

What Comes After Access?

University Institutional Repositories, Copyright and Digital Preservation

Elizabeth Shaffer
Harrison W. Inefuku
University of British Columbia

The Problem

How does copyright law impact our ability to preserve materials in UIRs?

Objectives

- Identify how digital preservation strategies may infringe existing copyright law
- Establish digital preservation measures possible under current legislation and test them in an IR context
- Determine what changes to copyright law are required to ensure proper digital preservation strategies can be applied

Methodology

- Action research with an ethnographic approach, including:
 - Case study methodology
 - Content analysis of copyright legislation and case law in light of recommended digital preservation solutions

Copyright Law

Legislation

Canadian Copyright Act / Bill C-32
United States Copyright Law
Berne Convention
WIPO "The Internet Treaties"

Moral Rights

Attribution
Integrity

Exemptions for Libraries

Copies for preservation
Interlibrary loan
Reproduction technologies

Weaknesses for Digital Environments

Number of copies
Digitization
Copyright violations
Preservation

Suggestions for Copyright Reform

Technological prevention measures
Rights management information
Technologically neutral right of preservation
Digital copies
Liability regarding copyright infringement

Selected Bibliography

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Digital Preservation Plan

Distribution License

Provide access and publish

Activity Model

Functions required for preservation

Metadata Application Profile
Access (*Dublin Core*)
Authenticity (*InterPARES Chain of Preservation*)
Preservation (*PREMIS*)

Model Policies
Acquisition
Intellectual Property
Preservation

File Format Guidelines
Guidelines for selecting formats for preservation and access



a place of mind
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Dr. Luciana Duranti, Erin Abler, Cristina Drego, Adam Jansen, *InterPARES 3 Project, University of British Columbia*
Dr. Mira Sundara Rajan
Bruno Godin, *Faculty of Law, University of British Columbia*
Hilde Colenbrander, *ciRcle, University of British Columbia*
Dr. Joseph T. Tennis, *The Information School, University of Washington*

This project is jointly funded by the University of British Columbia Hampton Research Fund and the InterPARES Project.

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