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Exceptions and Limitations for Libraries and Archives: U.S. Engagement at WIPO
World Intellectual Property Organization
Copies For the University, Royal and Advocates Libraries

The Statute of Anne, 1710

“delivered . . . before such Publication made,... for the Use of the Royal Library, Libraries of the Universities of Oxford and Cambridge, the Libraries of the Four Universities in Scotland, the Library of Sion College in London, and the Library commonly called the Library belonging to the Faculty of Advocates at Edinburgh. . . .
Institute of Museum and Library Services

- Primary source of Federal support for the United States’ 123,000 libraries and 35,000 museums. Grant making; research; data collection.

- “Ensure the availability of museum, library, and information services adequate to meet the essential information, education, research, economic, cultural, and civic needs of the United States.”

- “Advise the President and Congress on museum, library, and information services in order to ensure the creation, preservation, organization, and dissemination of knowledge.”
21st Century Library Services
Why Engage?

- Policy function.
- Planning museum, library (archives), and information services.

Why International?

- Libraries and archives increasingly operate in an environment affected by international treaties and protocols.
- Legal instruments, protocols, and key policy statements recognize the important role that museum, library, and information services play in economic development, the creation, dissemination, and preservation of knowledge, and the design and management of the technological infrastructure for the 21st century.
The U.S. SCCR Delegation
“The United States is proud to have a series of specific exceptions and limitations in our copyright law, including for education, libraries and persons with print disabilities.

“The law of the United States has these exceptions because we believe access to information, cultural expression, and ideas is essential and we know that governments have a role to play in facilitating that access and reducing barriers to information and education and full participation in a democratic society.”

“The United States is committed to both better exceptions in copyright law and better enforcement of copyright law ... This is part and parcel of a balanced international system of intellectual property.”
“Libraries and archives advance knowledge by providing access to works that comprise the cumulative knowledge, cultural heritage, and collective memories of the world’s nations and peoples. They are essential to the knowledge economy of the 21st century, supporting research, learning, innovation and creative activity; providing access to diverse collections; and providing information and services to the general public, including disadvantaged communities and vulnerable members of society.”

“[W]e . . . believe that there are some general objectives and principles to which Member States can agree. We note, with interest, the Statement of Principles on Copyright Exceptions and Limitations for Libraries and Archives prepared by the Electronic Information for Libraries, International Federation of Library Associations and Institutions, and the Library Copyright Alliance, which was distributed at this Committee’s Eighteenth Session.”
Standing Committee on Copyright and Related Rights

Twenty-third Session
Geneva, November 21 to 25, 28, 29 and December 2, 2011

OBJECTIVES AND PRINCIPLES FOR EXCEPTIONS AND LIMITATIONS FOR LIBRARIES AND ARCHIVES

Document presented by the United States of America
Standing Committee on Copyright and Related Rights

Twenty-sixth Session
Geneva, December 16 to 20, 2013

OBJECTIVES AND PRINCIPLES FOR EXCEPTIONS AND LIMITATIONS FOR LIBRARIES AND ARCHIVES

Document presented by the United States of America
Updated Objectives and Principles – SCCR 26

- **Objectives:**
  - **Adoption of National Exceptions**
    - Encourage Member States to adopt exceptions and limitations in their national laws, consistent with their international obligations, that facilitate the public service role of libraries and archives, maintaining the balance between the rights of authors and the larger public interest, particularly education, research, and access to information.
  - **Preservation**
    - Enable libraries and archives to carry out their public service role of preserving works.
  - **Support for Research and Human Development**
    - Enable libraries and archives to carry out their public service role of advancing research and knowledge.
  - **Exceptions and Limitations in a Digital Environment**
    - Enable libraries and archives to carry out their public service mission in the digital environment.
  - **Other General Principles**
Next Steps
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