

BRITISH  
LIBRARY

# Digitising, E-Journals and Intellectual Property

Benjamin White  
Intellectual Property Manager

British Library







# Towards a Definition

Is preservation  
important?

“Minutes of Science”

e.g. Artemisinin

You don't know the value of something until it's  
gone.

## Total Annual UK Higher Education Library Spend on E-Resources (2006)

£20M (e-series)

£20M (e and print bundled content)

£30M (other e-resources)

**Total = £70Million**

Source = Society of College, National and University Libraries



By 2020 80% of all material collected by a research library will be available in electronic form, 40% of this will be exclusively e.

Copyright is becoming **irrelevant** – licensing controls electronic journals.

## 100 Contracts offered to the British Library - Archiving

Yes = 23%

No = 19%

Silence = 58%

## Digital Preservation: Awareness, Responsibility and Rights Issues 2003.

44%

of libraries reported no post termination access.

## Rights Issues are numerous (and intractable):

1. Existing legislation (if relevant) out of date. e.g. One preservation copy, permanent collection, only if not available from the publisher etc.
2. Too many publishers too little time.
3. TPMs, expiring software licences etc.
4. Do the publisher's own the rights? (Title transfers, only 51% of authors assign all rights to publishers, no standards re rights expressions and open access etc.)

Only **legislation** can its way through these issues

**but**

copyright law must therefore take **primacy** over  
contract law.