

President's Editorial

October has been a busy month for me and for the EBLIDA office but we have been working hard for EBLIDA and made some good connections for our future EBLIDA work. We had a very productive meeting with new contacts during the E-inclusion Congress during which we also met our NAPLE colleagues to discuss progress with the Vienna Declaration. A short report of the Congress appears in the News section.



I have also had the pleasure of co-ordinating the 2009 event Austria Reads: Meeting Point Library which has had a huge success with more than half a million participants across Austria participating in thousands of events across the country.

The EBLIDA office co-organized the second workshop on Digitization of Library Materials with LIBER in The Hague in the middle of the month and this will be followed up through the Joint Expert Group on Digitization and Online Access.

After last month's European Commission hearing on the Google Book Settlement, EBLIDA Director, Joanne, also represented us at the European Commission's hearing on Orphan Works this month and reports on that later in this issue. The topic of copyright is becoming hot in the Commission right now and we must seize the moment to follow up on this.

In November the EBLIDA Executive Committee will meet and we will be bringing you news of this in next month's issue.



Gerald Leitner,
EBLIDA President

Tips to look out for: Ning and Nook!

The "**Nook**" will be launched soon in competition with Kindle. It includes a "LendMe" feature letting the owner lend books to friends. Read the definition and use the links to read more on [Wikipedia >>](#)

"**Ning**" seems to be growing in popularity as a social networking site which allows customization around a specific topic of interest. The e-inclusion congress (read later) is using it for its social interaction site:

www.ning.com/

News Round-Up

"Content Online" Consultation

The European Commission has launched a consultation on "Content Online" with the deadline for submissions **5th January 2010**.

The objective is: "to launch a wide-ranging debate on how to develop vibrant online markets for goods and services protected by intellectual property rights. The consultation addresses the role of legal online markets and explores a variety of copyright management models that may induce a more rapid development of such markets."

View the consultation document and instructions for submitting a response at:

ec.europa.eu/internal_market/consultations/2009/content_online_en.htm

Communication on Copyright in the Knowledge Economy

On 19 October the European Commission adopted a Communication on Copyright in the Knowledge Economy (English, French and German versions available) which addresses the actions the Commission intends to launch following recent consultations and events. It is the Commission's response to the Green Paper of 2008.

The consultation documents can be found on both the Internal Market DG pages and the Audiovisual and Media Policies pages on DG InfoSoc:

http://ec.europa.eu/internal_market/consultations/2009/content_online_en.htm

Launch of the EU Digitized Archives


The EU launched its own digital archive of books on its EU bookshop website in October. The site was launched at the Frankfurt Book Fair and includes all publications edited by the EU's Publications Office on behalf of the European institutions, agencies and other associated bodies since 1952.

The electronic library contains 12 million scanned pages

from over 110,000 historical publications and a further two million pages from more recent ones. It includes items in all 23 official EU languages and aims to grow at a rate of up to 1600 publications a year.

Content will also be made available through Europeana. [Read more >>](#)

Google Book Settlement Revised Agreement Due by November 9th

 The parties in the Google Book Settlement met Judge Chin on October 7th for a status hearing and were asked to submit the revised settlement by November 9th with the intention of holding a fairness hearing in December or January. The first hearing, originally scheduled for October 7th, was postponed at the request of the parties to allow time for renegotiations based on comments from the US Justice Department.

New Institutional Repository Bibliography

To celebrate Open Access Week, Charles W. Bailey has released version 1.0 of the Institutional Repository Bibliography which gives references to articles and books which help to understand the different issues related to institutional repositories: digital-scholarship.org/irb/irb.html

PEER Reports on its First Year of Activity



PEER (Publishing and the Ecology of European Research) is a project funded by the eContent*plus* programme. It is investigating the effects of the large-scale, systematic depositing of authors' final peer-reviewed manuscripts (so called

Green Open Access or stage-two research output) on reader access, author visibility, and journal viability, as well as on the broader ecology of European research.

Read its first year activity report published on 30 September on the project website: www.peerproject.eu/reports/#c20

2nd LIBER-EBLIDA Workshop on the Digitization of Library Material in Europe

This second joint workshop welcomed 125 participants to the Netherlands National Library, the KB, in The Hague. It took place from October 19th to the 21st, at the beginning of Open Access Week, and to celebrate and promote this, t-shirts were handed out for speakers to wear.

The programme proved to be extremely interesting and received excellent feedback. Videos and slides of the presentations should shortly appear on the website:

www.libereurope.eu/node/391

Other events that took place in Europe during Open Access Week are listed in the OAD alongside this workshop: [read more >>](#)

European Internet Usage

Internet World Stats recently released the 2009 figures for internet usage which include statistics by European country:

www.internetworldstats.com/stats4.htm

And EU country:

www.internetworldstats.com/stats9.htm

Click on the individual country to get more detail.

European Congress on E-inclusion: ECEI09

"If libraries didn't exist would they be invented?" asked Sir Eppo Van Nispen tot Savenaer at the end of this fascinating European Congress. It had been one of the key questions considered during this congress: what added value can public libraries give over public internet services delivered to homes and other public access sites and telecentres?



Telecentres are any place where the public can access the internet and receive training or guidance of some kind on internet use. Schools, churches and mosques, community centres and even some cybercafés are becoming telecentres but what extra dimension do libraries have which should encourage policy makers to continue financing and supporting them?

Over 200 participants from 24 European countries and from other continents helped to try and answer these questions. They represented industry, funding programmes, the European Commission, telecentres, citizens rights organisations, public policy makers and libraries.

Libraries are commonly located in the centre of communities, especially rural communities; they are open to all, often open late and at weekends; they are free to enter without need of registration and offer most of their services for free; they are welcoming, safe places where the staff are helpful, trained professionals with wide-ranging knowledge about information sources in general, and users can use not only the internet but a wide range of sources including newspapers and books.

E-inclusion is important to the EU. Online, people can find health information, search for jobs, learn about and

participate in training opportunities, keep in touch with their family, and save money by comparing prices and buying online. As Jessica Dorr from the Bill and Melinda Gates Foundation said: "These days, if you don't have an online identity, you don't exist".

In Lithuania more than 50% of the population doesn't have access to a computer at home nor at work. E-inclusion is about giving them access and helping them to get the best out of it.

At the other end of the scale, Norway has 97% of its population with access to the internet from home. Libraries still have a role in educating people and bringing key services to their attention. Looking at the two extremes can help to understand what libraries are uniquely positioned to provide.

The Congress was hosted by the Flemish Government in Brussels and took place over two days. The combination of participants produced fascinating insight and some very productive networking opportunities and the organisers feel it was such a success that they hope to repeat the event next year.

EBLIDA's role representing libraries in Europe was presented to the participants by President, Gerald Leitner, who explained the Vienna Declaration ([read online >>](#)) and went on to elaborate why it's currently vital to engage in lobbying on copyright issues at European level and the need for a European-wide library policy. Many participants vocally supported the Vienna Declaration and stressed the importance of lobbying both at national level and also European level.

The Congress was a truly inspirational event with an excellent mix of participants and speakers who left feeling that Eppo's suggestion to "aim for infinity and beyond" was something achievable. EBLIDA looks forward to participating in next year's event and encourages as many of you as possible to attend.

Some presentations are already online and video is due to follow: [ECEI09 home page](#)

STM Releases New Report on Scientific and Scholarly Journal Publishing

The International Association of Scientific, Technical, and Medical Publishers (STM) has published, 'The STM Report: An overview of scientific and scholarly journal publishing', a follow-up to the 2006 report, 'Scientific publishing in transition: an overview of current developments'.

Funded by STM, and prepared by Mark Ware Consulting and STM, 'The STM Report' collects the available evidence, and provides a comprehensive picture of the trends and currents in scholarly communication. It shows that scholarly communications are undergoing

profound changes driven by technology and economic factors, while authors' core motivations to publish remain stable.

[Read the full report in pdf >>](#)

New A2K publication

A second edition of The Bibliotheca Alexandria, Access to Knowledge Toolkit (BA A2K ToolKit II) has been published. It is intended to showcase the achievements of the A2k movement up till now; highlight the barriers hindering its progress; envisage its future; and suggest the steps that need to be taken. In this toolkit, experts from the four corners of the globe have volunteered to share with us their experience, views, and expectations for the A2K movement. They also discuss the challenges, opportunities and future prospects.

The following is an extract from the conclusion of EBLIDA Expert Group member, Barbara Stratton's chapter on "A2K Quinquennium – Now we are five – The Library perspective":

"If libraries want to be a significant part of the future information and knowledge society, doing nothing or doing too little is simply not an option. As librarians, we cannot afford not to be involved in the current debates in the forums where decisions are actually made and must not, as a profession, be deterred by the financial cost of ensuring we have the people and resources in place to accomplish our task at WIPO. Failure to invest now in our digital future is likely to bring greater costs to society and to the library mission, which will be more than merely financial in nature."

[Read the full paper in pdf >>](#)

Cornell University Library Publishes New Book on Copyright Relating to Digitization

"Copyright and Cultural Institutions: Guidelines for Digitization for U.S. Libraries, Archives, and Museums," by Peter B. Hirtle, Emily Hudson and Andrew T. Kenyon is a guide to assist understanding and compliance with US copyright law for libraries undertaking digitization projects. Although it does not address European copyright law, it is nevertheless an easy-to-understand guide to how copyright works and might be useful in comparing US copyright legislation to our own laws.

It can be purchased from the US or downloaded for free from <http://hdl.handle.net/1813/14142>.

[Read the full details >>](#)

Orphan Works

European Commission Public Hearing on Orphan Works

EBLIDA was invited to represent libraries on October 26th in Brussels at the European Commission's hearing on Orphan Works. The event was organized by the Copyright Unit of DG Markt who invited 21 speakers, along with representatives from other DGs, the European Parliament, the press, and interested applicants from publishing companies, right holders, libraries and citizens groups. See the [agenda online >>](#)

The "problem" of Orphan Works

Orphan Works are those works where the copyright holder cannot be identified and/or located either because he is unknown (because the work has no name attached or because the copyright has passed from the original creator to unknown inheritors) or because he simply cannot be traced. Without permission from the right holder, a work cannot be legally digitized in Europe, yet by definition, it is impossible to obtain that permission for Orphan Works.

With the availability of new technology and the web, libraries want and are able to digitize works in their collections on a large scale—so called mass digitization. They can separate public domain works, which are free to digitize, from works known to be in copyright and for which they can request permission and/or a license from the right holders or the organization representing them. Orphan Works, which account for an estimated 50 million items in the UK alone, cannot be digitized at all.

Examples of Orphan Works include: letters and manuscripts; photos from personal collections; recordings of local events including debates, musical groups, or accents and dialects; books; magazines; leaflets, and newspaper articles, etc. They might have been created or published anytime in the last 140 years but the majority of Orphan Works are more than 50 years old.

Solving the problem—licensing and exceptions

Two possible solutions exist: using extended collective licensing or adapting copyright legislation.

Extended collective licensing is already possible in some EU countries and is the solution favoured by right holders organizations. It requires legislation to allow an organization to represent right holders who are not members. Libraries can then negotiate a contract and pay a fee to the organization to allow them to digitize the work and be covered if a right holder subsequently appears.

The advantages are that libraries do not have to search for the right holders individually. However, there are three main disadvantages to licensing for libraries. First, a fee must be paid which is unlikely to be claimed by the right holder and may even have been paid for items that are in the public domain. Second there is the time and cost required to negotiate a contract. Third, and most impor-

tantly for cross-border digital libraries like Europeana, is that contracts can differ from right holder to right holder and country to country making the management of all the different contracts and the different activities allowed by each contract into a complex technological problem.

For these reasons, libraries would like to have an exception to existing copyright legislation which would allow them to digitize works that they believed were orphan following a reasonable search for the right holder. In mass digitization projects of certain collections the cost of searching for all the right holders might still make a license solution more efficient.

The prohibitively high cost of searching for right holders is another reason that libraries do not attempt to digitize many items. However, if the level of search required were to be defined at such a level that these costs were minimized then licenses might not be necessary in these situations.

EBLIDA statement and next steps

At the hearing, the EBLIDA Director attempted to explain the points mentioned above and presented a suggestion for the text of a possible exception. Read the text of the [statement online >>](#)

The exception solution was also supported by the JISC, British Library, INRIA, Google, and the Open Rights Group. Most right holder organizations spoke out against such an option but many strangely claimed that Orphan Works weren't a big problem in their respective areas.

Google also suggested that the necessary search for right holders might consist simply of searching ARROW (see www.arrow-net.eu/) which was also presented at the hearing by the Federation of European Publishers and is due to be launched next year.

The JISC presented figures on levels of Orphan Works in libraries, archives and museums from its "In from the Cold" report ([read the report >>](#)). The British Library asked for a cut-off date of 1923 in line with the USA. The Citizens Rights Group also asked for the term of copyright to be reduced which would diminish the problem of Orphan Works by reducing their number in future.

During the Q&A session EBLIDA was heavily questioned on the definition of 'mass digitization', the intended use of digitized Orphan Works, the accuracy of the figures presented, the scope of the 'reasonable search', and the difference between works of commercial value and non-commercial value.

The Copyright Unit intends to put copies of all the presentations online but has not yet announced where things might go from there. EBLIDA will join many other organizations in trying to influence what next steps will be taken, through one-to-one meetings and lobbying. As always we will keep EBLIDA members updated.

EBLIDA Executive Committee

Next meeting: Barcelona, Spain, 12–13 November 2009.
Committee members and minutes of previous meetings:
www.eblida.org/index.php?page=executive-committee

EBLIDA Expert groups

Expert Group on Information Law.

Chair: Toby Bainton, toby.bainton@sconul.ac.uk
Next meeting: early 2010 in The Hague (date to be confirmed).

The group met in London on 29 September 2009. The future strategy of the group was the main item on the agenda and will continue to be discussed virtually whilst draft documents are circulated amongst members. There was also a discussion about the position EBLIDA should adopt for the Orphan Works hearing which has been reported earlier in this newsletter.

The group agreed to prepare a response to the public consultation on post-i2010 and this was submitted before the deadline of 9 October. Members will also contribute to the consultation response for Europeana—Next steps.

Group pages: www.eblida.org/index.php?page=egil

Joint Expert Group on Digitisation and Online Access.

Chair: Bas Savenije, bas.savenije@kb.nl
Next meeting: probable date May 2010, Finland.

The group met in The Hague on 19 October 2009. Structural changes made within LIBER were announced and these will have implications for the group and will require changes to the group's mandate which the Executive Committee will need to discuss.

The main focus of the meeting was a discussion about the response to the Europeana consultation and members will be preparing this in coming weeks. The group also discussed what topics it might concentrate on in future and how it might attract more members.

Group pages: www.eblida.org/index.php?page=jegdo

∞ Looking for more members from any organization or country!

Expert Group on Culture and the Information Society.

Chair: Barbara Lison,
Barbara.Lison@stadtbibliothek.bremen.de
Next meeting postponed as the group is working virtually:

- ◆ A web page is being compiled containing links to background documents on culture at a European level. This will eventually be made public.
- ◆ Barbara Lison is going to meet the Secretary General of the European Cultural Parliament to discuss future participation:
www.kulturparlament.com/

Group pages: www.eblida.org/index.php?page=egcis
∞ Looking for new members from eastern European states.

Information and Library Education Group.

Chair: Jill Martin, Jill.Martin@cilip.co.uk
Next meeting: January 2010, to be confirmed.

Group pages: www.eblida.org/index.php?page=peg
∞ Looking for new members from eastern European states and anyone with expertise on educating digital librarians.

Events and Dates

Events in November-December

Further details in EBLIDA's calendar of European events:
www.eblida.org/index.php?page=european-events

WissKom2009
4–6 November 2009, Juelich, Germany

2nd International Conference INFUTURE2009: Digital Resources and Knowledge Sharing
4–6 November 2009, Zagreb, Croatia

4th ICITST 2009: 4th International Conference for Internet Technology and Secured Transactions 2009
9–12 November 2009, London, UK

The SciTech Europe 09 conference
11–12 November 2009, Brussels, Belgium

ALPSP Seminar: Marketing to Libraries
20 November 2009, London, UK

Fair Use of Information - Seminar on Information Ethics
25 November 2009, Helsinki, Finland

Conference Online Information 2009
1–3 December 2009, London, UK

European Semantic Technology Conference (ESTC2009)
2–3 December 2009, Vienna, Austria

Digital Strategies for Heritage (DISH)
8–10 December 2009, Rotterdam, The Netherlands

2nd Cultural Heritage Online Conference - Empowering users: an active role for user communities
15–16 December 2009, Florence, Italy