The spirit of Europe in International Forum
“Il cuore dell’Europa batte a est”

Europe heart beats on the East
1. The citizen, the border and the book

2. From Copyright to copywrong

3. Ongoing actions from IFLA and EBLIDA
Ready? Read 'e'. E-services in libraries, from European thinking to local actions
EBLIDA/NAPLE Conference
Milan (IT), 15th May 2013

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Introduction

I. The Citizen, the border and the book
Toutes les frontières ayant existé au XXe siècle en Europe...

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and the book
1. Because of the exhaustion of distribution right after the first sale, a library may buy published works, e.g. books, from a bookseller and use the copies for lending to the library’s patrons. The library’s actions do not interfere with the rights of the author (or other rights holder). In consequence, the library decides in accordance with its collection building policy what books to buy and use for public lending.
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I. The Citizen, the border and the book
Ebook shouldn’t be restricted by European borders

Why have ebooks if not to access them in an instant? Europe needs a digital single market for its ebook industry.
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II. From Copyright to Copywrong

“Copyright exists to balance de rights of authors with the general public interest”

Stuart Hamilton, IFLA Director Policy and Advocacy
International Treaties Governing Copyright

Berne Convention (1881, recent revision 1971)
Universal Copyright Convention (1952)
The Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS – 1994)
Rome Convention (1961)
WIPO Performances and Phonograms Treaty (WPPT – 1996)
WIPO Copyright Treaty (WCT - 2002)

More restrictions

Copyright Term Extension Act (CTEA) – aka Mickey Mouse Protection act (1988)
15 new anti-piracy laws in the US since 1982
EU copyright term extension in sound recordings (2011)
SOPA/PIPA/DEA/HADOPI/ACTA/TPPA/ SINDE (2012)
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A LACK OF COPYRIGHT BALANCE FOR LIBRARIES AND ARCHIVES

As has been shown in a recent WIPO study, libraries and archives work under a patchwork of provisions that differ in scope and effect from country to country. 21 countries worldwide have no specific copyright exception for libraries and archives; 27 countries have only a general exception. The provisions increasingly fail to address the legal and policy challenges of the global digital environment. Current national and international systems of copyright exceptions and limitations for libraries and archives have not been updated for the digital environment. Now more than ever, libraries and archives need legal and regulatory copyright frameworks that recognise the importance, needs, legitimate expectations and rights of libraries, archives and their users.

Issues that need to be addressed:

- The absence in many countries of exceptions to copyright for core activities, like preservation, replacement, lending, even for print materials.

- Exceptions to copyright which enabled libraries and archives to preserve and make available works in the print era have not been updated to the digital age, particularly with respect to digital archiving and virtual learning environments.

- Imposed licences for the provision of digital information are often used to undermine exceptions and limitations to copyright designed to support education, learning and creativity.

- Prohibitions to circumvent technological protection measures (TPM) to preserve, archive and enable permitted use of lawfully acquired digital content, are hampering research, leading to an incomplete cultural, scientific and historical record.

- The cross-border, multi-jurisdictional nature of the Internet is not reflected in current copyright law. Restrictions on the legitimate flow of information and cultural content provided by libraries across international borders will constrain innovation and growth in under-developed and developing countries.
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Schedule:

July-August 2013: SCCR 26

Autumn 2013: SCCR 27

June (?) 2014: drafted recommendations

September 2014: General Assembly at WIPO

2015: Diplomatic Conference

- International treaty
- Basic foundation for all countries
- Designed to accommodate common needs as well as differentiation
E-books in libraries
A European campaign by

JOIN US!

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http://www.eblida.org/e-books-in-libraries.html
Ready? Read 'e'. E-services in libraries, from European Thinking to local Actions
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By 2014

By 2015
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Conclusion and Discussion
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Conclusion and Discussion
Thank you for your attention

Vincent.bonnet@eblida.org
Issues to be discussed:

• How to reform the copyright framework?
• Is there a space for an exception under Public lending right?
• Is there an equivalent in the digital environment?
• What do we do with cross-border access?

Concrete questions at National/Europe/International level
Slide 1: Noël-Nicolas Coypel (1690-1734), L’enlèvement d’Europe, 1726, Oil on canvas - 127 x 193 cm, Philadelphia, Museum of Art, Photo : D. R.
Slide 2: Paolo Rumiz, http://www.presseurop.eu/fr/content/blog/842481-paolo-rumiz-il-cuore-dell-europa-batte-est
Slide 6: Image of the European Union, European Union website; Schengen space map, www.rfi.fr; Eurozone map:
Slide 7: Source: Drawing from Burki, Suisse, http://www.notre-europe.eu/011-13367-Espace-de-liberte-de-securite-et-de-justice.html
Slide 8: EBLIDA position paper
Slide 10: http://www.guardian.co.uk/commentisfree/2012/jun/28/ebooks-restricted-european-borders
Slide 11: picture of Cory Doctorow (Portrait by Jonathan Worth 3, credit Jonathan Worth, link to http://jonathanworth.com); Captain Copyright (http://upload.wikimedia.org/wikipedia/en/8/87/Captain_copyright.jpg)
Slide 12: Picture from the website http://mimiandeunice.com/
Slide 16: Source EBLIDA leaflet e-books in libraries campaign; picture from http://www.xammes.nl/_images/iPad.jpg;
Slide 20: Picture from the website http://mimiandeunice.com/