

THURSDAY & FRIDAY APRIL 12-13, 2012

ORPHAN WORKS & MASS DIGITIZATION: OBSTACLES & OPPORTUNITIES



What role should **registries** play in averting **orphan** work problems?

What mechanisms will facilitate information sharing about which works are public domain, orphan, or open access?

MS. No.
5785.137

Stationers' Company, London

E

A
TRANSCRIPT
OF THE
Registers

OF THE
WORSHIPFUL COMPANY OF STATIONERS:

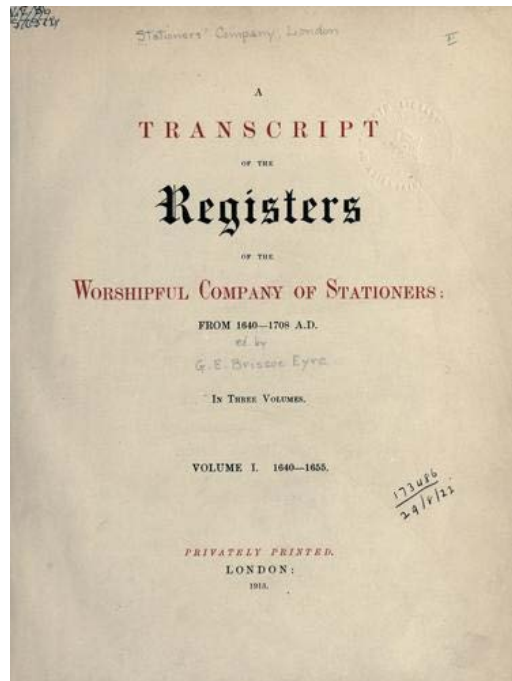
FROM 1640—1708 A.D.
edited by
G. E. Briscoe Eyre

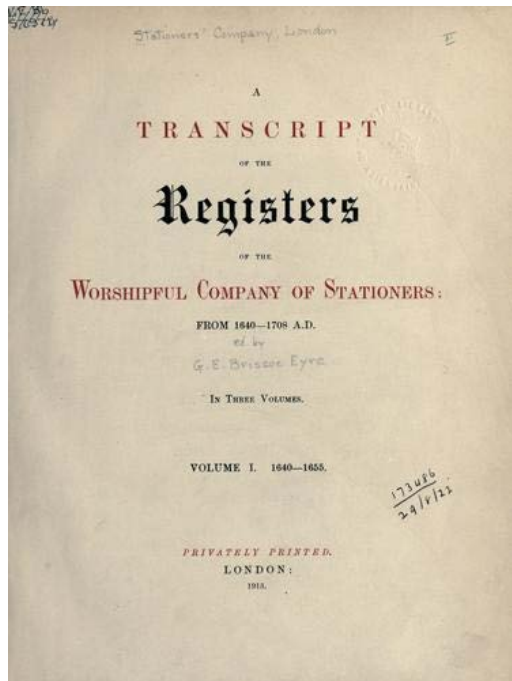
IN THREE VOLUMES.

VOLUME I. 1640—1655.

177466
24/1/11

PRIVATELY PRINTED.
LONDON:
1911.





Firefox

WebVoyage

cocatalog.loc.gov/cgi-bin/Pwebrecon.cgi?DB=local&PAGE=First

Copyright
United States Copyright Office

Help Search History Titles Start Over

Public Catalog

Copyright Catalog (1978 to present)

Basic Search [Other Search Options](#)

Search for:

Search by: **Title (omit initial article A, An, The, Et, La, Das etc.)**
Name (Crichton Michael; Walt Disney Company)
Keyword
Registration Number (for VAu 598-675 type vau000598675)
Document Number (for V2606 P87 type v2606p087)
Command Keyword

Scroll down for Search Hints

25 records per page

Search Hints

- Works registered prior to 1978 may be found only in the [Copyright Public Records Reading Room](#).
- Can't find what you're looking for? Try our "Other Search Options".
- Search terms are not case sensitive.
- Search limits can be used with all "Search by:" options.

Copyright Principles Project

- “Copyright law should encourage copyright owners to **register** their works so that better information will be available as to who claims ownership in which works.”
- “This idea can be implemented by restructuring the availability of certain rights and remedies depending on the rights holders’ **registration of the work with a registry service.**”

Proposed EU Directive

- “A diligent search should involve the consultation of **publicly accessible databases** that supply information on the copyright status of a work.”

Public Knowledge: A Copyright Office for the 21st Century

- “A **complete copyright registry** that takes full advantage of digital technology will reduce costs for copyright holders, those engaging in searches, and taxpayers.”

Report on Orphan Works

“Very often any description of a typical orphan work photograph would be useless: for example, ‘farmer with three horses, mountains in background.’ A user might never match the photograph to the description. Conversely, requiring an owner to monitor a user database would be pointless for the same reason.”

Also . . . dynamic and other difficult-to-register works . . . expense of centralized systems.

Victor Perlman

“Try doing a text search for a photograph and see what happens!”

What role should **registries** play in averting orphan work problems?

What mechanisms will facilitate information sharing about which works are public domain, orphan, or open access?

What role should registries play in averting orphan work problems?

What **mechanisms will facilitate information sharing** about which works are public domain, orphan, or open access?







© copyright 2012
Associated Press





Metadata Working Group

“Metadata has become a powerful tool to organize and search through the growing libraries of image, audio and video content that users are producing and consuming. This is especially important in the area of digital photography where, despite the increased quality and quantity of sensor elements, it is not currently practical to organize and query images based only on the millions of image pixels. Instead, it is best to use metadata properties that describe what a photo represents and where, when, and how the image was taken.”

Information Sharing Mechanisms

- Centralized registries
- Decentralized tags
- ???

Information Sharing Mechanisms

- Public/private
- Centralized/decentralized/federated
- Universal/sector-specific
- Mandatory/voluntary
- National/international
- Digital/physical
- Human readable/machine readable
- Text/image/audiovisual
- Owner/user
- Identification-facilitating/transaction-facilitating
- Passive/active

Hargreaves Report

“It is widely acknowledged that the solution to these difficulties lies in the very technologies that created the problem. Just as new digital technologies provide new and exciting ways of using content, they offer a means of transforming the efficiency of licensing”

“These are notable benefits, but setting them out still does not answer the question **why such a system has not already been created**

[I]nitiatives are disparate, some appear to have lost momentum, and they have not so far produced the common standards and principles which would realize the potential of digital licensing.”

Challenges

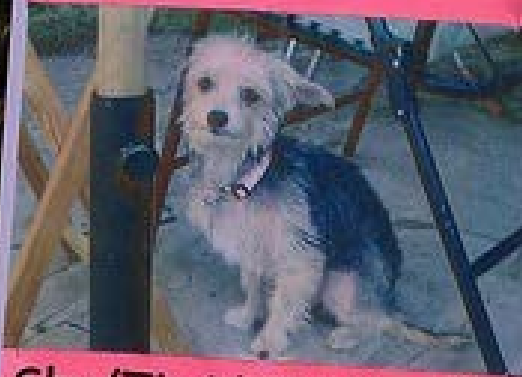
- Interoperability
- Persistence (vs. metadata stripping)
- Comprehension
- Reliability
- Expense—who bears the burden?
 - External benefits of locatability
- . . .

The Legal Environment for Rights Information Infrastructures

- Compare real property law:
 - Recording of real property interests is not strictly a prerequisite for valid property rights, but failure to record (“**sitting back and doing nothing**”) has consequences under state recording acts and related **common law** rules.
 - E.g. adjustment of **remedies**, early expiration of rights, superior rights for subsequent bona fide purchasers, **adverse possession**.
 - Legal consequences & incentives → participation in public and private rights information infrastructures.

2-12-11

LOST



Shy/Timid Yorkie Mix
\$1500 Reward
310-488-0024



What if digitization that allowed happy reunions between users and owners (*or happy new open access homes?*) triggered reward, instead of punishment?



THURSDAY & FRIDAY APRIL 12-13, 2012

ORPHAN WORKS & MASS DIGITIZATION: OBSTACLES & OPPORTUNITIES

- Jule Sigall
 - Associate General Counsel, Microsoft
 - Formerly Associate Register, U.S. Copyright Office
- Piero Attanasio
 - Head of International Affairs, Italian Publishers Association
 - Scientific Coordinator, ARROW
- Bruce Nash
 - Founder and President, Nash Information Services
 - Publisher of The Numbers, online database of movie financial information