

Tuesday, 8 March 2011

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1. Review and Comments on Recorded Sound submitted to Copyright Office

- Only two comments resisting federal protection. We may want to focus on those.
- RIAA most forcefully opposed. Peter's summary: "Should be done in conjunction with the record companies, as Sony is doing with LC; therefore, there is not need to change the law. Archivists are happy ignoring the law now, and they should continue to do so."
- Bill's thoughts: We are not professionally comfortable ignoring law, and we discourage our members to do that. But the law is so complex, it is ignored. We could call them out for making an inaccurate statement that archivists ignore the law. What archivists are concerned about often fall outside what are covered by large commercial projects similar to the Sony project.
- Due date is April 13th.
- Peter will write a brief, rough draft of a response this weekend and send it to Bill Maher.
- Replies should be short and to the point.
- An AO article may be important than a response. Mark will start work on something focused specifically on sound recordings. A gloss on the comments we submitted. Wouldn't quite work as an issue brief in AO format.

2. Well-Intentioned Practice

- Such a lengthy preface suggests that any endorsement is qualified.
- Recommends that those adopting WIP should talk to risk management and legal counsel. Heather notes that not all institutions have such groups within their organization.
- Bill recognizes that it needs to be – and can be – reduced more.
- Bill feels that it doesn't emphasize enough the importance of working with counsel, albeit working up-front for general decisions than item-by-item decisions. Observation that working with counsel requires constant re-education about archival copyright.
- For WIP to be valuable, it will have to be adopted by several institutions.
- Importance of thinking archivally – thinking in the aggregate mode rather than the item-level mode.
- Peter: Was the new Triangle Research libraries in mind? Bill: no. Peter: Then we should look for compatibility with that document. We don't want to be more restrictive than what they came up with. Peter will review it with that in mind.
- All: Comments to Bill for revision.

3. Issue Briefs

- Beaumont's call of orphan works and copyright (generally), other topics.
- Group not clear what Beaumont is looking for.

- What's on the horizon so that Council can be thinking more about issues pro-actively (rather than reactively).
- Information in a consistent format for SAA leadership from which they can pull information. Similar in content for position papers. Mark will distribute an example.
- Some background, but likely the most important part is SAA's position on the issue.
- RPM found: https://www.courses.psu.edu/hpa/hpa301_fre1/IBInstructions_fa02.PDF
- Heather will let Beaumont know that we're interested in this. That as a group, we'll propose topics for separate issues. Find out from Nancy how she wants them put together.

4. WIPO updates

- Peter: WIPO Library Exception Working Group was supposed to be meeting in January. Haven't heard a word about what came out of that meeting.
- Bill: Met with David Sutton after ICA. Trudy Peterson is putting together a group looking at broader range of issues that copyright. Not sure anything coming out of ICA in this area.
- Peter: Winston's strategy group was going to hammer out final revisions.
- Peter: Will send a message to Tim Padfield, requesting update.
- Peter: Whether SAA should be applying to get observer status to WIPO in case we wanted to send someone in the future. Bill reports based on conversation with LCA that an observer's ability to make substantive comments limited and expensive with no additional information.
- Peter: Put observer status on back burner? Bill: Do we know how much it would cost? Could we do it in absentia? Peter: His understanding is there's no cost.
- Heather will pursue data gathering about membership. If Peter knows who to contact, she'll get in touch with them. Janice Pilch may be a good source; Bill will follow up with her.

5. IPWG meeting time at SAA 2011

- Does the Wed, 24 Aug, 10-12:30 work? Generally good for people that will be at the meeting.
- Do we want to spend some time with cultural property working group? If so, could we extend the meeting a bit as we normally have a very full agenda? What would we talk about? Reserve the last hour or half hour? What do we want to come out of this?
- A short meet-and-greet (thirty minutes) so the groups build relationships, develop a mechanism to ensure communication when we're working on parallel issues. If there's a specific issue, some additional time.
- Heather will let Rene Mueller know the basic time and date works.
- Heather will contact Jeannette Bastian (CPWG) to find out more about their current plans and whether they are focusing on a particular product that we could discuss.
- Kate: Other groups meeting at the same time may have some overlap. If it's just a meet and greet, we might bring in other groups.

6. Migration to Drupal

- RPM will tackle this over the summer (starting mid May).

7. Code of Ethics

- Ensure that the code address balance between privacy and access.
- Mark: Any group of archivists can find a lot to disagree with. Could IPWG actually agree on issues enough to make a statement as a group?
- Bill: Privacy sometimes walks across the line into copyright.
- Can we do something by 4 April?
- Are there sections other than privacy that impinge on IPWG's mandate.

- Mark: concerned that the code is shrinking to invisibility. No discussion of the profession's obligation to balance various rights – the right of copyright holders and the rights of users.
- No suggestion that ethical principles can conflict.
- Need to get comments to the email list by 14 March. Extract a statement from that.
- RPM will try to get a synthesis by Friday, 18 March.