

Challenges facing a licensing framework

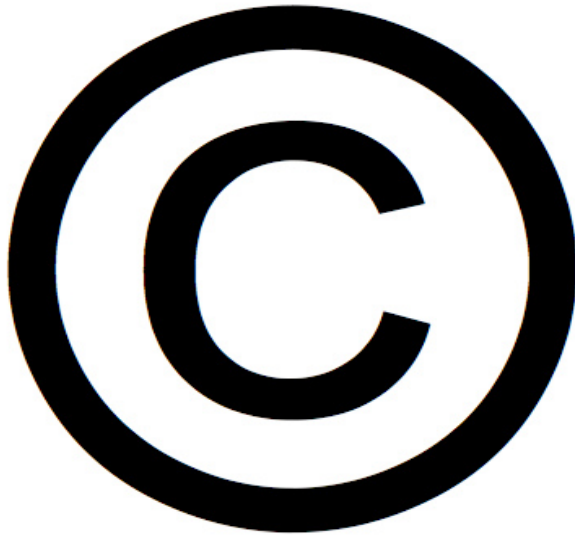


Challenges facing a licensing framework

Copyright and Licensing. Seizing the initiative through supportive tools and methodologies

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- About RePRODUCE and CASPER
- Challenges facing universities and colleges
- Overcoming the challenges?



Copyright all rights reserved symbols (white on black and black on white)
<http://flickr.com/photos/mikeblogs/3020966666/>
http://creativecommons.org/licenses/by/2.0/deed.en_GB

Square. Circle. Facets by <http://snow.ipernity.com>
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- 20 projects had to make use of at least 50% 3rd party content in their learning modules
- How important an issue was IPR impacting the success of their project?
 - 89% of projects found it was somewhat, very or critically important
 - 45% said it was critical
- How helpful was support received from CASPER?
 - 100% found CASPER's support Very or Critically helpful

What recommendations would you now make to staff dealing with IPR issues?

“try and avoid it from outset “

- There is a wide diversity in experience and knowledge of IPR and copyright and the potential administrative burden that it may entail:
 - Partnership agreements – do they cover rights?
 - Institutional policy – commercial exploitation of learning materials
 - Staff contracts
 - Issues surrounding internally sourced content
 - Rights management and tracking
 - Academic practice vs rights management practice
- Uncertainty regarding support for rights management within institutions and the need for senior management engagement with issues relating to risk

- Public sector needs to get it's own house in order
 - Only 14% of Reproduce projects found it easy to clear rights from other UK universities
 - 100% found it somewhat or very challenging to clear them from other Public sector organisations
 - Rights status of content created and hosted by is often unclear – staff have moved, lack of policy, lack of documentation
 - Gentleman's agreements vs formal arrangements
 - Generally an absence of clear rights statements especially around non-personal educational use
 - Ambivalence and opposition to permission for use and re-use
 - Universities will want to be paid to clear up rights issues
 - Identifying people with responsibility and ability to grant permissions and make decisions

- Lack of commonly accepted terminology and narrative
 - What do we mean by re-purpose and re-use?
 - What do we mean by open?
 - BBC
 - CETLs
 - How do other academics feel about use and re-use of their materials?
- And if we don't how can we explain it to anyone else?
 - Explaining to rights owners what projects were doing and how rights owners processed these responses
 - 'I presume this is a joke'
- In 62.5% of cases where permission was refused it was due to the type of rights that were being sought

- Are academic timetables and rights clearance timetables compatible?
 - This is a time consuming and as a result costly exercise
 - “All this on top of everything else”

- How long did RePRODUCE projects spend on rights clearance:
 - “About 10 hours”
 - “Months of negotiations”
 - “10 person weeks including identifying rights holders. This will increase as still chasing copyright”
 - “Very hard to say state clearly as this **wasn't monitored**, from the start, by all the team members.”

- Rights cleared for educational use in advance
 - JISC Collections
 - JISC Digitisation Programme
 - Open Educational Resources Programme
 - Jorum
- Material made available under an open content licence
 - Creative Commons – Flickr, YouTube etc
- Rights management and rights clearance tools
 - Web2rights: <http://www.web2rights.org.uk/>
 - CASPER: <http://www.jisc-casper.org/>
 - Copyright Toolkit: <http://www.copyrighttoolkit.com/>

- Is it enough to provide templates without additional support and expertise to adapt them for institutional needs?
 - Model rights clearance letters seen as much more helpful than licences?
 - Are licences too ‘un-friendly’?
 - Require some expertise and experience
 - Some evidence that other materials provided were under used/ignored
 - Either processes already in place
 - Lack of engagement/record keeping of rights clearance?



- Perception that Free to View equals Free to Use
- Perception that all publicly funded material is automatically available under a Creative Commons Licence
- Perception that Creative Commons means copyright free