

To get in sync with the digital world

Libraries Need a Digital Renaissance

The only way to do this is to

**Substantially Expand Use of
Copyright Law Limitations**

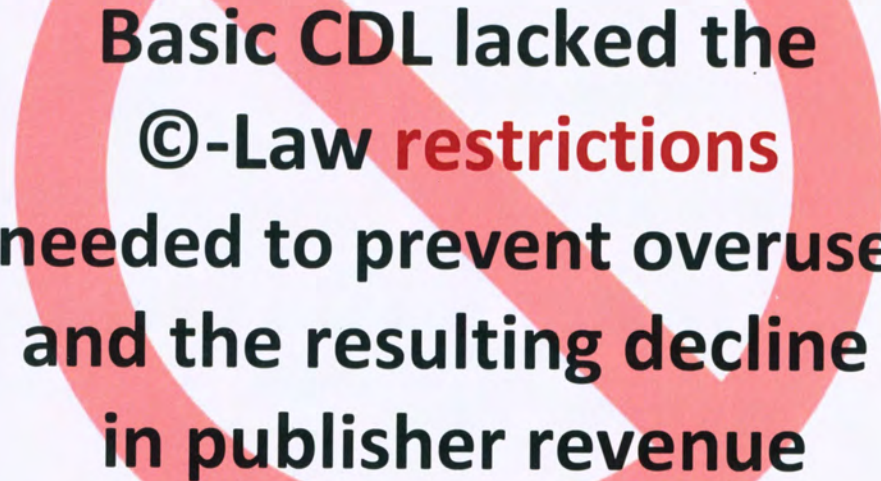
Controlled Digital Lending is **illegal**

In 2020, Internet Archive relaxed its 1-to-1 restriction and allowed unlimited access to each of its books, they were sued and lost, and basic CDL became officially illegal.

Perhaps DLSG's form of CDL+ had the potential to be deemed legal, if equipped with the right **restrictions** to protect copyrights holders from overuse. However, that opportunity has probably passed.

Controlled Digital Lending (CDL) was promising

However, CDL is illegal



**Basic CDL lacked the
©-Law restrictions
needed to prevent overuse
and the resulting decline
in publisher revenue**

Before the Digital Age, self-serve photocopying in libraries was legal, and libraries were able to transition to self-serve digital copying because the legal restrictions on both print and digital copying were sufficient to ensure that any negative effects on copyright holder revenues were small.

Self-serve Digital Copying is Legal

©-Law **restrictions**: the patron must perform the digitization, cannot redistribute, and copying is limited to excerpts

Before the Digital Age, making and sending photocopies, and faxing were legal forms of ILL, and libraries were able to transition to digital interlibrary lending because the legal restrictions on digital ILL were sufficient to ensure that the effects on copyright holder revenues were small.

Digital Interlibrary Lending (ILL) is Legal

©-Law **restrictions**: the library must digitize each new request, even if for frequently requested content, cannot redistribute the content, and copying is limited to individual articles and excerpts

The Copyright Act of 1976, made public display legal. Title 17 Section 109 (c) says: "... a projection of no more than one image at a time to viewers that are present at the place where the copy is located." The copyright lawmakers' official notes also say that the content can be displayed on digital devices.

Public display had little value until 2015, when it became legal to hold copies of copyrighted content for full-text search. That year, DLSG began developing the Digital Stacks Ecosystem. Today, patrons can search print collections content, and while they are in the library, instantly view the content using their own devices. Outside the library, only bibliographic and devices.

Public Display is Legal

©-Law **restrictions**: only one image per copy owned can be displayed, and only at the place where the copy is located.

DLSG's Public display can increase publisher revenue with content 'test drives' while in the library, and instant fee-based access everywhere else (by rental or purchase).

Going Hybrid Has Never Been So Compelling

Never Before Have the Benefits of Having Digital Versions of Print Items Been So High



HotLinks for KIC

Legal [digital] Excerpt Copying by Patrons

17 U.S. Code § 108 Limitations on exclusive rights: Reproduction by libraries and archives- Section f



HotLinks for Digital Fence

Legal In-library Display of Copyrighted Content

17 U.S. Code § 109 Limitations on exclusive rights: Effect of transfer of particular copy or phonorecord- Section c

HotLinks for ILL

Legal In-library Display of Copyrighted Content

17 U.S. Code § 108 Limitations on exclusive rights: Reproduction by libraries and archives- Section d



Digital Library Systems Group

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**Library
Transformation
Innovator**

Be sure to visit (or ask your staff to visit)
ACRL Booth 818 April 2-4 in Minneapolis



The One and Only
Library Transformation
Innovator

**Libraries Need DLSG's Big Innovations using Copyright
Law Limitations to Create a Library Renaissance**

HotLinks 2D Full-text SearchMATCH Discovery with Digital Mind Palace for study and research for your print collections, and for patron access to 150 million open access journal articles (OAJA) and open educational resources (OER) is seamlessly integrated with:

- KIC Self-serve Digitization Kiosks
- BSCAN ILL / Digital Document Delivery
- Collaboration System for study & Research
- Digital Fence – legal access while in the library to print collections content on patron PCs & phones

SUBSCRIPTION FEES

(C)-LAW SECTIONS 108 & 109
Self-serve, ILL & Public Display

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FREE

FREE



As long as for-profit scholarly publishers do the best job of managing peer review, they will continue to exist, and as long as prices for published scholarly content are unjustifiably high, libraries and copyright law limitations will be needed to provide alternatives

ACRL

Booth 818



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