

Copyright Reform and Text and Data Mining

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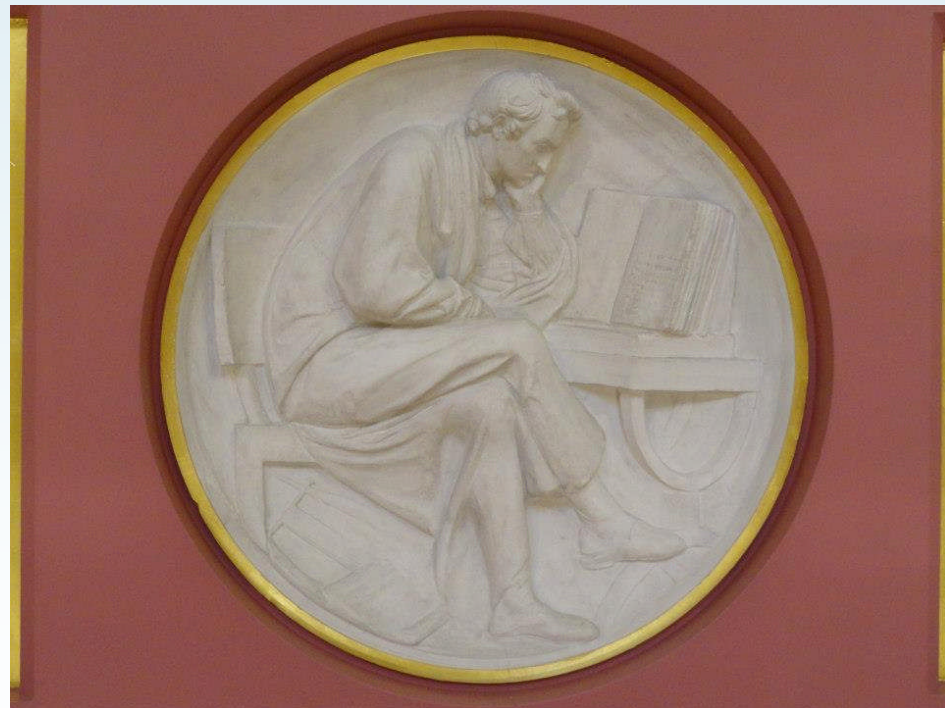
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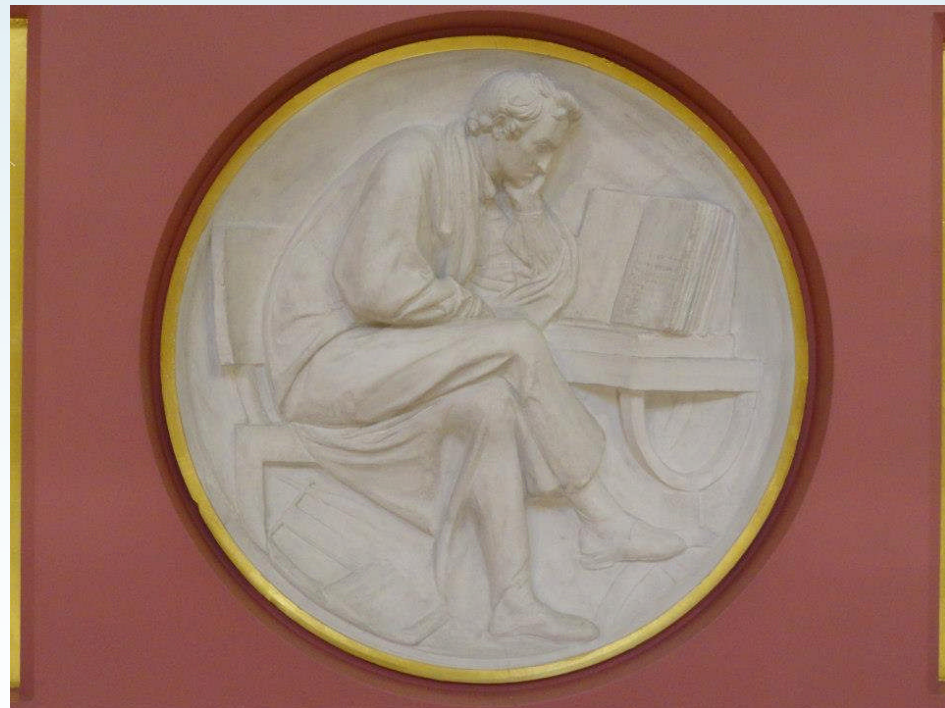
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2. Text and Data Mining for education and research
3. Next Steps in 2014-15



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EU Copyright Consultation

- ❑ EU held public Consultation on Copyright reform (ended 5 March 2014)
- ❑ See http://ec.europa.eu/internal_market/consultations/2013/copyright-rules/index_en.htm
- ❑ 9,500 replies to the consultation document and a total of more than 11,000 messages



Key Messages from research universities

- ☐ EU Copyright and Database Directives need reform
- ☐ Ensure that Exceptions for libraries and researchers are a right that cannot be overridden by contract
- ☐ Accommodate the university knowledge transfer agenda by removing the requirement on these institutions to ensure that all exception based research copying is “non-commercial”



A Box of Useful Knowledge
(Brougham Papers, UCL Library Services)

And more...

- ❑ Support international collaboration by harmonising copyright exceptions and limitations and ensuring that they work across borders
- ❑ Allow libraries to digitise content that is unavailable commercially



Andrew Amos 1791–1860, Professor of English Law at UCL, 1827–34. Lecture Notes

And yet more...

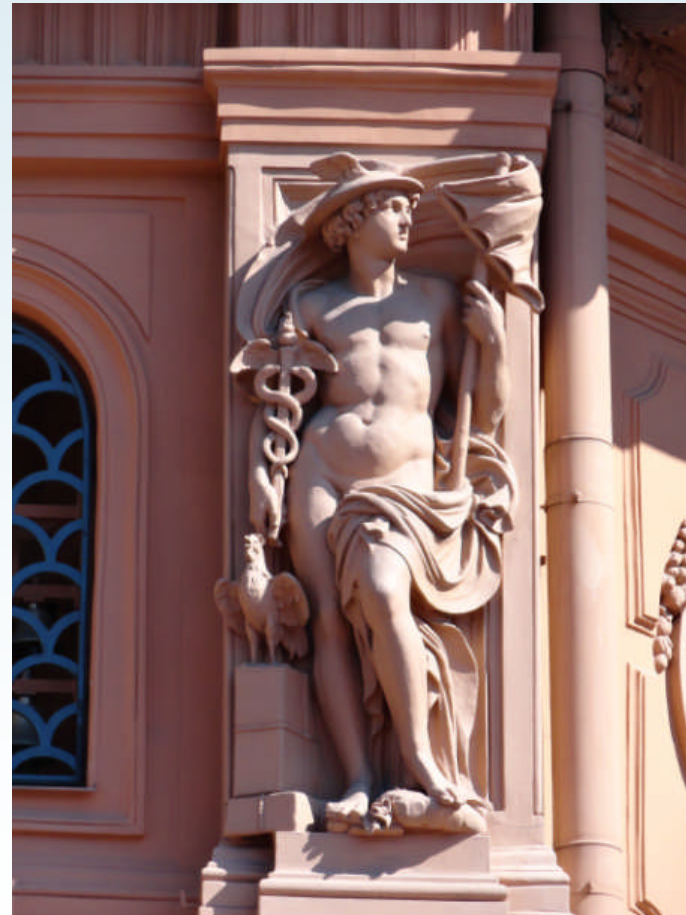
- ❑ Increase the availability of digital content by reducing the term of copyright
- ❑ Introduce flexibility in the copyright regime to ensure that each and every noncompeting and non-rivalrous use of an in-copyright work does not require many years of legislative revision



Justinian's 'Pandects'. A parchment fragment from the 14th century, consisting of one double folio leaf. UCL Library Services

What has happened since the end of the Consultation?

- ☐ Fight for copyright reform
- ☐ World Intellectual Property Organization meeting in Geneva 3 May 2014
- ☐ Rejection of European Publishers' Council copyright vision
- ☐ Statement from EU Commission in July 2014 on outcome of Consultation



Art Nouveau, Riga, Latvia

WIPO meeting (May 2014) in Geneva

- ❑ Discussions by the World Intellectual Property Organisation (WIPO) Standing Committee on Copyright & Related Rights (SCCR) broke down in the early hours of Saturday morning May 3, 2014
- ❑ European Union (EU) attempted to block future discussion of copyright laws to aid libraries and archives fulfil their missions in the digital environment



Library representatives at the SCCR27 WIPO meeting

- ❑ See <http://libereurope.eu/news/eu-causes-collapse-of-wipo-meeting/>

EU kills copyright deal



- ❑ “The position taken by the EU delegation in Geneva contrasts strongly with current discussions at European level, where it has been recognised that copyright exceptions for libraries are essential, and must be harmonised in order to facilitate international research and innovation in the age of Science 2.0. The conservative position taken at SCCR 27 in Geneva this week is therefore deeply disappointing. It does not support research and education and hampers European researchers in their use of new tools and services”

LIBER / LERU react to European Publishers Council's rejection of TDM Exception

- ❑ “In our [EPC]’s view this is “a snare and a delusion” perpetrated by those intent on gaining free access to the widest possible body of copyright works in the name of research, going way beyond scientific journals, to works of all published authors, as well as Europe’s news media and entertainment.” (p. 48)
- ❑ See <http://libereurope.eu/wp-content/uploads/2014/07/LIBER-EPC-letter-v2.pdf>



We do not recognise the request for an Exception in European copyright frameworks to accommodate Text and Data Mining as ‘a snare and a delusion’

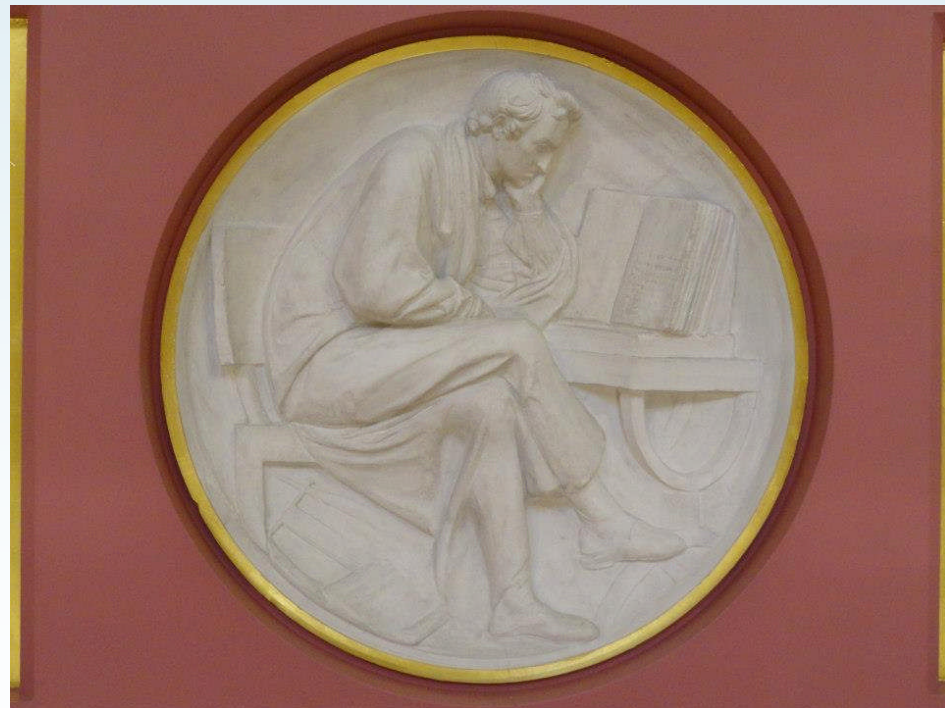
EC Statement in July 2014

- ❑ 17 July - Commission says it will not be issuing a Copyright White Paper in response to Copyright Consultation
- ❑ Neelie Kroes marshalled arguments against Michel Barnier's proposed paper
 - ❑ 'Reforming copyright is 'a major, essential part' of the EU's commitment to creating a single digital market'
- ❑ See <http://libereurope.eu/blog/european-commission-thinks-again-on-copyright-white-paper/>



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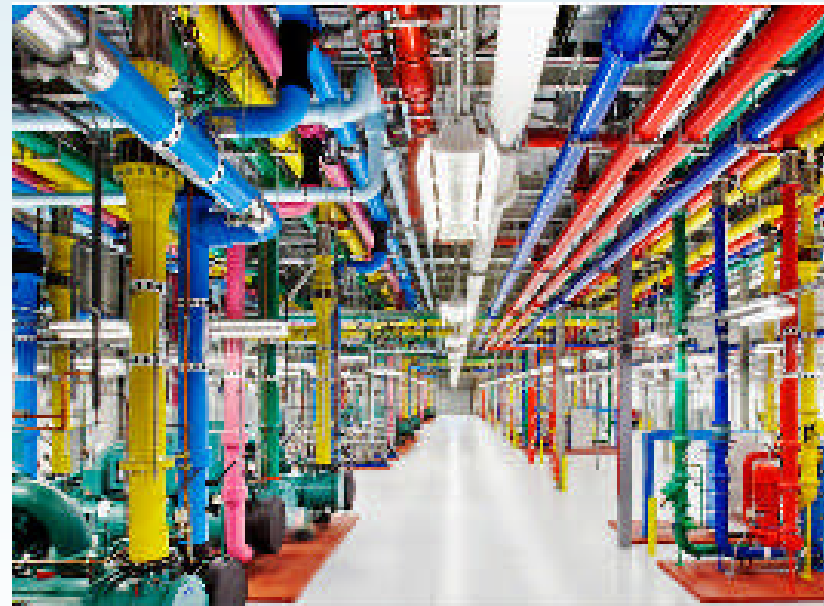
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Text and Data Mining (TDM) – what is it?

- ❑ TDM derives information from machine-read material
- ❑ It works by copying large quantities of material, extracting the data, and recombining it to identify patterns
- ❑ Essential aspect of Science 2.0 or Open Science



LIBER TDM Factsheet at
<http://www.libereurope.eu/sites/default/files/Text%20and%20Data%20Mining%20Factsheet.pdf>

TDM

- ❑ Less TDM activity is undertaken in Europe than other parts of the globe, partly because of European copyright frameworks
- ❑ Publishers offering licences for TDM which are limiting
- ❑ EU TDM Expert Group has argued for an Exception for TDM in EU copyright laws
- ❑ http://ec.europa.eu/research/innovation-union/pdf/TDM-report_from_the_expert_group-042014.pdf



LIBER TDM Workshop, London 2013

- ❑ Or a broader change in the form of an open norm or an interpretive instrument

Publishers' TDM licences - Elsevier

- ❑ 18 research organisations have asked Elsevier to withdraw its TDM licence
- ❑ Presenting researchers with no other option but to register their details and agree to a click-through licence, the terms of which can change at any time, in order to gain access to content for the purpose of TDM is unacceptable. It places undue liability on the researcher and undermines the role of the institution as an intermediary tasked with protecting its researchers' privacy, as well as its ability to protect its intellectual capital
- ❑ See <http://libereurope.eu/wp-content/uploads/2014/07/Open-Letter-To-Elsevier1.pdf>



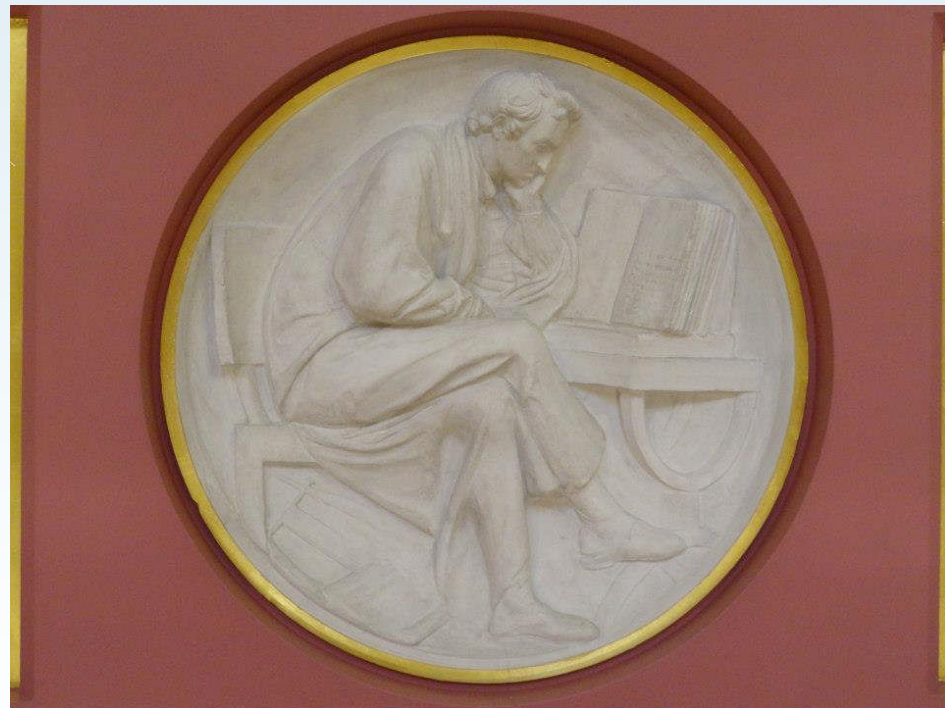
Publishers' TDM licences - Elsevier

- ❑ The licence for access to content should not limit the choice of text and data mining tools available to researchers, neither those developed by the researcher themselves or provided by a third party
- ❑ Rather than putting technical measures in place to prevent crawling by robots, publishers should encourage the adoption of protocols for responsible crawling of content, which would ensure that the load placed on publishers' servers by TDM activities remains negligible



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Next Steps

- ❑ Copyright reform is essential for researchers to do their work in the age of Science 2.0
- ❑ In new Commission, copyright reform no longer with DG Internal Market and given to DG Connect (now DG Digital Economy and Society)



UCL (University College London)

Next Steps

- ❑ As Vice-President for the Digital Single Market, former Estonian Prime Minister Andrus Ansip will "steer and coordinate the work of several Commissioners, in particular the Commissioners for Digital Economy and Society; Internal Market, Industry, Entrepreneurship and SMEs; Employment, Social Affairs, Skills and Labour Mobility; Justice, Consumers and Gender Equality; Economic and Financial Affairs, Taxation and Customs; Regional Policy; and Agriculture and Rural Development"
- ❑ Watch this space...



Next Steps for LERU

- ☐ Continue to work with other research organisations to obtain TDM Exception
- ☐ Lobby:
 - ☐ new Commission staff
 - ☐ MEPs
- ☐ Aim for Exception for TDM in next 12 months



St Michael, by John Flaxman, UCL

And finally...

- ❑ Thanks for listening
- ❑ Happy to answer any questions



National Library of Latvia, Riga