

FROM THE OFFICES OF LESLEY ELLEN HARRIS

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1. STUDIES, LEGISLATION AND CONVENTIONS:

U.S. COPYRIGHT OFFICE TO STUDY SMALL CLAIMS – The U.S. Copyright Office has been asked by Congress to study the obstacles (including the monetary costs of litigation) facing small copyright claims disputes, as well as possible alternatives to the current process whereby all copyright infringement cases must be heard in federal court. See <http://www.copyright.gov/docs/smallclaims/>. By comparison, in Canada copyright infringement cases may be brought in federal or provincial courts, including provincial Small Claims courts.

CANADIAN COPYRIGHT REFORM UPDATE – Bill C-11 passed 2nd reading on 28 November 2011. Keep up to date at <http://www.parl.gc.ca/LEGISInfo/BillDetails.aspx?Language=E&Mode=1&billId=5134851>.

WIPO COPYRIGHT EXCEPTIONS FOR LIBRARIES AND ARCHIVES – On 2 December 2011, the 23rd session of WIPO's Standing Committee on Copyright and Related Rights (SCCR) concluded with an agreement for further discussion on a list of ten topics relating to libraries and archives. Libraries and archives' groups have been lobbying for an international treaty to establish a set of basic limitations and exceptions for the benefit of their users. For background and more information on this committee, see http://wipo.int/meetings/en/doc_details.jsp?doc_id=189639.

2. LEGAL CASES:

SEATTLE COPY SHOP SUED BY PUBLISHERS – July 2012 has been scheduled as the trial date to hear the October 2011 lawsuit brought against Copy Mart, a private Seattle shop, by the American Psychological Association, Pearson Education, and Sage Publications. The plaintiffs allege that Copy Mart had been producing course packs for Seattle University with unlicensed articles.

SUPREME COURT OF CANADA HEARS FIVE CASES – A decision is expected sometime in 2012 on the five cases involving copyright (relating to applications for judicial review of the Copyright Board's decisions) that were heard by the Supreme Court of Canada (SCC) on 6–7 December 2011. Recordings of the two days of SCC hearings are at <http://www.scc-csc.gc.ca/case-dossier/cms-sgd/webcasts-webdiffusions-eng.aspx?ya=2011&ses=01&sr=Search>.

3. OF INTEREST:

CANADIAN COPYRIGHT OFFICE: INFORMATION FROM CHIEF – The Canadian Intellectual Property Office (CIPO) is a Special Operating Agency of Industry Canada. Industry Canada is responsible for the administration of intellectual property in Canada, including the Copyright Office. An interview with newly appointed Commissioner of Patents, Registrar of Trademarks, and Chief Executive Officer of CIPO Sylvain Laporte is available at <http://www.copyrightlaws.com/canadian/canadian-copyright-office-information-from-its-chief/>.

U.S. COPYRIGHT OFFICE DIGITIZATION REPORT – On 31 October 2011, the U.S. Copyright Office released a report entitled *Legal Issues in Mass Digitization: A Preliminary Analysis and Discussion Document*. The purpose of the analysis is to facilitate further discussions among the affected parties and the public. The document is at http://www.copyright.gov/docs/massdigitization/USCOMassDigitization_October2011.pdf.

More information on digitization, from Maria Pallante, Register of Copyrights, is at <http://blogs.loc.gov/copyrightdigitization/>.

PAYWALLS COMING TO NEW BRUNSWICK NEWSPAPERS – Brunswick News, Inc. is shutting down free access to eighteen of its English language newspapers and to eight editions of *L'Étoile*. Although most paywall models allow some limited free access, Brunswick has adopted a paywall which requires payment for every item of content that is accessed.

COPYRIGHT MANAGEMENT AUDIO RECORDING – Topics covered in this audio tape include an overview on why we need to manage copyright, goals of managing copyright, and Lesley's philosophy for managing copyright—from having fun, to providing a “safe” environment in which to make mistakes, to knowing when to ask for help. Listen at <http://www.copyrightlaws.com/international/copyright-management-and-compliance-audio-lecture/>.

NAME DATABASE COULD AVOID GUESSWORK – The International Standard Name Identifier (ISNI) Agency launched a system with more than one million names which provides a sixteen-digit code to enable users to connect the right information with the right person—no matter how many names or characters they may have used. See <http://www.ifrro.org/content/new-international-identifier-connects-right-person-right-credentials>

4. SEMINARS AND PUBLICATIONS:

CERTIFICATE IN COPYRIGHT MANAGEMENT – Registration is now open

for the fifth offering of the SLA/Click University Certificate in Copyright Management. A new course has been added entitled “Copyright Permissions for Creators and Publishers.” The Certificate consists of seven online courses and two in-person courses to be offered in Washington, D.C., in June 2012. Graduates are from around the world and from a variety of libraries and organizations. Lots of lively discussions, practical exercises, and networking opportunities. First course begins 18 January 2012: CCM 100, Introduction to Copyright Management: Principles and Issues. For full course offerings see <http://www.clickuniversity.com>.

THE COPYRIGHT & NEW MEDIA LAW NEWSLETTER – The 2012 volume of The Copyright & New Media Law Newsletter is now open for subscriptions at www.acteva.com/go/copyright. Published since 1997, this print and electronic Newsletter covers copyright compliance and management issues from a variety of perspectives. Email editor@copyrightlaws.com for further information or obtain a free sample at www.copyrightlaws.com.

This newsletter is prepared by Copyright Lawyer Lesley Ellen Harris. Lesley is the author of the books *Canadian Copyright Law, 3rd ed.* (McGraw-Hill), *Digital Property: Currency of the 21st Century* (McGraw-Hill), *Licensing Digital Content: A Practical Guide for Librarians, 2nd ed.* (ALA Editions), and *A Canadian Museum’s Guide to Developing a Licensing Strategy, 2nd ed.* (Canadian Heritage Information Network). Lesley edits the print newsletter, *The Copyright & New Media Law Newsletter*. Lesley may be reached at www.copyrightlaws.com. Follow @copyrightlaws on Twitter at <http://twitter.com/#!/copyrightlaws>.

If you are looking for further topical and practical information about copyright law, obtain a sample copy of the quarterly newsletter, *The Copyright & New Media Law Newsletter*, from editor@copyrightlaws.com.