

A light green world map is centered in the background of the slide. The map shows the outlines of continents and oceans in a darker shade of green.

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knowledge without boundaries

Breakthrough in UK copyright reform: what does it mean for libraries?

EIFL-IP webinar, 4 July 2014

Five reasons why the reforms to UK copyright law matter to EIFL-partner countries

Teresa Hackett, EIFL-IP Programme Manager

- 1. The issues are applicable to libraries everywhere.**
- 2. The influence of UK copyright law extends beyond its borders through history and trade. The UK has a strong network of trade relations and bi-lateral trade agreements with non-EU countries, including developing and least developed Commonwealth countries.**
- 3. Many former colonies and territories today have laws that reflect the structure, style and language of British copyright law. So the provisions may be easily adapted to the copyright law in common law countries.**
- 4. Any country wishing to implement similar provisions can be assured that they comply with international and European law. This is because the UK is party all the major international copyright treaties, and is a member of the European Union.**
- 5. The UK library community has valuable lessons to share in successful advocacy.**

UK © Reform



@UKLACA

Adaption: Benjamin White

Original: Chris Morrison



Could it be true that laws designed more than three centuries ago with the express purpose of creating economic incentives for innovation by protecting creators' rights are today obstructing innovation and economic growth?

*The short answer is: **yes**. We have found that the UK's intellectual property framework, especially with regard to copyright, is falling behind what is needed. Copyright, **once the exclusive concern of authors and their publishers**, is today preventing medical researchers studying data and text in pursuit of new treatments. Copying has become basic to numerous industrial processes, as well as to a burgeoning service economy based upon the internet. The UK cannot afford to let a legal framework designed around artists impede vigorous participation in these emerging business sectors.*

Hargreaves recommendations

- Rebalance copyright regime
- Format neutral
- Future proof
- Improve licensing
- Representative of digital practices and potential
- Evidence based

Improvement of Licensing

Orphan Works UK Licensing

Extended Collective Licensing

Research and Private Study – S29

- Limited ‘fair-dealing’
- Non-commercial
- All copyright works including sound recordings and films
- No override by contract

Accessible copies for disabled users - S31

- Widened to all impairments which prevent equal access
- All types of copyright work
- No contractual override
- Requires TPM to be carried over in the copy too!?!?!?!?

Library Privilege Copying to Individuals S.42-43

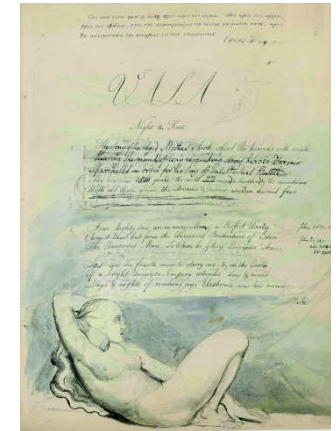


- Non-commercial research or private study
- Reasonable proportion of “any published work”
- Declaration required
- If charged must cover cost of production
- No contractual override (other than unpublished works)

Library/Archival Preservation – S42

- Reasonable copies of items in “permanent” collection
- All types of copyright work including sound recordings, films and broadcasts
- No contractual override

Library Copying of Unpublished Works – S43



- All types of copyright work
- For private study / non-commercial research
- Contractual Override

Making Works Available Through Dedicated Terminals – S40B

- New exception from 2001 EU © Directive
- Relates to a publicly accessible library, educational establishment, museum or archive
- Allows digitised collection items to be viewed on site through ‘dedicated terminals’
- Research or private study
- Query on ‘dedicated terminals’ definition – German case.
- Is made available in compliance with any purchase or licensing terms to which the material is subject

Text & Data Mining – Big Data



- New exception – a real “digital opportunity”
- Use of algorithms to determine relationships in data
- Non-commercial use (limited by EU © Directive)
- Requires legitimate subscription/access to content to be mined
- No contractual overrides

HOW DID WE MANAGE THIS?

LOTS OF HARD WORK OVER MANY YEARS

LIBRARIES ONLY MATTER BECAUSE OF WHO THEY SERVE

Researchers, Scientists, Science etc

- Responded to Governmental Reviews
- Meetings with Civil Servants
- Meetings with Parliamentarians
- Written Briefings
- Speaking Events
- Roundtable events with politicians

Evidence

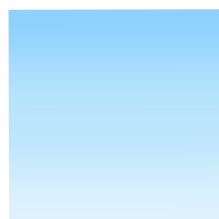
- Studies
- Reports
- Facts
- Data
- Arguments around money
- Economics

Alliances

- Universities
- Schools, Colleges
- Disabled Groups
- Technology Companies
- Pharmaceutical Companies

Social Media Presence Not a Bad Way of Disseminating Info to Like Minded People

Questions



Why the reforms matter to EIFL-partner countries

Thank you



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4.0

A world map with a light green background and darker green landmasses. The map is centered on the Atlantic Ocean.

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Information on EIFL-IP
www.eifl.net/copyright