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# Committee on WIPO Standards (CWS)

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Proposals for improvement of copyright orphan work metadata in WIPO Standard ST.96

*Document prepared by the International Bureau*

## INTRODUCTION

At its sixth session, held in 2018, the Committee on WIPO Standards (CWS) agreed to include copyright orphan works as part of WIPO Standard ST.96 (see paragraph 68 of document CWS/6/34). At its eighth session, held in 2020, the CWS noted that XML schema components for copyright orphan works were included in WIPO ST.96, version 4.0, and the XML4IP Task Force planned for enhancement of some copyright components, e.g., RightsHolderType and OrphanWorkKindCode, which would be improved to provide a more structured format (see paragraphs 8 and 30 of document CWS/8/14).

Since the last session, the XML4IP Task Force worked to improve the data structure and description of several copyright components defined in ST.96. In order to support this work, the International Bureau launched a project to draft a paper, which included proposals to improve ST.96 copyright components, as well as provide a summary of existing copyright industry standard identifiers. The Task Force was invited to review and comment on this draft paper, as well as some copyright Offices and copyright industry groups. The International Bureau prepared the revised draft to take into account the comments from the Task Force and other contributors.

The working draft paper is presented, as the Annex to the present document for consideration and comments by the Committee, which has wider audience than the XML4IP Task Force, in order to improve WIPO Standard ST.96 Copyright components.

## PROPoSAL FOR METADATA MANAGEMENT OF COPYRIGHT ORPHAN WORKS

Copyright metadata management includes within its scope a large spectrum of practices and numerous types of metadata. The type of works that can be captured using metadata management vary from those associated with an artistic concept, i.e., the works created by a writer, a composer, an architect, a painter, or a choreographer, to the related rights generated by the embodiment of the artistic concept through its production and its performance.

The draft paper, referenced in paragraph 3 above, is focused on the copyright metadata management of orphan works, more specifically on providing a structured means of categorizing the information on rights holder roles and work categories. The main aim of this paper is to improve the interoperability of ST.96 with other data standards around the world, developed or used by cultural industries, collective management organizations in the area of copyright and related rights, as well as national and university libraries. Since its version 4.0, ST.96 has defined the rights holders roles (see ST.96 cpy:RightsHolderCategory) and orphan work categories (see ST.96 cpy:CreativeWorkldentifierCategory) in a monotonous manner using plain text, without much granularity. It is proposed to improve these by providing a structured format taking into account the information and practices on copyright metadata management available in the copyright communities.

The draft paper identifies and describes, with a higher degree of granularity, the different roles of rights holders involved in the creation and the production of creative works, and the different creative work categories. For both dimensions, it is noted that there is unfortunately no unique model available and it is improbable that one could be created at the time of preparation of the paper. Taking into account the copyright industry standards and practices, therefore, the draft paper includes two proposed models for rights holders’ roles and creative work categories, which are detailed in two separate Appendixes in the Annex to the present document. The two Appendixes explore the issue of interoperability through unique identifiers and several other potential improvement elements for ST.96 XML components for Copyright orphan works, which are as follows:

* Appendix I includes the list of proposed rights holder roles, their description and corresponding code per entry; and
* Appendix II includes the list of proposed categories of creative works, their description and corresponding code per entry.

*The CWS is invited to:*

1. *note the content of the present document and the Annex to the present document; and*
2. *comment on the draft paper, as reproduced as the Annex to this document.*

[Annex follows]