

**Name of Section/Roundtable:** SAA Council's Intellectual Property Working Group

**Date:** December 2, 2015

**Officers:**

- Aprille McKay (Chair)

**Report from annual meeting:**

*Number of attendees:* 9 members, our SAA Council liaison, and three guests

*Election results:*

None – the chair is an appointed position

*Summary of meeting activities:*

- Aprille McKay had given an oral presentation to SAA Council on current and anticipated work of the IPWG the previous day. She gave Council's feedback on the report to the members. Most importantly, IPWG should request funding for any advocacy efforts as soon as possible, and should be sure to communicate with CAPP and Issues and Advocacy to help with the copyright advocacy work.
- Council update from Lisa Mangiafico. She will be on executive committee next year.
- Discussion regarding the Trans-Pacific Partnership Agreement and the possibility that copyright term may be extended.
  - We resolved to write a TPP issue brief, authored by Jean Dryden.
  - McKay agreed to attend the Issues and Advocacy Section to prepare them to help when the time is right.
- Discussion regarding copyright advocacy strategy
  - Eric Harbeson spoke on relying on fair use vs. requests for other legal changes
  - SAA should have an advocacy system that allows members to plug in zip codes and send a letter to their members of Congress.
  - We agreed to ask Issues and Advocacy to do research on TPP key players.
  - Resolved that we should do more advocacy on social media. We need an SAA Twitter account
- Discussion of plan for meeting with Copyright Office representative Kevin Amer later during the Annual Meeting on August 21.
- Discussion of the current draft of the issue brief on Archivists and the Term of Copyright.
- Merrilee Proffitt and Heather Briston led a discussion of open licensing of finding aids. We agreed it is worth endorsing and advocating for.
- Bill Maher reported on WIPO/SCCR. Discussion about timing of assessing the utility of sending an SAA representative to the December SCCR meeting. We agreed to discuss again pending the outcome of the WIPO General Assembly in October.

- Tim Padfield has resigned his representation of ICA at the SCCR meetings. McKay will send a message to ICA leadership (with David Sutton's and Maher's help) to stress the importance of ICA appoint a new representative to attend the meetings.
- All members and guests received "IPWG Copyright Badass" pens to reward the year's strong advocacy efforts.
- Sutton discussed developments in British Law on Orphan Works

### **Completed projects/activities:**

- Three virtual meetings during this year.
- SAA 2015 Annual Meeting session proposal submitted and accepted (October 2014) "Copyright Legislation and Litigation Update" which was presented by four IPWG members, Briston, Hirtle, Sutton and Maher (August 2015).
- IPWG member William Maher attended two meetings of the Standing Committee on Copyright and Related Rights in Geneva, Switzerland. Maher created statements, presentations and flyers supporting SAA positions for each meeting, supported by the IPWG. After each meeting, Maher submitted reports to Council. (December 2014 and July 2015)
- Recommended that SAA join with other library organizations in a report of the UN Special Rapporteur in the Field of Cultural Rights which addressed copyright from a human rights perspective (March 11, 2015)
- Prepared an open letter for Kathleen Roe's signature criticizing the Register of Copyright's proposed Mass Digitization Pilot Program (July 10, 2015)
- Prepared draft response to the Copyright Office's notice of inquiry: "Copyright Protection for Certain Visual Works" (July 23, 2015).
- Recommended that SAA sign on to the "London Manifesto" which was published by the Library and Archives Copyright Alliance to advocate for uniform copyright exemptions across all European Union States.
- In connection with strategizing for the SCCR meetings, Maher attended regular conference calls with library and archives colleagues.
- SAA has published a book authored in part by two IPWG members, Briston and McKay, *Rights in the Digital Era*. Dryden published the second edition of her book *Demystifying Copyright: A Researcher's Guide to Copyright in Canadian Libraries and Archives*.
- SAA members are frequent presenters of continuing education workshops on copyright and privacy issues. During the report period, Dryden has conducted ten SAA workshops, Briston, four, Hirtle, one and Maher, one.
- Peter Hirtle continues to monitor the SAA A&A listserv to contribute accurate advice on copyright topics. Between the 2014 and 2015 meetings he gave advice on at least fifteen occasions.
- Aprille McKay maintained the group's website, including a page called "Shared Links: Intellectual Property News Related to Archives" to encourage professional awareness of copyright issues.

**Ongoing projects/activities:**

- Preparation of issue brief on Archivists and the Term of Copyright (in collaboration with CAPP) (currently under Council's consideration)
- Preparation of draft comments in response to the Register of Copyrights call on the Copyright Office's proposed Mass Digitation Pilot Program (actually submitted Sept. 23, 2015)

**New projects/activities:**

- Session ideas for 2016 annual conference
- Preparation of issue brief on the Trans Pacific Partnership Agreement (a second version of which is currently (Nov. 2015) under consideration by Council)

**Strategic Priority - Technology initiatives:**

- Social media effort in the coming year.

**Strategic Priority - Diversity initiatives:**

- No project in this area over the past year

**Strategic Priority - Advocacy/Public Awareness initiatives:**

- All items in "Completed projects/activities" category.

**Questions/concerns for Council attention:**

- Creating structural funding for strategic lobbying effort for foreign and domestic copyright advocacy efforts. Funding request is forthcoming.