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Right and Responsibility

MSRI Digitization Workshop

Panel on Copyright

Catherine H. Candee

Director, Publishing and Strategic Initiatives

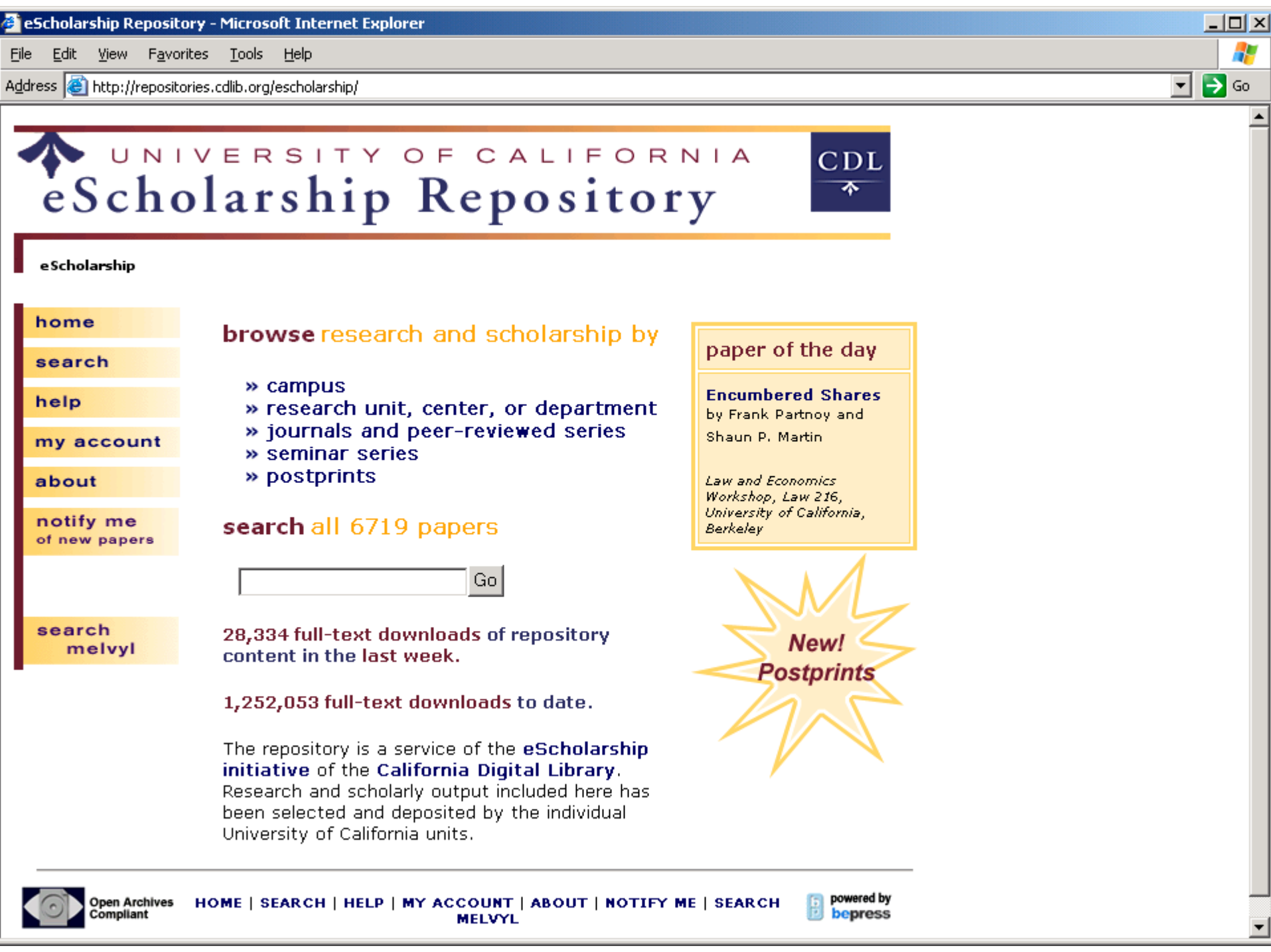
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- Fraud
- Stewardship
- Rights, roles and responsibilities



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paper of the day

Encumbered Shares
by Frank Partnoy and Shaun P. Martin

Law and Economics Workshop, Law 216, University of California, Berkeley





Copyright or Stewardship?

- Stewardship in the interest of mathematics, of the academy, of society.
- Rights issues different for any part of corpus
 - Looking forward vs. looking back
 - Journals vs. monographs
- Part of a larger strategy for building a sustainable publishing system, e.g.,
 - Digital preservation and access repositories
 - OA/OS journal publishing platforms
 - Print archives



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UC Launches Postprints Service to Provide Greater Access to UC Scholarship

Access to previously published articles written by UC faculty will be available free online

OAKLAND, Calif. — February 23, 2005 — [The University of California Office of Scholarly Communication](#) today (Wednesday) announced the public launch of its new eScholarship postprints service...

The eScholarship program... is only partly about access. It also demonstrates how seriously UC takes its commitment to acting as steward over the vast well of scholarly and cultural information that is produced by faculty, staff, and students, and acquired or created by its libraries and museums.

"These materials form a significant part of the scholarly and cultural record," said M.R.C. Greenwood, [University of California](#) provost and senior vice president for academic affairs. "They contribute directly to the state's economic progress, educational advancement and cultural well-being.

"By providing access to these materials, UC can ensure its central position in an evolving global marketplace for information and ideas. But their value can only fully be realized if they persist through time. Only a university is positioned to secure these assets in a way that will ensure that they can be made accessible now and for future generations," she said.

How can the community recover copyright from math journals?

CDL



- JSTOR approach is a useful model: neg copyright, affordable, good value for the money. Sustainable (mv), successful project.
- Don't cherry pick. 90% of mathematics journal literature is in hands of publishers. Work with them; this is in their interest, too. Negotiate for whole titles, runs. Then tackle last 10%.
- Assume rights; grandfather in retrospective content; use registries for orphan works.
- Tie together development of print archive to dev of digital archive. Work with library (ies).



Revenue, etc.

- Content should not have to be bought; revenue should be used to fund services not content. Claim rights in perpetuity for preservation purposes.
- Consider a hybrid model.
- Revenue generating services can be added later to open access collections.



Role of library

- Interest in collection building; looking after collections for centuries; Preservation;
- MD expertise, MARC, persistent IDs, and OAI-PMH;
- Expertise in holdings analysis, physical examination, etc.
- Purveyor of tools for building digital environments around journals, integrating access to broader collections, harvesting metadata, federating searching



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The Accident Externality from Driving

[Aaron S. Edlin, School of Law and Economics Dept., University of California, Berkeley](#)

[Pinar Karaca-Mandic, University of California, Berkeley](#)

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We estimate auto accident externalities (more specifically insurance externalities) using panel data on state-average insurance premiums and loss costs. Externalities appear to be substantial in traffic dense states: in California, for example, we find that a typical additional driver increases the total of other people's insurance costs by \$2231 per year. In such states, an increase in traffic density dramatically increases aggregate insurance premiums and loss costs. In contrast, the accident externality per driver in low traffic states appears quite small. On balance, accident externalities are so large that a correcting Pigouvian tax could raise \$45 billion annually in California alone, and over \$140 billion nationally. The extent to which this externality results from increases in accident rates, accident severity or both remains unclear. It is also not clear whether the same externality pertains to underinsured accident costs like fatality risk.



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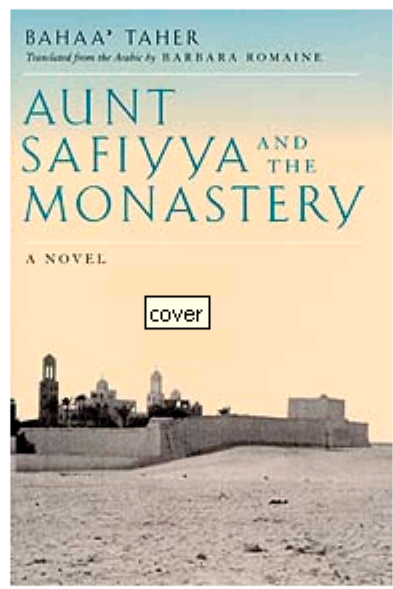


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- [Glossary](#)

- [Introduction](#)
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- [2. Aunt Safiyya](#)
- [3. The Outlaws](#)
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A Novel

Bahaa' Taher Translated from the Arabic by Barbara Romaine

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Title: [Mass Mediations: New Approaches to Popular Culture in the Middle East and Beyond](#) Public

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Published: University of California Press, 2000

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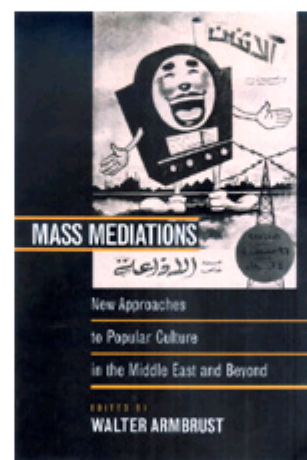
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- 4 Preface
[Note on Transliteration](#)
- 22 1. [Introduction](#)
- 20 2. [Public Culture in Arab Detroit](#)
- 19 3. [The 6/8 Beat Goes On](#)
- 3 4. [Sa'ida Sultan/Danna International](#)
- 6 5. [Playing It Both Ways](#)
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- 1 • [Notes](#)
- 19 3. [The 6/8 Beat Goes On](#)
- 3 4. [Sa'ida Sultan/Danna International](#)
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- 1 7. [Nasser 56/Cairo 96](#)
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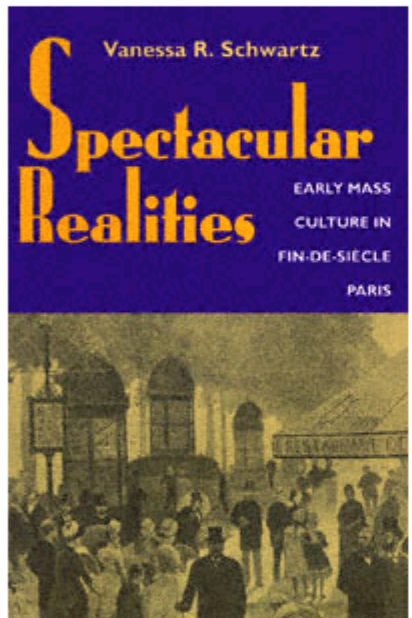
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postcolonialism, and popular culture) were framed, more explicitly than ever before, in relation to metropolitan, Western-derived social forms. The nationalist imperative was never far from view, even if there was always something vaguely "imaginary" about it.

The trend continues. Yet today Gellner's vision of endless nationalism is often treated as unlikely and uninteresting in roughly equal degrees. Metropolitan intellectuals of all sorts, along with businesspeople and politicians, are now drawn to postmodern, transnational images of community. As a site of cultural reproduction, the nation-state no longer seems big enough; its peculiar resources—industries, workforces, currencies, identities, ideologies—are constantly spilling across its boundaries. This is certainly true of popular culture," the vast network of information, narratives, and artistic performances conveyed by television, VCR, CD, cassette tape, film, and print technologies. Among anthropologists the study of popular culture is now identified closely with transnational approaches,^[1] a development more unusual than it might at first appear. The media in which popular culture travels evolved alongside the nation-state; indeed, they exist everywhere in symbiotic relationships with ruling elites. According to Gellner and Anderson, these relationships produce shared, literate, self-consciously modern cultures that exist (or hope one day to exist) under the protection of their own national governments.

The kinks in the model are obvious. Elites are not motivated solely by national interests, and the demand for CNN, Rai music, and Hindi films is not limited (any longer at least) to Americans, Algerians, and Indians. Popular culture flows across international borders alongside (and often more freely than) the people who consume, produce, and distribute it. The neat cultural boundaries favored by nationalists are now hopelessly blurred by a popular imagination that, the advertisers and analysts assure us, is virtually global in scope.

Through the experience of everything from food, to culinary habits, music, television, entertainment, and cinema, it is now possible to experience the world's geography vicariously, as a simulacrum. The interweaving of simulacra in daily life brings together different worlds (of course, different times) in the same space and time. But it does so in such a way



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Early Mass Culture in Fin-de-Siècle Paris

Vanessa R. Schwartz

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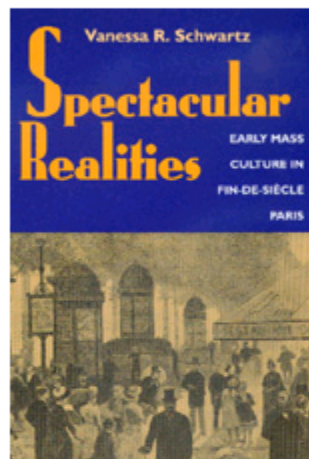
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- [Chapter 4— Representing Reality and the O-rama Craze](#)
- [Chapter 5— From Journal plastique to Journal lumineux: Early Cinema and Spectacular Reality](#)
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