



Beyond the Book®



Copyright 2.0 Rights Implications & User-generated Content



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Web 2.0 has presented an entirely new set of challenges as we deal in a world where user-generated content is the norm and new content delivery schemes are rapidly changing. Mash-ups, blogs and RSS feeds to name a few are enabling content to be delivered to our desktops in new and unique ways.

- ▶ Content creators are concerned that they are losing exceedingly more control over their content while others welcome the great brand awareness these new content types promote.
- ▶ Users either don't know what rights are associated with the content or don't care.
- ▶ Lawyers have yet to enter the fray as no legal precedent or legislation has been developed and while copyright still applies its interpretation varies as recent legal activities illustrate.
- ▶ Even technology providers are scratching their heads as to how they can provide world class solutions to develop and disseminate new forms of content while respecting the rights of content owners.

"Copyright 2.0-Rights Implications and User-generated Content," the final panel of the September 2007 Global Information Industry Summit held in Berlin delved into somewhat

uncharted territory as we heard from experts from all sides of the equation sharing their own experiences with these new rights challenges and their observations of how things might pan out in the future. International implications were considered, too. Key issues included:

- ▶ Who owns all this content and what rights need to be considered?
- ▶ How do these rights differ across the globe?
- ▶ What impact is social media having on intellectual property?
- ▶ What steps are being taken to make sure users have the freedom to create new content sources while the rights of the IP owners are respected?

The panel moderator was the charming and knowledgeable Ed Colleran, Sr. Director of Publisher Relations for Copyright Clearance Center, and he'd assembled an awesome group: Dan Gisolfi, IT software architect at Emerging Internet Technologies IBM Software Group, Robert Lands from Finers Stephens Innocent LLP in London, and Greg Merkle, vice president and creative director, Dow Jones Enterprise Media Group. They led off with a video, or so it seemed from the audio recording I was just listening to, and by the time I got into the room

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Dan was creating a webpage to demonstrate the challenges posed by new Web 2.0 software. He named his site “Dan’s webpage” and on it placed two boxes. One was labeled something like (apologies, but I was so absorbed I didn’t take notes or even a photo) “My Library Information” and the other “My American News.” He explained that he’d chosen websites to draw from for this experiment but they had no RSS feeds so he’d created the feeds himself. The first box’s source was the British Library. The second was Berkshire Publishing.

Dan pointed out that you could see the source URL at the bottom of the boxes but that he was free to name the new page or pages anything he chose. At the top of each was a search box. He typed in “China” and soon entries populated the boxes. At the bottom of his page he also had a feed from the Financial Times, and Dan explained that while he was drawing them separately he could just as easily pull the content into a singular, indistinguishable feed of content on the topic of his choice.

Our content was now there in Dan’s website, to be managed and designed and manipulated – and found by web crawlers. Naturally, there was no copyright information. My first reaction was dismay, though I was glad to see that he was pulling an author’s name along with the articles – at least we had some attribution. But there was nothing to give a source or credit to Berkshire, let alone any way for us to receive payment (from advertising on Dan’s site, say), or control usage or the editing of our content.

My first question was about attribution, and moral rights, a European concept that protects authors, thinking as an author, first, rather than as a publisher, because the demonstration reminded me vividly of the importance, to any creative person, of controlling where and how their work is published. The mash-up concept, whereby different pieces of content are combined in new ways, doesn’t really recognize the individuality of creative expression. Some people don’t seem to realize that creativity is individual, generally, and that it’s the result of ridiculous amounts of time spent and often painful, frustrating effort. If you’ve experienced that, you know that it should be rewarded!

And individual effort is distinguishable. The clearest evidence I have is something that happened to me in my early days as an environmental author. I’d written a first book and published a couple of magazine articles, an “EQ quiz” for the Daily Telegraph and various pieces with tips about protecting the environment. I lived in London then, and an American friend, knowing of this new interest of mine, sent me an Earth Day article from a Spokane, Washington, newspaper. I started reading the article and as I got towards the end of the second paragraph thought, “This sounds familiar. This sounds like me.” So did the next paragraph, and the next. I looked at the author’s name. Not Karen Christensen. But the article was syndicated by Knight-Ridder from a magazine called the New Internationalist.

A journalist/editor at the New Internationalist had, I later learned from the magazine’s editor whom I met at a conference, believed that “mash-ups” were a legitimate way of writing an article; rather than commissioning a writer, she simply took pieces of text she liked, added an opening and conclusion, and put her own name on the article. (The way many students write papers, by the way.)

But that’s an aside. The most important thing about the presentation is that it showed us the future. We can see these developments as a hydra that can never be defeated—control one and another springs up—or we can think about the opportunities in these flows of content. That was the genius of the session: even though we were being shown technologies that pose a threat to our copyright, and our income, the panelists were energized and positive. I ended up with a list of new business ideas, and with the conviction that we need to collaborate, as an industry, in three ways: We need to work smarter to promote copyright protection, we need better systems and standards of identification and usage monitoring, and we need to be more alert and innovative about ways to get great content to the widest possible audience (while ensuring that our businesses grow and prosper, so we can continue to create great content).

Copyright Clearance Center, as the world's largest not-for-profit provider of copyright compliance solutions, supports the principles of copyright and promotes respect for intellectual property through a wide range of innovative permissions services and educational programs for authors, publishers, and their audiences in academia, business and research institutions. **Beyond the Book** explores issues facing the information content industry and helps creative professionals realize the full potential of their works — from initial research to final publication and beyond.