

UMUC Center for Intellectual Property
8th Annual Symposium
“Copyright Monopoly: Playing the innovation game!”
May 28-30, 2008

2008 Symposium Roundtable Sessions: Collected Best Practices

Introduction:

The Center for Intellectual Property’s 8th annual symposium—“Copyright Monopoly: Playing the innovation game!”—was held May 28-30, 2008, and explored the relationship between the U.S. copyright monopoly, technological innovation and higher education institutions. The program focused on the tension and high-stakes conflict between copyright law and culture occasioned by two facts: 1) the default rules in U.S. copyright law encourage exclusive ownership and create a limited monopoly; and 2) today’s technological and cultural landscape encourages sharing and collaboration. Speakers and participants probed such questions as: Where do higher education interests reside? Participants discussed these issues in the context of: The Development of User Generated Content; Mass Digitization Projects; The Transformation of "Authorship"; and the Use of Wikis, Blogs and other Technologies in the Development of Scholarship.

On May 30, 2008, the attendees assembled to identify benchmarks that would assist in managing copyright in their daily work activities. In addition, they worked to articulate standards of practice that may better help their colleagues and students’ reach their goals of effective teaching and the creation of academic scholarship. This unique gathering of librarians, academic administrators, curriculum and IT professionals broke into four best practice topic discussions including:

- A. Avoiding Income & Luxury Taxes: Best Practices for Handling Copyright Issues When Creating Content for Your University or Library
- B. University Innovation & Copyright: How to Become an Effective Advocate and Move Your Community from Baltic Avenue to Park Place
- C. Creating a Community Chest: Best Practices for Expanding Public Access to Creative Content at Your Institution
- D. Best Practices that Guide Mass Digitization Projects

Participants in each of these four topical groups discussed challenges and concerns and shared some of their perspectives and experiences in each of these respective areas as well as suggesting their ideas for standards of practice. The full outcomes of their discussions are available in a separate document on the 2008 Symposium archive page. Excerpted below from the full document are the resulting Collected Standards of Practice.

COLLECTED STANDARDS OF PRACTICE

In Managing Scholarly and Creative Works

Suggested Best Practices, resources and standards of practice that might help clarify the copyright issues facing universities in their development of scholarly and creative works:

1. Create internal documentation of procedures. Often effective procedures are not maintained.
2. Model training and resources created beyond the institutional level
 - a. Use materials already created outside associations
 - i. National Association of College and University Attorneys (NACUA) (<http://www.nacua.org>)
 - ii. North Carolina State University Scholarly Communication Center (<http://www.lib.ncsu.edu/scc/>)
 - iii. Scholarly Publishing and Academic Resources Coalition (SPARC) (<http://www.arl.org/sparc/>)
3. Seek more input from creators on policies
4. Keep policies up to date
5. Develop a collection of model policies
 - i. Non-profits (e.g. Scholarly Publishing and Academic Resources Coalition [SPARC] (<http://www.arl.org/sparc/>))
 - ii. Harvard University (e.g. Office for Scholarly Communication -- <http://hul.harvard.edu/osc.html>)
 - iii. Domains -- physical
 - iv. Consider connecting to Federal realms officers
 - v. Recognize that there may not be one "right model"
6. Provide education & updates on copyright law (brownbag sessions)
7. Develop boilerplate or a standardized list of copyright practices, policies and procedures that all can share or upon which they can build
8. Develop standard negotiating points for licensing
9. Suggest opting out of standard copyright agreements and arrangements (e.g. Creative Commons)
10. Provide for users more clarification of their rights & relationships
11. Turn to associations, organizations and conferences for ideas
 - a. Association of Research Libraries (ARL) -- "Know your Copy Rights" brochure (<http://www.knowyourcopyrights.org/>)
 - b. North Carolina State University Scholarly Communication Center (<http://www.lib.ncsu.edu/scc/>)
 - c. National Association of College and University Attorneys (NACUA) training database on intellectual property (<http://www.nacua.org>)
 - d. Center for Intellectual Property, UMUC (<http://www.umuc.edu/cip>)
12. Develop better communication about best practices across the profession
13. Involve students in best practices discussions
14. Assess fees to cut off runaway reproduction fees
15. Promote more open discussion of university policies and practices
16. Set up copyright first-responders
 - a. Campuses don't have structures in place to address copyright concerns