Orphan Works & Mass Digitization

University of California, Berkeley
Boalt Hall School of Law

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Who Wants to Use Orphan Works?

Start with the Stakeholders:

- Authors
- Publishers
- Museums
- Researchers
- Filmmakers
- Licensors
- Database Developers

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Many Lists and Categories of Orphans...

• Definitional Categories
  • Diligent or Reasonable Search
  • Unable to Locate Owner
  • No Response from Owner
  • Scalability of the Search

• Types of Works
  • Books
  • Periodicals
  • Photos, Images, Art
  • Motion Pictures
  • Music and Sound Recordings
More Categories...

- Legal Categories
  - The Meaning of Fair Use
  - Application of Section 108
  - Ambiguity of Expiration and Public Domain

- Access and Usability
  - Full Public Access
  - Open Access
  - Limited Rights
  - Conditional License (and fees?)
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Orphans in the Library...

- Preservation Models
- Digital Collection Development and Access
- Individual Items
- Ancillary Elements of Other Works
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Preservation Model

*Ling Long Women’s Magazine*, 1933
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Digital Collection Development

Historical Corporate Reports Online

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Senator Herbert Lehman Collection

Letter from McGeorge Bundy, 1951:
“What is important is that decency and honor and good sense should have a fighting voice in the Senate....”
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Individual Items

Columbia Campus

Protest online exhibition
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Ancillary Elements

Biggert Collection of Architectural Vignettes
July 27, 1921

Lake Minnewaska, Mountain Home, Minnewaska Lake, N.Y.

Brother, please understand your fifteen anniversary booklet, also I should like to prices for an outside room with bath. Do prices include privileges of self service items. I would appreciate some details about self service.

I plan for a vacation in Colorado.

Sending you, I remain

James

Louis W. Nelson

62 W. Main St., Pueblo, Colo.
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The Papers of John Jay
1745 - 1829
Public Domain?

What Legislative Solution is Possible?

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Who Wants to Use Orphan Works?
<table>
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<th>Day</th>
<th>Event</th>
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<td>Tuesday</td>
<td>Demonstration in Low Library -against IDIA, discipline for IDIA W.I.U. 12:00 P.M. at Sundial. Speaker: East Africa- &quot;Problems of Revolution and Development&quot; Jim Weiler, just returned from 2 years teaching in Tanzania. Earl Hall Auditorium at 7:30 P.M. Anti-Racism Committee- 7:30 P.M. Carman Lounge. Plan week's actions: rally, demos, canvassing. Springer Demonstration- 1:00 P.M. Rockefeller Center. Support German students against the fascists.</td>
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<td>Wednesday</td>
<td>Imperialism Seminar- 7:30 P.M. Protestant Office, Earl Hall. Victor Perlo, Marxist economist.</td>
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<td>Friday</td>
<td>Roger Hillsman speaking on Kennedy's Program. Horace Mann Auditorium. 2:00 P.M. Steering Committee- 3:30 P.M. Earl Hall.</td>
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<td>Saturday</td>
<td>Peace Parade- Watch for more information. All those interested in helping the Labor Committee distribute leaflets on Saturday for demonstration at City Budget Hearings in early May contact Steve Korn. Dance (to be named)- Wellman Auditorium, 9 P.M.-1 A.M. $1. Mansfield-Smith Blues Band (formerly the Body snatchers).</td>
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**Demonstrate Against the Repression and Columbia's Racism**

**Tuesday, 12 Noon Sundial**
Who *Needs* to Use Orphan Works?

**FORD DUE TO APPROVE NEW COPYRIGHTS LAW**

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Thank You!

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