

Copyright and Permissions in the Electronic Age

Panelists:

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Thousand Oaks, California

Isabel Czech
ISI
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Carol A Risher
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A pop quiz? We weren't prepared! And that was evident from the split vote in response to 10 true-false questions about what constitutes copyrightable work. What about "ideas, procedures, methods, systems, processes, concepts, principles, discoveries, or devices" (false or, more accurately, it depends on the permanence of the format) and "architectural works" (true)? Ideas are not fixed in a tangible form of expression, but architectural works are. Literary works, including software and digital formats, are also tangible forms of expression.

Protecting the digital reproduction rights (the world of "digital rights management", or DRM) of work in print and digital format was the theme of the four presentations.

Carol Richman, director of licensing and electronic publishing at Sage Publications, provided an overview of copyright definitions, "Copyright: Print, Electronic, or Other Medium?" Copyrightable work is original work fixed in a medium—literary works; musical works; dramatic works; pan-

tomimes and choreographic works; pictorial, graphic, and sculptural works; motion pictures and other audiovisual works; sound recordings; and architectural works. The author or creator owns the copyright for reproduction, modification, publication, performance, and public display.

Copyright assignment from an author to a publisher may include permission for both print and electronic reproduction, whereas previously only print reproduction rights were assigned. A publisher's copyright assignment form must specify potential publishing media. Requests to publishers to reproduce copyrighted work must indicate the media in which reproduction will occur.

Isabel Czech, ISI director of public relations, described "Copyright Protection in an Electronic World: A Secondary Publisher's Perspective". Her main admonition to primary journal publishers was to print the copyright symbol and owner's name at the end of each abstract and on each page of every article. Thus, Web services that extract parts of articles are on notice that the material is protected by the primary publisher.

Monitoring the Web to control data abuse is a full-time job at ISI. Illegal and inaccurate use of ISI data on the Web reduces the value of the material and misleads readers. ISI uses BullsEye Pro to search multiple Web engines, analyze and produce relevance scores, review and mark records, list marked records for further investigation, and track specific sites.

Several Web sites explain electronic copyright: US Copyright Office (www.loc.gov/copyright/legislation), Coalition Against Database Piracy (www.gooddata.org), and Database Hearing in Congress (www.databasedate.org).

Carol A Risher, senior vice president of business development at Savantech, addressed "Digital Rights Management" in general. DRM applications include managing digital rights, digitally managing rights, controlling access, and controlling

use. DRM technology can help publishers provide online licensing, track use, control unauthorized use, protect copyrighted content, ensure integrity, and enforce ownership.

Persistent DRM has two components: encryption and decryption, the keys that lock and unlock information. In more complex systems of encryption and decryption, different keys are needed for each process.

The costs to deploy a DRM system include those of system acquisition, production, distribution, and changes in workflow. Most publishers, using technology designed to fit identified needs and selective enforcement, take a phased approach to implementation.

Edward W Collieran, director of publisher relations for the Copyright Clearance Center (CCC), described the benefits of using a DRM firm in "Maximizing the Digital Content Market".

From the rights-holder's perspective, licensing has evolved to respond to consumer requests for permissions, to bill users for royalties, and to use licensing agents to permission works, collect royalties, and deliver licenses and content electronically. From the user's perspective, CCC contacts rights-holders for permissions, gets permissions and content instantly from rights-holders online, and pays royalties electronically. Those services fulfill consumers' need for speed and protect rights-holders' interests.

DRM technology now allows permission for reuse directly at the point of content. By attaching a link to an article, photograph, or chart, rights-holders may license only the content they prefer to license.

Finally, Collieran emphasized the importance of education in protecting digital content. Communication of the importance of copyright compliance to constituencies is imperative. Technology is only a means to an end when one is dealing with copyright issues in the electronic age. 