

From: ascla-igceb-request@lists.ala.org [mailto:ascla-igceb-request@lists.ala.org] **On Behalf Of** Mackinnon, Paula
Sent: Monday, September 19, 2016 3:19 PM
To: ascla-igceb@lists.ala.org
Subject: Library Copyright Reform Statement about ebooks - for your review

Hello ASCLA Consortial eBooks Interest Group – I hope today is the day you want to read about copyright reform because here we go!

We need your help!

As we all know, libraries have a great track record as stewards of the public good by encouraging the expansion of knowledge through sharing and preserving access to copyrighted and public domain printed works. We buy stuff. We put it on public shelves. We promote it. We lend it. We take care of it.

With digital works, things are less clear. The Copyright Office is taking input (in private) and talking about rewriting key parts of the act (with specific focus on Section 108 – the “exceptions” for libraries and archives), that could potentially change our role, access and ownership of the resources we buy for our constituencies and the public good.

Links for more info:

- From the Washington Office District Dispatch <http://www.districtdispatch.org/2016/07/top-secret-hush-hush/>
- From ARL <http://policynotes.arl.org/?p=1408>
- From the Society of American Archivists <http://www2.archivists.org/saa-statement-on-draft-revision-of-section-108#.V7NzsaKrKao>
- From the University of Virginia <http://news.library.virginia.edu/2016/08/16/virginia-university-libraries-tell-congress-needless-copyright-revision-could-threaten-our-mission/>

Califa has prepared a Copyright Reform Statement (attached) from a library ebook (and more generally, epublications) perspective. Our goal at Califa is to get the ball rolling and for the library industry to make our collective voices heard regarding the impact of these issues, specifically around ebooks. How? By having libraries and library organizations sign on to this statement. Our goal is also to educate and inform library staff about the implications of copyright reform for libraries and to get the word out about the issues and solutions.

What’s the problem? *Libraries don’t own the epublications we’re purchasing because of non-negotiable licensing terms. Where print materials that we purchase sit safely on library shelves without threat of being rendered inaccessible by any third party; this is not the case for ebooks. We can’t put them on our own shelves. We can’t ensure access to the public despite purchasing the content for public use and agreeing to established DRM terms. We are pouring money into epub collections that can be made inaccessible based on third party and/or publisher licensing terms. And we aren’t afforded the opportunity to negotiate these terms.*

What’s the solution? *Publishers and ebook vendors should negotiate acceptable licensing terms with libraries rather than present terms that offer libraries 2 choices: a) accept the terms or b) don’t provide*

access to the materials through the public library. Let libraries own what they purchase. Let libraries host their own purchased content on platforms that conform to DRM standards. And amend copyright law to ensure licensing terms do not 'trump' copyright exceptions, provisions and fair use protections.

Let's discuss!

What are your thoughts about this issue, about this statement, about what we can and should be doing while this topic is beginning to glow white hot?

We have had several partners agree to sign on to this statement including RAILS, State Library of CT and Readers First. Others are running it by their respective boards. Will you consider signing on and spreading the word within your organization and membership?

And we have put together some ideas to help spread the word:

- Post on Readers First;
- Post to change.org and point to it from many places so that the public and library/archive/museum/publishing professionals can sign;
- Distribute to our respective consortial members.
- Post on our websites / social media –create a hashtag campaign to continue the conversation online
- Send to Copyright Office
- Publish articles in state and national library publications
- Start conversations with your ebook vendors to see where they stand or send to ebook vendors and publishers for their comment/support.

Other suggestions? We need your voice!

I look forward to our conversation and shared learning around copyright reform, as we prepare to release this statement to the library world.

-Paula

Paula MacKinnon

INTERIM DIRECTOR ✨ [CALIFA GROUP](#)

.....

2471 Flores St., San Mateo, CA 94403 | pmackinnon@califa.org
650.356.2128 | 415.271.3915 (cell) | califa.org | enkilibrary.org