

IPWG Conference Call Agenda – December 1, 2010

Copyright Office Recorded Sound Comment

- Discussion of PH draft
- Recorded Sound White Paper for SAA?

WIPO and Archives

- Group Discussion on points raised by PH – prelude to deciding whether we should ask Council if they would like a White Paper on the issue
- Reminder – points raised by PH in 11/21 email:
 - 1. A blanket exception to preserve unpublished archival material, regardless of format (similar to our 108(b))
 - 2. An exception that allows archives to make material available online for non-commercial research and education – with the proviso that commercial exploitation of these works would still be the preserve of the rights holder. (Question: is there some sort of reasonable limit that can be placed on this right – say it only comes into play 50 or 75 years after the creation of the work?)
 - 3. Perhaps a recognition that a *fonds* is more than just a collection of items, and that making a *fonds* available online is different than publishing the individual items?
 - 4. Perhaps some explicit recognition that “commercial” does not just mean for sale, but when a work is used for advertising, endorsement, or trade?
 - 5. Does WIPO need to distinguish between published and unpublished?
 - 6. How about a provision such as the one we proposed in the 108 report that would allow libraries and archives to capture, preserve, and make accessible publicly-disseminated network resources such as web sites, blogs, etc?
 - 7. A general observation: it would be great if WIPO said that the exceptions trumped any specific licensing terms.
- Discussion – Funding ideas for an SAA/American archives attendee/observer

Public Domain Day

- SAA publicity? – Note: There was a blurb in the SAA e-newsletter “In the Loop” on Nov. 23rd.
- Proposed – smaller this year, AO articles next year, or other?

Carl Malamud – Franklin Award

Migration of IPWG page to Drupal

Discussion items tabled from August meeting

- ARL large scale vendor digitization projects
- Cultural Property Working Group
- Well-intentioned practices