mice within 48 hours, paving the way for clinical trials.
  - Socio-economic outcomes of polytraumatized patients
    - Patient Safety in Surgery 2011, 5:9
    - Long-term effects of severe orthopaedic trauma such as financial loss and social deprivation emphasize the need for early socio-economic support and measures of injury prevention targeted for specific age groups.

- New from BioMed Central
  - BioMed Central and Edanz partnership to benefit authors
    - BioMed Central has partnered with Edanz to provide authors with English language support from expert scientists throughout the peer review process.
  - Gulliver Turtle, welcome to Twitter
    - Our mascot, Gulliver Turtle, is now on Twitter. He's funnier than we are so follow him!
Explore / Creative Commons

Many Flickr users have chosen to offer their work under a Creative Commons license, and you can browse or search through content under each type of license.

Here are some recently added bits and pieces:

 Attribution License

From June 2010 From June 2010 From June 2010 From June 2010

> 26,727,126 photos (See more)

 Attribution-NoDerivs License

From June 2010 From June 2010 From June 2010 From June 2010

> 9,399,445 photos (See more)

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From June 2010 From June 2010 From June 2010 From June 2010

> 54,801,890 photos (See more)

 Attribution-NonCommercial License

From June 2010 From June 2010 From June 2010 From June 2010

> 25,572,796 photos (See more)

 Attribution-NonCommercial-ShareAlike License

From June 2010 From June 2010 From June 2010 From June 2010

> 54,485,813 photos (See more)

 Attribution-ShareAlike License

From June 2010 From June 2010 From June 2010 From June 2010

> 16,862,419 photos (See more)

"Creative Commons is a non-profit that offers an alternative to full copyright."

[creativecommons.org](http://creativecommons.org)

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You let others copy, distribute, display, and perform only identical copies of your work, not derivative works based upon it.

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Add a Creative Commons license to your photos/flickr.
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New federal education fund makes available $2 billion to create OER resources in community colleges

Timothy Vollmer, January 20th, 2011

The Department of Labor and the Department of Education today announced a new education fund that will grant $2 billion to create OER materials for career training programs in community colleges. According to Secretary of Labor Hilda L. Solis and Secretary of Education Arne Duncan, the Trade Adjustment Assistance Community College and Career Training Grant Program (TAACCCT) will invest $2 billion over the next four years into grants that will “provide community colleges and other eligible institutions of higher education with funds to expand and improve their ability to deliver education and career training programs.” The full program announcement (PDF) states that all the resources created using these funds must be released under the Creative Commons Attribution (CC BY) license:
Cologne-based libraries release 5.4 million bibliographic records via CC0

The British Library releases 3 million bibliographic records into the public domain using CC0

University of Michigan Library adds 700k bibliographic records to the public domain via CC0

CERN Library releases its book catalog into the public domain via CC0...
Open Access metadata

One means to better deal with increasing global copyright challenges (the more you know about a work, the easier it is to determine what you can do with it)
Open Access education
(the more you teach others about copyright and OA...)
Open.Michigan is a University of Michigan initiative that enables faculty, students, and others to share their educational resources and research with the global learning community. Learn more >>
Open Access activism
(more OA, less challenge: practice, policy, advocacy)
DRM (a day against)

Mike Linksvayer, May 4th, 2011

Today is a good day to learn about Digital Rights Management, or more accurately Digital Restrictions Management:

- Selection of blog posts from Day Against DRM 2011
- Posts on the Creative Commons blog about DRM, going back to 2004.
- DRM article on English Wikipedia

Although DRM seems to no longer be the red hot issue it was a decade ago, it is still very much present, causing problems regarding fair use, lack of competition, privacy and security breaches, forced obsolescence, and more. DRM is often now involved in distribution of movies and books, to the great consternation of some librarians. Not listening to librarians puts our freedom and safety at risk.
Thank you!

**links:** convey yourself to

http://creativecommons.org

(Creative Commons NGO)

“Opening” the Special Library: Open Source, Open Content, Open Data and More

(session tomorrow 10am)