

The New Wave Of Copyright Licences

Copyright infringement is often merely the result of ignorance or confusion rather than a deliberate or even malicious act. Common misconceptions abound, ranging from 'But I thought I could just forward an article if I found it on the Internet' to 'If we have a subscription to a publication then I figure we are free to place a copy on our intranet'. They stem from the misconception that material provided digitally is 'copyright free.' The problem is further exacerbated by workers who have come to rely on email as a fast and efficient tool to disseminate material they have obtained from a variety of sources.

On the face of it, instilling copyright compliance in the workplace can be a difficult task. Education and training play a part, but clear conditions on use are also vital.

Most digitally published materials carry conditions on how a work can be used. Conditions are provided either through a copyright notice, subscription or licence agreement. Even the majority of Creative Commons licences which espouse 'flexible use' carry a number of conditions.

Publishers are also increasingly investing in new digital publishing models, and with recent changes to the *Copyright Act 1968* clarifying digital copyright, publishers may feel more confident in acting on infringements.

Programs tackling digital piracy are also on the rise. In the US, for example, the Software & Information Industry Association (SIAA) brought charges against market research firm Knowledge Networks as part of its Corporate Content Anti-Piracy Program. The program, officially launched in late 2006, provides incentives for individuals who report verifiable corporate content piracy. SIAA and Knowledge Networks reached a US\$300,000 settlement in August this year.

Australia's Copyright Agency Limited (CAL) however is taking a different tack. CAL has expanded its licence offerings for a variety of sectors to help simplify copyright management and assist compliance.

Beyond the statutory licences

The statutory licences outlined in the Copyright Act and administered by CAL provide clear provisions for the use of copyright material. However, these are specifically for educational institutions, government and organisations assisting the disabled. As a result, CAL has launched a range of commercial copyright licences for institutions unable to rely on the statutory licences so that they may also benefit from a clear and centralised licensing structure.

One of CAL's new commercial licences is a licence for business and associations known as CopyrightAccess, covering the use of both hardcopy and digital materials. CopyrightAccess allows staff to internally email, place on an intranet, scan, photocopy and fax a large variety of published works including magazine and journal articles, newsletters and research reports. Business users can copy up to 10% or one chapter/article from a work.

CopyrightAccess provides businesses with a simple means of copying and distributing content within limits, without having to seek permission from individual copyright owners every time staff wish to use a work. Importantly it provides added protection against copyright infringement while ensuring the rights of copyright owners are respected.

CAL has also recently launched GovCopy, a new licence for quasi-government bodies. The GovCopy Licence has been specifically tailored to accommodate the needs of government-related bodies that are not Crown bodies or that copy outside the services of the Crown, and therefore are unable to rely on the statutory government licence.

The licence was born out of collaboration with the Australian Government Solicitor (AGS), which sought CAL's advice on ways in which agencies like themselves would be able to conveniently use third-party copyright material while effectively managing risk and copyright compliance. AGS became the first organisation to sign up to the new GovCopy Licence in June 2007.



GovCopy provides quasi-government bodies such as the AGS with the freedom to photocopy, print, fax and scan material, as well as emailing and displaying material on internal networks within certain limits.

Ensuring copyright compliance

Both licences are designed to make it easier for the average information management professional to instil copyright compliance in the workplace. There is always the option to enter into individual agreements for the use of works but arranging individual permissions can be time consuming and costly, especially where there is more than one copyright owner involved in a single work.

CAL's licences provide clear guidelines on what can and can not be done in reliance on the licence and CAL staff are on-hand to provide support.

Information managers and librarians play a vital role in providing advice on copyright compliance and the proper use of copyright material in the workplace. But with the complexity in rights and the diversification of delivery formats in the digital age, the ability to call on additional support to clarify copyright issues can be invaluable.

Visit our website at <<http://www.copyright.com.au>> or phone 02 9394 7600 for more information on CAL's licences.

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