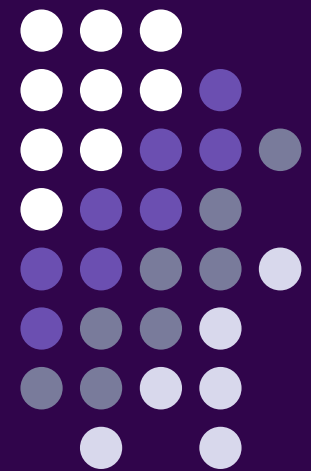


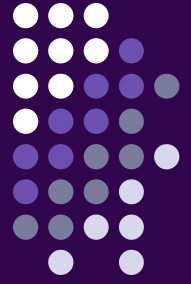
Digital Preservation and Copyright in the United Kingdom

WIPO International Workshop
on Digital Preservation and
Copyright

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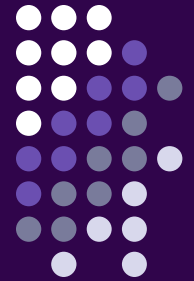


Presentation outline



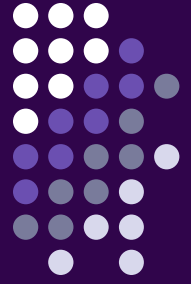
- Copyright, legal deposit and digital preservation in the UK
- Responses to current situation
 - Legal deposit
 - Review of IPR and Government consultation
 - Licensing approaches
- Recommendations

Copyright, legal deposit and digital preservation



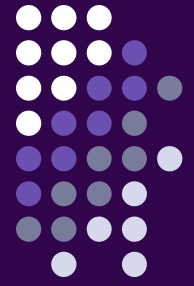
- Legal deposit currently only applies to print, limited voluntary deposit activities
- Current preservation exception to copyright law (S. 42, CDPA 1988) is limited in scope and not helpful for digital preservation requirements
- Use of technological protection measures may hamper preservation, but current mechanism for addressing this is not practical
- Contract over-rides copyright provisions except in limited circumstances

Responses: Legal deposit and preservation copying



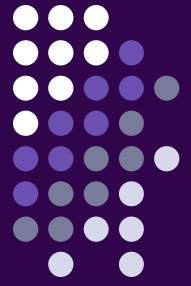
- *Legal Deposit Libraries Act 2003*
- Enabling legislation, further regulation required to extend legal deposit to digital content
- Makes provision for preservation copying and web archiving by legal deposit libraries
- Films and sound recordings specifically excluded

Responses: Gowers Review of IPR & Government consultation

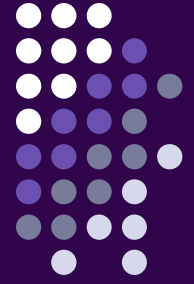


- Changes to law currently being explored
 - To extend the scope to museums
 - To extend the scope to audiovisual material
 - To make current exceptions applicable to digital collections
 - Number of copies that can be made
 - Permanent collections?
 - Reference only?

Responses: Licensing approaches



- Web archiving currently by agreement with individual rights holders
- Model licence in higher and further education sectors (NESLi2) includes archival provisions
- Pilot LOCKSS scheme and UK publishers and libraries participating in PORTICO and CLOCKSS
- UK reproduction rights organisations developing digital licensing schemes, but they do not seem to include preservation copying



Recommendations

- Extend scope of current preservation exception to facilitate digital preservation of all classes of material whilst safeguarding the interests of rights holders
- Extend legal deposit to digital content, review exclusions of certain categories of material
- Develop a more practical mechanism to address issue of TPMs