

Making Copyright Work for Libraries and Consumers

Library of the European Parliament, Brussels

Date

Wednesday, 30 May 2012

Timeframe

09:30 - 12:45: *Index or footnote? How to ensure that libraries power the information society*

12:45 - 13:45: *Lunch break (with catered lunch)*

13:45 - 17:15: *I Want it Now! Creators addressing consumers' needs in the digital age*

MEP Host

Marietje Schaake

Organizer

Copyright for Creativity (C4C), in partnership with the European Consumers' Organisation (BEUC), Consumers International (CI), the European Bureau of Library Information and Documentation Associations (EBLIDA), the Electronic Information For Libraries (eIFL), the International Federation of Library Associations and Institutions (IFLA), and Informations Sans Frontières (ISF).

Audience

Members of the European Parliament and their assistants, European Commission staff, Brussels-based librarians, consumer organizations, NGOs and Trade Associations.

Format

Presentations, moderated panels, moderated debates and open discussions

Language

English

Summary:

The programme for this day will be divided into two separate events.

The first event will focus on the roles of libraries and archives in providing access to cultural works. In that context, special attention will be given to the treaty proposal for copyright exceptions and limitations to enable libraries to preserve their collections, support education and research, and lend materials which is currently on the table at the World Intellectual Property Organization in Geneva.

The second event will look at certain copyright uses from the perspectives of users. The aim of the event is to present a set of simple, practical and readily-available solutions to make the European

copyright regime more consumer-friendly, in particular with regards uses of copyrighted works which are generally tolerated but not legal in all the member States (e.g. format shifting of videos, fan fiction and YouTube mash-ups).

You can find the details for the two events below.

Index or footnote?

How to ensure that libraries power the information society

Background:

Core issues relating to education, research and libraries have been at the centre of the European digital agenda since 2004 when the previous head of the Bibliothèque nationale de France, Jean-Noël Jeanneney, called for a European response to the mass digitisation of books by Google. This resulted in the i2010 Digital Libraries programme, and now more recently under Commissioner Kroes, the digital agenda, which incorporates many issues pertinent to the role of libraries, education and research in the digital age.

This event aims at highlighting the many legal challenges that libraries, archives and other cultural heritage institutions face in the digital world in the field of information law and how they impact of innovation, competition, and productivity. A panel of European and international experts will explain the challenges libraries and archives face and focus on the need for copyright exceptions in the areas of preservation; contracts; liability; reproduction; lending; cross-border supply of works; and orphan works.

In addition, there will be a discussion on the proposed international instrument on copyright limitation and exceptions as tabled at the World Intellectual Property Organization (WIPO) by IFLA which aims to support libraries in their activities. While developing countries, especially in Africa and Latin America and the Caribbean, support an international binding instrument, the European Union, led by the European Commission, argues in favour of a non-binding solution. Following a presentation of the issues by experts from libraries and international law, a panel of MEPs, Commission representatives and other experts will debate the role of the European Union in the field of copyright at the international level.

Some of the guiding questions for this event will be the following:

- Why is copyright important for libraries? What is the role of libraries?
- What are copyright limitations and exceptions for libraries? Why are they important?
- Why do we need an international solution for copyright limitations and exceptions for libraries?

Draft Agenda

TIME	TOPIC	SPEAKERS
09.00-09.40	Registration	
09.30-09.40	Welcome	Marietje Schaake
09.40-10.00	Key Note: "The importance of copyright for libraries" (Working title)	Kai Ekholm, National Librarian, Finland
10.00-10.30	Library & Consumers Panel <ul style="list-style-type: none"> • Preservation • Contracts • Liability • Reproduction • Lending • Cross-border uses • Orphan works 	<u>Moderator:</u> Martyn Ware <u>Panelists:</u> Pernille Drost (Denmark) Toby Bainton (Information sans Frontières) Harald Mueller (Germany) Mariana Harjevschi (Moldova)
10.30-11.00	Panelist and audience discussion of the topic led Moderator	Martyn Ware
11.00-11.15	The WIPO Study on Copyright limitations and exceptions for libraries and archives	Teresa Hackett (EIFL)
11.15-11.30	International Norm Setting	Lucie Gibault (IViR)
11.30-12.00	"Political" Panel <ul style="list-style-type: none"> • Copyright • Consumers • Development 	<u>Moderator:</u> Jeremy Malcolm <u>Panelists:</u> Marietje Schaake (MEP) Representative from Cyprus (tbd) Luciano Mazza de Andrade (Brazil) Maria Martin Prat (tbc)
12.00-12.30	Panelist and audience discussion of the topic led by the moderator	Jeremy Malcolm
12.30-12.45	Summary, Closure	
12.45-13.45	Lunch	

I Want it Now!

Creators addressing consumers' needs in the digital age

Background:

There are uses of copyrighted material which are broadly accepted as allowed under the so-called “fair use” doctrine of United States law. These uses include activities like recording TV shows for later viewing, backing-up purchased digital downloads, copying a CD you have bought to your iPod, scanning studio portraits onto one's computer, and quoting from a book in a school assignment. In Europe although the same uses are broadly tolerated by rights-holders, their lawfulness varies country-by-country – sometimes they are allowed, sometimes not. The result is a confusing situation where even legal experts cannot always agree what is legal and what is not.

Meanwhile, consumers need access and don't understand complex, legalistic arguments for not doing things that have become part of online life. Consumer expectations and the law have become so out of step that the unfortunate result is frustration at copyright law in general. Although European policymakers have started to recognise this increasing disconnection between reality and the EU acquis, amending European law is a famously slow process.

The challenge: Come up with way to allow consumers to enjoy reasonable access without fear of committing copyright infringement now, while arguments about a permanent legal solution proceed. Panelists will exchange ideas on how this could be accomplished, such as a rights-holder amnesty, a set of agreed guidelines, or other measures, and look at what uses can be seen as unquestionably reasonable - such a “list” of uses would be specific and clear, covering uses that are immediately identifiable as reasonable and fair and that rightsholders currently tolerate. The Commission would be encouraged to work with rightsholders to agree on these uses now, without any prejudice to legislative developments. The event will feature three debates on specific copyright propositions in the style of the topical debates of the Oxford Union.

Draft Agenda

Time	Topic	Speaker
13.45-13.50	Welcome	Marietje Schaake
13.50-14.00	Introduction: the challenge of fair uses	Kostas Rossoglou
14.00-14.30	Debate 1 on the following proposition: There are uses of music in education that should never require payment.	Moderator: Stuart Hamilton Possible Discussants: Konrad Boehmer (tbc) Martyn Ware Marianne Rollet (tbc) Ger Hatton (tbc) Frances Moore (tbc) or Helen Smith (tbc)
14.30-14.45	Debaters and audience discussion of the topic led by the moderator	Stuart Hamilton
14.45-15.15	Debate 2 on the following proposition: Users and creators must be able to use copyrighted material to produce a new compound work for non-commercial purposes without needing a license.	Moderator: MEP Schaake Possible Discussants: Jill Johnston Mario Pena Paul Keller and a copyright intermediary
15.15-15.30	Debaters and audience discussion of the topic led by the moderator	Marietje Schaake
15.30-16.00	Debate 3 on the following proposition: Consumers should be able to use lawfully-acquired/licensed copyrighted material for any purpose within their home and personal network.	Moderator: Nick Ashton-Hart Possible Discussants: Joe McNamee, Giacomo Mazzone (EBU), broadcaster
16.00-16.15	Debaters and audience discussion of the topic led by the moderator	Nick Ashton-Hart
16.15-16.30	Presentation: Wrapping up: identifying points of agreement that could enable all stakeholders to take the discussion forward and collaborate on solutions	Jeremy Malcolm
16.30-17.15	Discussion with the audience and all debaters: What do we agree on?	
17.15	Closure	

Co-organisers

BEUC, the European Consumers' Organisation has a membership of 42 well respected, independent national consumer organisations from 31 European countries (EU, EEA and applicant countries). BEUC acts as the umbrella group in Brussels for these organisations and our main task is to represent our members and defend the interests of all Europe's consumers.

<http://www.beuc.org/Content/Default.asp>

Consumers International (CI) is the only independent and authoritative global voice for consumers, with over 220 member organisations in 115 countries.

<http://www.consumersinternational.org/>

Copyright for Creativity (C4C) is a broad-based initiative of European civil society, libraries, industry, and creators that seeks an informed debate on how copyright can more effectively support innovation, access, and creativity for all Europeans.

<https://www.copyright4creativity.eu/bin/view/Public/>

The European Bureau of Library, Information and Documentation Associations (EBLIDA) is an independent umbrella association of library, information, documentation and archive associations and institutions in Europe. Subjects on which EBLIDA concentrates are European information society issues, including copyright & licensing, culture & education. We promote unhindered access to information in the digital age and the role of archives and libraries in achieving this goal.

<http://www.eblida.org>

Electronic Information for Libraries (eIFL) is an international not-for-profit organisation based in Europe with a global network of partners. Working in collaboration with libraries in more than 60 developing and transition countries in Africa, Asia, Europe, and Latin America. EIFL enables access to knowledge for education, learning, research and sustainable community development.

<http://www.eifl.net>

The International Federation of Library Associations and Institutions (IFLA) is the leading international body representing the interests of library and information services and their users. It is the global voice of the library and information profession.

<http://www.ifla.org>

Information Sans Frontieres (ISF) is an alliance representing public cultural heritage institutions such as libraries, museums, film institutes and audio-visual archives in Europe. Its main mission is to make their sector's voice heard in discussions at a European level on copyright and other legal issues affecting research, teaching and learning.

www.informationsansfrontieres.eu