

**Society of American Archivists
Council Meeting
November 9 – 12, 2014
Chicago, Illinois**

**Annual Report: Intellectual Property Working Group
(Prepared by IPWG Chair Aprille McKay)**

Report from Annual Meeting

Number of Attendees: 9 members, our SAA Council liaison, and three guests

Summary of Meeting Activities:

- Session ideas for Cleveland 2015.
- Council update from Lisa Mangiafico relating to Council support for WIPO advocacy and likelihood of requirement to seek outside support if additional meetings are planned for 2015.
- Discussion regarding the “Copyright for Researchers” pamphlet now on sale in the SAA bookstore. Distribution of copies.
- Discussion regarding the World Intellectual Property Organization Standing Committee on Copyright and Related Rights meetings (SCCR 26, 27 and 28) that occurred since the last Annual Meeting.
- Discussion about timing of assessing the utility of sending an SAA representative to the December SCCR meeting, given the unpredictability of the agenda and likelihood of the delegates making progress on a treaty relating to library and archives exceptions to copyright.
- William Maher received the “True Grit” award as a commendation of his dedication and persistence related to his SCCR advocacy.
- Review of SAA Best Practices for Orphan Works document. A decision was made to update it this year.
- Proposed Code of Fair Use in Orphan Works document. We discussed the comments that we had shared with Peter Jaszi and the group that is spearheading the effort. We expect that they will soon share an amended document that we will react to once again.
- Discussion of upcoming advocacy opportunities at the Patent and Trademark Office, the Copyright Office, and before Congress. No detailed information yet, though opportunities will be on the horizon shortly.
- Discussion of collaboration with CAPP on producing a white paper that contests any proposed extension of the term of copyright as it is close to 20 years since the last extension in 1997.

- Discussion of changes in British Law on Orphan Works

Completed Projects/Activities

- Four virtual meetings during this year.
- SAA 2014 Annual Meeting session proposals. (September 2013)
 - Session proposal accepted: “Copyright Risk Management in Recorded Sound Archives.”
 - Endorsed two sessions – “Copyright Risk Management in Recorded Sound Archives” and “Negotiating Access: Breaking Down Intellectual Property Barriers to Digital Projects,” both of which were accepted by the program committee.
- Drafted, in collaboration with CAPP, issue briefs, on Orphan Works and on Section 108 (Mark Greene and Jean Dryden). (November 2013)
- Recommended that SAA sign on to community letter against inserting “Life + 70” copyright term into Trans Pacific Partnership Agreement. (December 2013)
- IPWG member William Maher attended three meetings of the Standing Committee on Copyright and Related Rights in Geneva, Switzerland. Maher created statements, presentations, and flyers supporting SAA positions for each meeting, supported by the IPWG. After each meeting, Maher submitted written and oral reports to the Council. (December 2013, April 2014, and June 2014)
- In connection with strategizing for the SCCR meetings, Maher attended regular conference calls with library and archives colleagues.
- Submitted proposal to the SAA Council to fund SAA representation at WIPO SCCR meetings in Geneva, Switzerland, where a treaty relating to library and archives exceptions was being discussed. (February 2014) The proposal was accepted, and \$5,800 was budgeted for FY 2015.
- IPWG members Eric Harbeson and Jean Dryden attended the Library of Congress Roundtable on Orphan Works and Mass Digitization in Washington, DC (March 2014) and IPWG drafted additional comments on the topic that were submitted by SAA (May 2014).
- Drafted SAA’s statement in response to the Copyright Office’s Request for Comment on the state of the law recognizing and protecting “making available” and “communicating to the public” rights for copyright holders. (April 2014)
- Composed and, in collaboration with the Publications Board, designed, edited, and published a pamphlet entitled “Copyright and Unpublished Material.” This effort was led by Cathy Henderson.

Ongoing Projects/Activities

SAA representation at WIPO SCCR by IPWG member William Maher. Putting together outside funding requests.

New Projects/Activities

- Session ideas for 2015 Annual Meeting in Cleveland.

- Updating SAA's Orphan Works Best Practices document.
- In collaboration with CAPP, preparation of SAA issue brief opposing the extension of the term of copyright.
- Recommendation on SAA's endorsement of the revised Code of Fair Use of Orphan Works document.

Questions/Concerns for Council Attention

Advisability of continued representation at WIPO SCCR meetings.