

THE ETHICS OF COPYING IN LIBRARIES: PIRACY, IGNORANCE AND CIVIL DISOBEDIENCE

*Chris Morrison – Copyright, Licensing & Policy Manager
University of Kent*



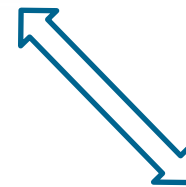


CHRIS MORRISON

@cbowiemorrison



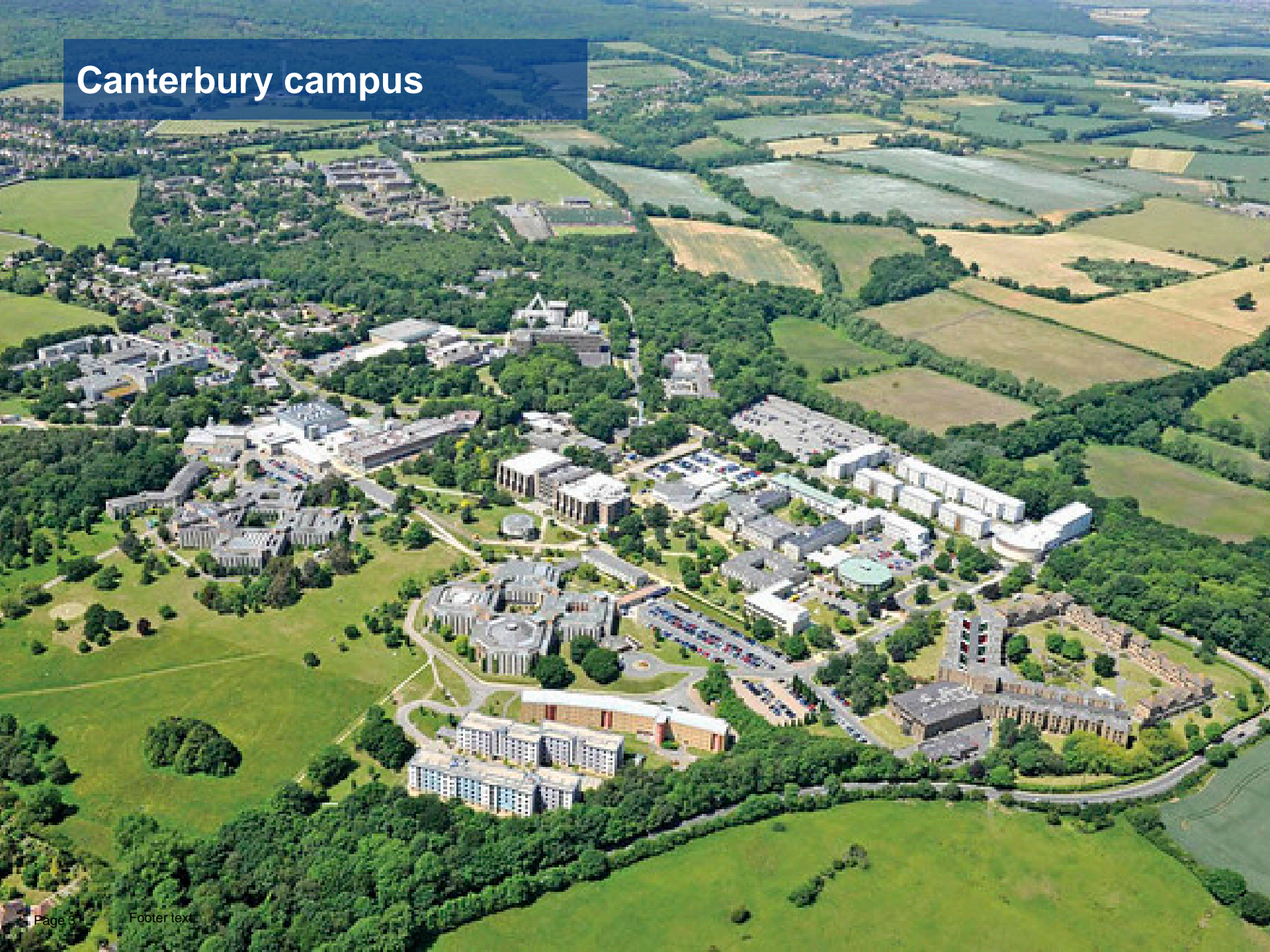
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Universities UK



Canterbury campus





University of Kent

University of Kent

- Founded in 1965
- Annual income £267.1m
- 20,135 students
- 15.7% from outside the UK of 157 different nationalities
- Gold rated in TEF (Teaching Excellence Framework)
- Top 20 research intensity in REF (Research Excellent Framework)
- Kent and Medway Medical School opening September 2020




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Decoding copyright and bringing you enlightenment

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The EU Copyright Reform: Battles Won, Bullets Dodged, and the Questions that Remain

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#Advocacy #DSM #Europe #IFLA | Edit

Another week, another conference, this time on twitter!

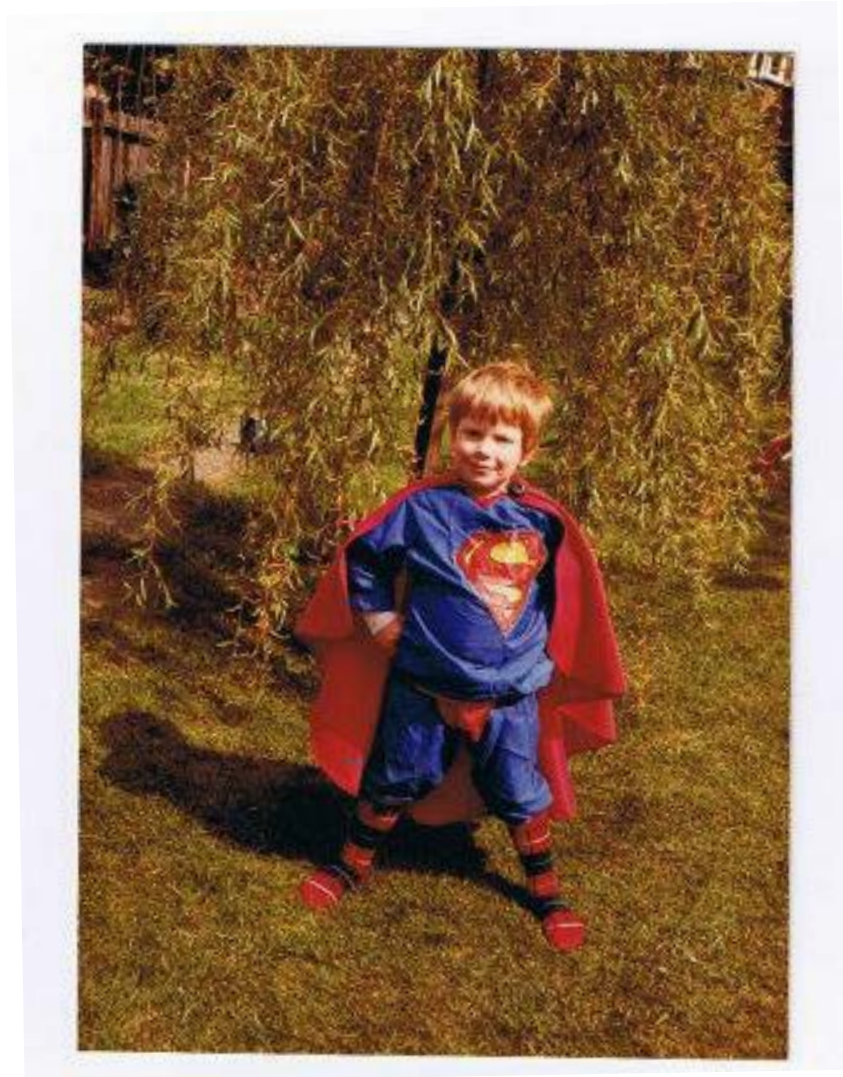
It's a busy time of year for us, and this week while we've both been taking

The 2019 World Tour starts!

We have just kicked off the 2019 Copyright Literacy world tour, and returned from Galway in Ireland where we were...



Confessions of a copyright geek



Copyright History timeline

Invention of the printing press

c. 1440

Statute of Anne

1710

Berne Convention

1886

Copyright Act 1956

11/5/1956

Information Society Directive

5/22/2001

1440

1488

1536

1584

1632

1680

1728

1776

1824

1872

1920

1968

2018



1660

Founding of Royal Society



1911

Copyright Act 1911


1988

Copyright, Designs and Patents Act 1988

2014

Changes to UK copyright law

The History of Copyright



	About	Copyright 101	Research	Tools & Resources	Policy & Evidence	Q	
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Chapter 2

Copyright and Digital Cultural Heritage: A Brief History of Copyright

Written by Ronan Deazley, April 2017

In this commentary, we provide you with an introduction to the history of copyright in Britain, from the late fifteenth century through to the present day. For relevant commentary on the early history of copyright in other European jurisdictions, such as France, Germany, Italy, the Netherlands and Spain, see Primary Sources on Copyright 1450-1900.

Locating contemporary copyright law and policy within a broader historic sweep is important for at least two reasons. First, it reminds us that there is nothing *inevitable* about the current parameters of copyright law. That is, copyright is a contingent phenomenon; it represents a set of rules and principles that change over time, and vary from jurisdiction to jurisdiction. In this sense, copyright is very much about *policy* rather than *property*. Second, and perhaps more important, practitioners that deal with and manage historic documents often need to be familiar with the details of copyright legislation predating the current legal regime. For example, identifying who is the author or owner of the copyright in an historic work can turn on knowledge and understanding of copyright laws that have long since been repealed.

This brief history of copyright is presented in four main sections dealing first with the pre-history of copyright (1476-1695), before considering major developments throughout the eighteenth, nineteenth and twentieth centuries. It provides an account of the key moments in the historical development of copyright law in Britain, and offers some insight into the different theoretical and regulatory models that have shaped copyright law

What is copyright?



Works

(The things it protects)



Licences

(Legal use with permission)



Usages

(The activities it regulates)



Exceptions

(Legal use without permission)

The ethics of copying



Photo by [Kristina Paparo](#) on [Unsplash](#)

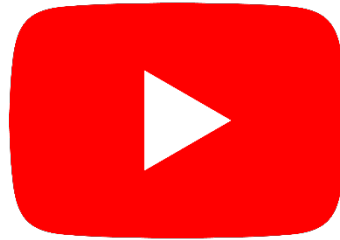


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Copying and the internet



Copyright infringement and plagiarism

"If you must write prose/poems
The words you use should be your own
Don't plagiarise or take "on loan"
'Cause there's always someone, somewhere
With a big nose, who knows
And who trips you up and laughs
When you fall"



Cemetary Gates by the Smiths (Morrissey/Marr)

Technology and plagiarism



Copyright infringement and plagiarism

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Home Articles The Difference Between Copyright Infringement and Plagiarism

The Difference Between Copyright Infringement and Plagiarism

By **Jonathan Bailey** - October 7, 2013



Eight years ago (nearly to the day), shortly after the launch of the site, I wrote an article entitled "Copyright Infringement, Plagiarism and Fair Use". However, the age is beginning to show on the article (both literally and figuratively) and I decided to come back to the topic with fresh eyes.

The reason is that this is a site that deals with both plagiarism and copyright issues on the Internet, specifically, the intersection between the two. This site was founded as a resource for detecting plagiarism of copyrighted works and stopping it, generally using copyright law.

However, to complete that mission, it is important to understand the differences and similarities between plagiarism and copyright infringement. This is because, even though the two have a great deal of overlap, they also have key differences that content creators need to be aware of.

So, without any further ado, here's a brief look at copyright infringement, plagiarism, their similarities and their differences.

Consulting



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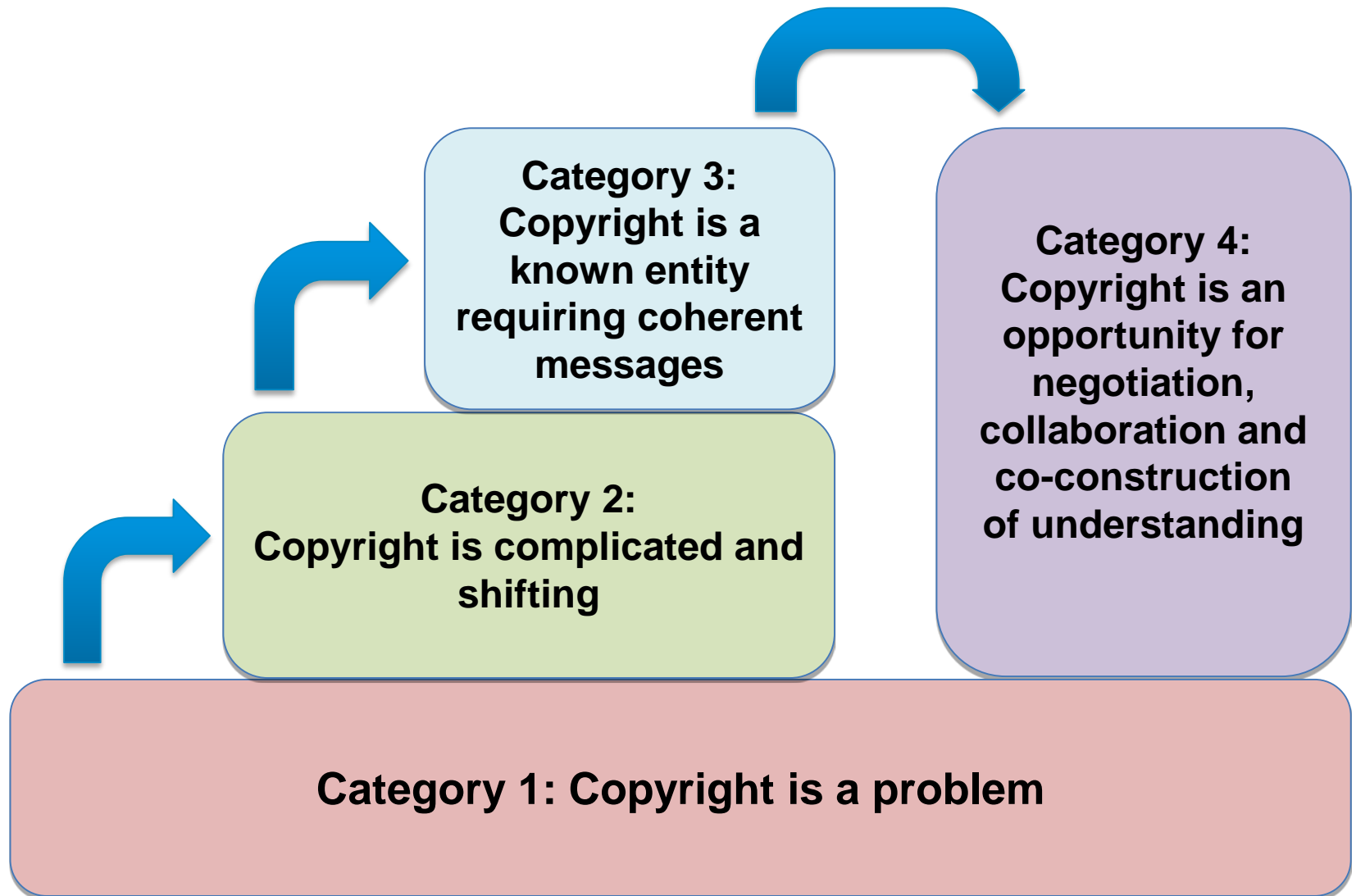
I am not a lawyer. I am just a legally-minded Webmaster/Writer frustrated with the plague of plagiarism online and doing something about it.

Definition of Copyright Literacy

“acquiring and demonstrating the appropriate knowledge, skills and behaviours to enable the ethical creation and use of copyright material.”

Secker and Morrison, 2016, p.211

Copyright as an Experience



IFLA Copyright Literacy statement August 2018

“Many librarians’ work involves regularly dealing with copyright. From public libraries, to specialized and research libraries, questions arise around lending, the legal deposit, accessibility, preservation and many more activities. Furthermore, librarians are increasingly becoming a reference point for library users, faculty members and many others seeking for clarification on copyright-related matters.”

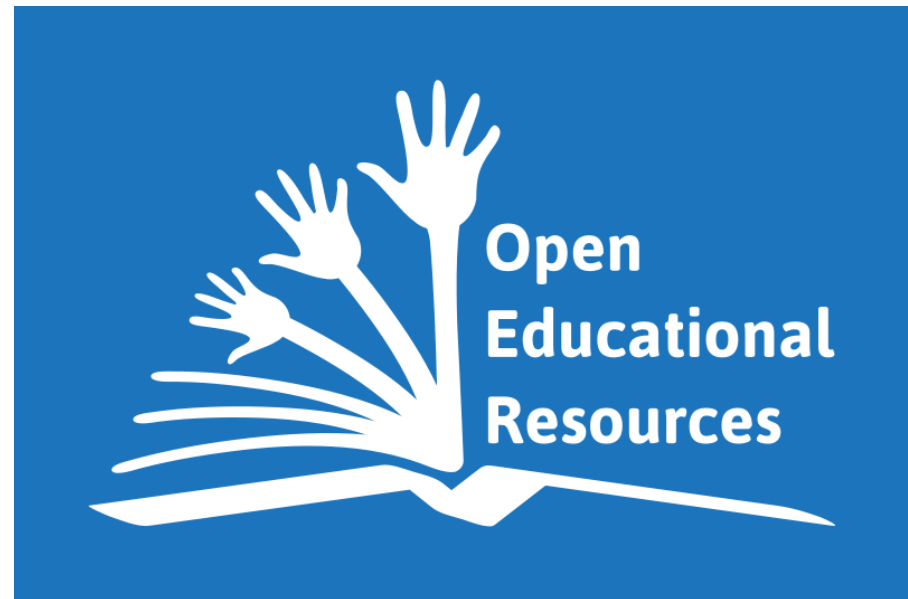


<https://www.ifla.org/node/67012>

The case for copyright literacy – informed risk vs ignorance



Open Educational Practices



Open practice, librarians and information literacy



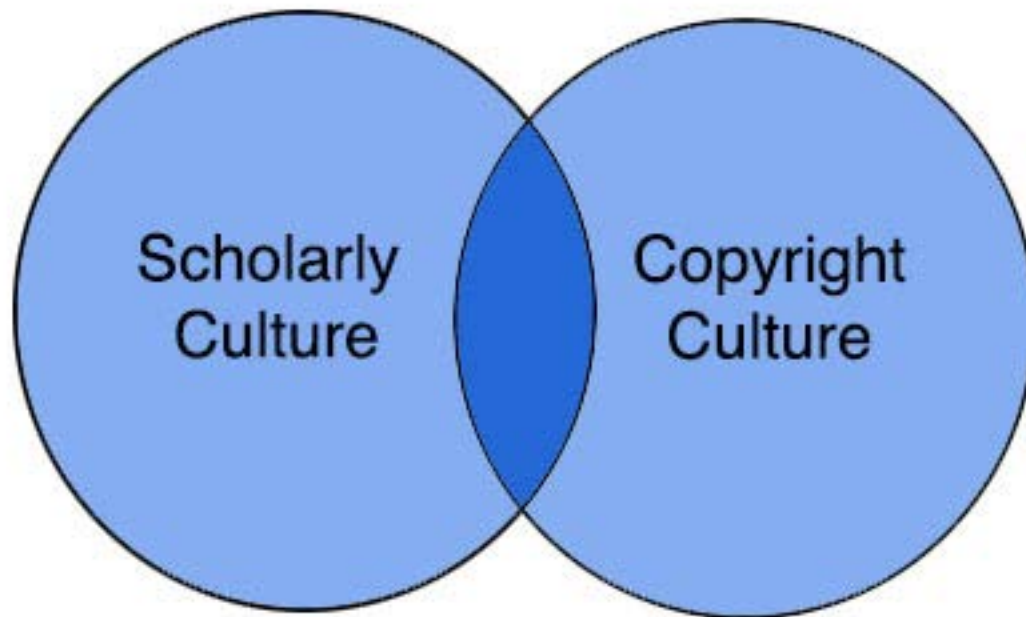
Open practice, ideology and idealism



Jane Secker on panel at CopyCamp 2018 -

<https://copyrightliteracy.org/2018/10/15/reflections-on-the-opening-panel-at-copycamp/>

Scholarly vs copyright culture



From Gadd, E. (2017) Academics and Copyright Ownership: Ignorant, Confused or Misled?

<https://scholarlykitchen.sspnet.org/2017/10/31/guest-post-academics-copyright-ownership-ignorant-confused-misled/>



LEGAL FRAMEWORKS AND LITIGATION

Who's suing who and how is the law changing

SciHub



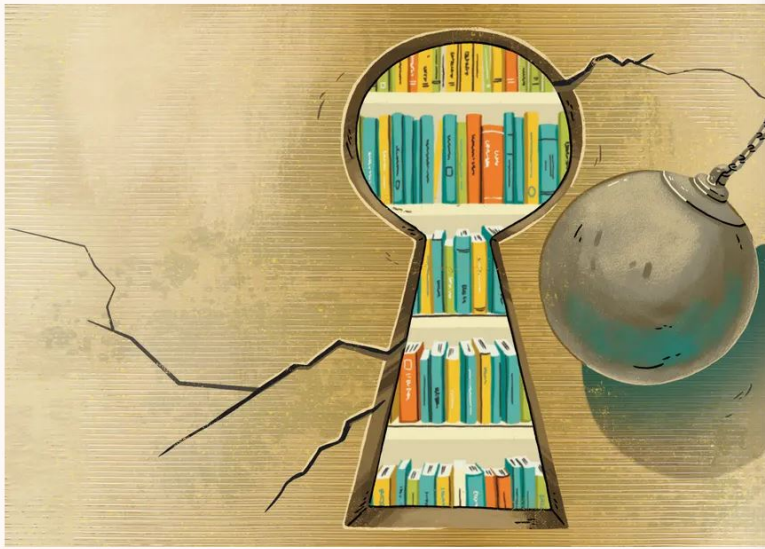
SciHub – the librarian’s response

Scientific publishing is a rip-off. We fund the research - it should be free

George Monbiot



Those who take on the global industry that traps research behind paywalls are heroes, not thieves



<https://www.theguardian.com/commentisfree/2018/sep/13/scientific-publishing-rip-off-taxpayers-fund-research>

Sci-Hub; the Librarian’s response

cbowiemorrison / October 26, 2018 / guest post / Edit



Ruth Harrison



Yvonne Nobis

In this guest post by Ruth Harrison, Yvonne Nobis & Charles Oppenheim they tell about the challenges that Sci-Hub presents to librarians who are advocating for open access to scholarly content. We published this post in recognition of the fact this week is [Open Access Week](#) and around the country many universities, our own included, having been showing the film [Paywall: the business of scholarship](#), to highlight

*issues associated with open access and scholarly communications and the views reflect that of the authors. **Ruth Harrison** is Head of Scholarly Communications Management at Imperial College London Library Services, working in various research support areas including open access, research data management, information literacy, copyright and responsible metrics. As a librarian, her aim is achieving fair and equal access to knowledge. **Yvonne Nobis** is Head of Science Information Services at the Betty and Gordon Moore Library where she has been involved in many open initiatives over the last 8 years. Prior to becoming a librarian she was a publisher for both Elsevier and Proquest.*

*Meanwhile **Charles Oppenheim** was until 2009 Professor of Information Science and Head of the Department of Information Science at Loughborough University. He is currently a Visiting Professor at two UK Universities. He also worked for many years in the electronic publishing industry, primarily dealing with contracts and licensing. He is now a consultant. His principal areas of consultancy are intellectual property rights, scholarly publishing, and data protection.*



Professor Charles Oppenheim

<https://copyrightliteracy.org/2018/10/26/sci-hub-the-librarians-response/>

European Copyright Reform

Copyright
Directives



Member
State laws



Digital Single Market (DSM) Directive proposal, adopted March 2019

http://www.europarl.europa.eu/doceo/document/TA-8-2019-0231_EN.html?redirect

EU DSM Directive and internet freedom

Press publisher right article 15*

- New right for press publishers to licence aggregation of links
- Lasts for 2 years from publication
- Does not apply to academic periodicals
- It will impact on the way links to news articles are disseminated

Online content-sharing services article 17**

- Online platforms will be liable for content posted by users
- Automatic upload filters on online platforms
- Does not apply to academic repositories
- Will it kill the meme and do machines understand fair dealing?

*previously article 11

**previously article 13

Value of library advocacy on copyright

The screenshot shows the IFLA Library Policy and Advocacy Blog homepage. At the top left is the IFLA logo. To its right is the title "Library Policy and Advocacy Blog" in white text on a red background. Further right is a tagline: "an informal forum for sharing ideas about the key policy and advocacy challenges and opportunities for libraries around the world". Below this is a navigation bar with "Blog" and "Archives" buttons. The main content area features a breadcrumb trail: "« Will Your Collections Be Next? Library Amongst Internet Archive Pages Flagged as Holding 'Terrorist Content' » World Heritage Day 2019 »". A search box is located to the right of the breadcrumb. The main article title is "The EU Copyright Reform: Battles Won, Bullets Dodged, and the Questions that Remain" with a date of "16 April 2019" and a category of "library-policy". The article text discusses the Council's decision on 26 March and the Commission's 2016 proposal. It mentions IFLA's engagement in the process and provides a link to the final agreed text. On the right side, there are sections for "Recent Posts" and "Recent Comments", each listing several articles with their titles and authors.

IFLA

Library Policy and Advocacy Blog

an informal forum for sharing ideas about the key policy and advocacy challenges and opportunities for libraries around the world

Blog Archives

« Will Your Collections Be Next? Library Amongst Internet Archive Pages Flagged as Holding 'Terrorist Content' » World Heritage Day 2019 »

Type and Wait to Search

Recent Posts

- [The 10-Minute Library Advocate #32: Compare Notes and Share Ideas!](#)
- [The 10-Minute Library Advocate #31: Remember to take a Selfie](#)
- [Making the Book Chain Stronger – and Unique](#)
- [Libraries Transforming Education: Equity, Capability, Continuity](#)
- [The 10-Minute Library Advocate #30: Get Your Opening Lines Right!](#)

Recent Comments

- [Deva E.Reddy](#) on [The 10-Minute Library Advocate #25: Be Passionate About Your Job](#)
- [SK Leshan](#) on [The 10-Minute Library Advocate #23: Find – and Use – Buzzwords](#)
- [Grace](#) on [Broken Knowledge: Why the Splinternet Should Worry Libraries](#)
- [Ezeoke Doms Okenwa](#) on [Preserving and Promoting the Igbo Language in Libraries](#)
- [Agim Eliezer C](#) on [Preserving and Promoting the Igbo Language in Libraries](#)

<https://blogs.ifla.org/lpa/2019/04/16/the-eu-copyright-reform-battles-won-bullets-dodged-and-the-questions-that-remain/>

Copyright literacy as part of information and digital literacy



Further reading

- Deazley, R. Copyright Cortex copyrightcortex.org
- Frye, Brian L. Plagiarism is Not a Crime, *Duquesne University Law Review*, Vol. 54, No. 133, 2016
- Hare, Joanna; Choi, Kimburley. Attribution and plagiarism in the creative arts. *Journal of Information Literacy*, [S.l.], v. 13, n. 1, p. 62-75, june 2019. ISSN 1750-5968. Available at:
<<https://ojs.lboro.ac.uk/JIL/article/view/PRJ-V13-I1-1>>
- Morrison, C (2018) Copyright and digital literacy: rules, risk and creativity in Reedy, K and Parker J. *Digital Literacy Unpacked*. Facet Publishing: London. (pp. 97-108) Available under CC-BY-NC licence at: <https://kar.kent.ac.uk/70446/>
- Morrison, C. and Secker, J “Understanding librarians’ experiences of copyright: findings from a phenomenographic study of UK information professionals”, *Library Management* , <https://doi.org/10.1108/LM-01-2017-0011>
- Secker J and Morrison C. (2016) *Copyright and E-learning: a guide for practitioners*. Facet Publishing: London. [Chapter 6: Copyright education and training available online.](#)

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Slide 8 -Portrait pictures of Chris Morrison by *Matt Wilson* © University of Kent

Printing press image By *Daniel Chodowiecki* - DANIEL CHODOWIECKI 62 bisher unveröffentlichte Handzeichnungen zu dem Elementarwerk von Johann Bernhard Basedow. Mit einem Vorworte von Max von Boehn. Voigtländer-Tetzner, Frankfurt am Main 1922. (self scanned from book), Public Domain

Slide 8 - Statute of Anne - <http://www.copyrighthistory.com/anne.html>

Slide 8 - By Original artist: *Joseph Ferdinand Keppler* (1838-1894) Restoration: *Adam Cuerden* - <http://www.loc.gov/pictures/item/2011661385/> by way of <http://adamcuerden.deviantart.com/gallery/#/d5onmxh>, Public Domain, <https://commons.wikimedia.org/w/index.php?curid=23322831>

Slide 8 - Berne Convention - <http://www.copyrighthistory.org/cam/index.php>

Slide 20 – picture of panel at LILAC 2019 by Jane Secker CC BY

Slide 21 – picture of CopyCamp 2018 panel by Chris Morrison CC BY

Pictograms illustrating copyright components from [copyright the card game](#) © copyrightliteracy.org CC-BY-NC-SA

European Court of Justice by Gwenael Piaser CC BY-NC-SA
<https://www.flickr.com/photos/piaser/4399442576/sizes/l>

Questions