Dr. Paul Klimpel

Legal framework and access to cultural heritage in the US and Europe
The most important question:
Who is the copyright holder?
Clearing the copyright status
is very complicated
Orphan Works
In Europe: Black hole of the 20th Century
In the USA:
It is easier
1. Copyright Registration until 1989
2. Work made for hire
3. Fair use doctrine
Scanning for the Digital Books Project is in progress in this Library

Thank you for your patience.
4. Section 105 Copyright Act
5. The utilitarian concept of copyright in the US
6. Notice and takedown Opt out
Culture of Access
Culture of Fear
European Approaches
The Norwegian Way
Orphan works directive
Copyright reform
Commissioner Günther Oettinger
Digital Society & Economy
European Commission
Rue de la Loi / Wetstraat 200
1049 Brussels
Belgium

cc: Vice-President Andrus Ansip, Digital Single Market
cc: Commissioner Tibor Navracsics, Education, Culture, Youth and Sport

27 October 2015

Open letter on copyright reform for online access to cultural heritage

Dear Commissioner Oettinger,

Europe’s public cultural heritage institutions are key to influencing and shaping our lives with unrivalled access to information, culture and our shared history. They promote knowledge, education, research and encourage the creation of new culture.

Ways to share and engage with cultural content have been transformed in a digital age, but limitations in current European copyright rules restrict that full potential. As a result, our institutions contain large collections established and cared for using public funds but they cannot be made easily available to the public online.

Later this year the European Commission is due to propose new European copyright rules as part of its strategy to create a single European digital market. We the undersigned directors of Europe’s (leading) museums, libraries and archives therefore want to reinforce the importance of creating improved copyright rules which enable easier online access to many of Europe’s cultural heritage.
Hamburger Note

zur Digitalisierung des kulturellen Erbes.

Die Digitalisierung bietet große Chancen für den Zugang zum kulturellen Erbe. Sie ist unumgänglich, damit Archive, Museen und Bibliotheken weiterhin ihren wichtigen öffentlichen Aufgaben gerecht werden können.

Allerdings sind die geltenden rechtlichen Rahmenbedingungen des Urheberrechts ein großes Hindernis. Bei älteren Werken, die noch urheberrechtlich geschützt sind, ist die Rechtesituation meist sehr kompliziert.
Illuminate the black hole
Thank you for your attention!

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