



- Creative Commons
- Orphan works
- IPR for volunteers and employees
- Open vs Protection



Courtesy of Flickr: <http://www.flickr.com/photos/ctorresphoto/3427060086/>

Set up 2001:
Cyberlaw, computer science and legal experts 'to share
and build on work of others consistent with copyright law'

Before you start

- Make sure the work is copyrightable
- Make sure you have the rights
- Make sure you understand how Creative Commons licences work
- Be specific about what your licensing
- !Read the FAQs!

Courtesy of:
<http://creativecommons.org>

6 main licences

- Attribution Non-Commercial No Derivatives
- Attribution Non-Commercial Share Alike
- Attribution Non Commercial
- Attribution No Derivatives
- Attribution Share Alike
- Attribution



Courtesy of Flickr:
<http://www.flickr.com/photos/21572939@N03/2090542246/>

- Works for which the rights owners are not known or cannot be traced.
- Usually small commercial value, high cultural value
- Expensive in time, money and effort to trace

Some examples of orphan works:

- Magna Carta
- Jack the Ripper letters
- Hatfield House- servants' letter

- The First UK-wide qualitative and quantitative survey of “orphan works” survey co-funded with The Collections Trust;
- Followed up by current *'In from the Cold Europa'*
- Help inform “debate” on copyright exceptions through empirical research;

Some Results:

Average 5/10% of all works, but Archives up to 50%
In excess of 50 million orphan works across public sector
6.5 million days to clear all orphan works for works in survey

Access locked down to circa 5 million works in the cultural heritage sector

Basic legal situation

Copyright in literary, dramatic, musical and artistic works created by an employee in the course of his or her employee duties automatically belongs to the employer unless there is some contract to the contrary. Works created by students, contractors, volunteers, interns etc will belong to them unless contract in place.

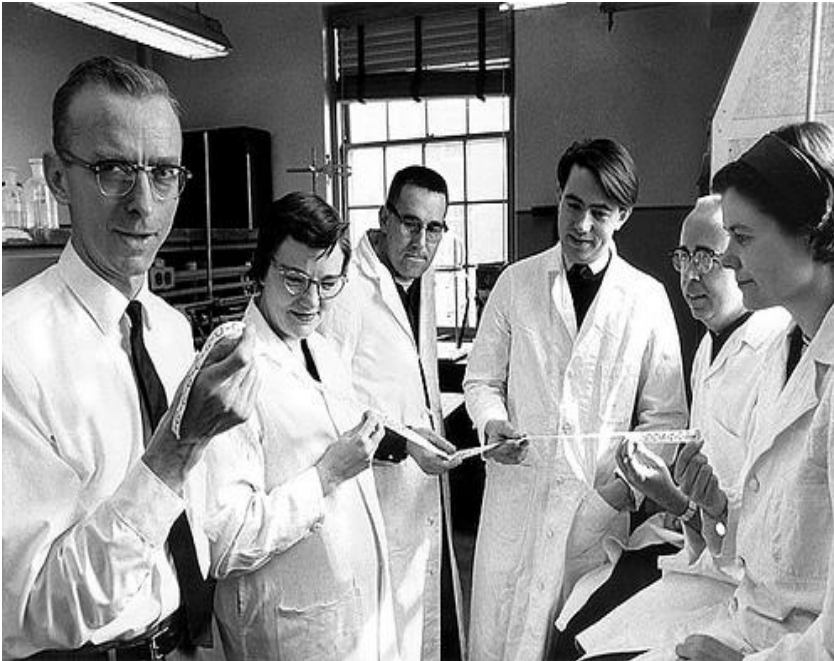
However,

Anything, other creative works and performers rights and work that was not part of his or her normal employee duties or outside of the contract of employment, then the default position is that the employee owns the IPR in that creation and not the employer.

A clear IPR policy is essential

- Outlining roles, rights and responsibilities
- A policy outlines who owns what rights to ensure, for example, that staff understand that they may not actually have the rights to sign away, particularly to commercial publishers
- Any policy developed by the organisation is both widely disseminated and is adhered to

Materials created by third parties should not be sold, copied or re-disseminated without the express written permission of the owner of the rights in that third-party material.



Courtesy of: <http://www.flickr.com/photos/marsdd/2986989396/>



The Great Debate: Open Access

Photo: AP