

# Copyright in the WDML

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*Report on the Activities of the Committee on Electronic Information and Communication (CEIC) of the International Mathematical Union in the years 2002 and 2003* <http://www.ceic.math.ca/Publications/Reports/ceic0203.doc>

- o It is plain that Intellectual Property Rights/Copyright plays a key role in obstructing access to mathematical information. One might well ask whether its generally held principles are at all appropriate in the Mathematical Sciences. Whatever, John Ewing is at present writing on the relevant principles. In brief, he discusses proposals that amount to copyright, as we know it, persisting on learned papers only for a limited period, with the material then going into the public domain.



A rough estimate indicates that more than 90 percent of the 50 million pages of mathematics remains under copyright. It is likely that half of this requires search and negotiation concerning copyright.

J. Ewing

"Twenty Centuries of Mathematics" Notices of the AMS, August 2002 p.775



- In US copyright usually held by publishers, particularly for journals
- In Europe authors seem to have to agree to presentation in digitized format
- In Russia some extinct government organizations
- Issues around monographs and monographic series are complex



# Moral rights

- o Right to be identified as author of the work
- o Right not to have the work subjected to derogatory treatment



# Interesting notes

- Inserting hyperlink to material that infringes copyright could lead to contributory infringement.
- In UK typographical design can be copyrighted, requiring permission to make a reproduction



## Copyright and author's rights

The NUMDAM program respects author's rights, which protect an important part of the volumes digitized and made available under its responsibility. Generally, the authors of old articles have given up the right of publication and representation to the journal which has published them. They have not been able to give up inexistant rights such as electronic publication or display on the web. The digitized articles in the NUMDAM program remain property of the journal. Authors must explicitly authorize the journal(s) to display their articles on the Internet.

Cellule MathDoc has searched for authors and their legal successors in order to obtain the transfer of rights for digitization and display of the collections belonging to NUMDAM program. An individual letter is being sent to authors for whom a recent email address could be found.

Certain searches were fruitless. To promote publication of science and to maintain coherence of the collections, it was decided to publish the corresponding texts.

Posting of rights cession contracts is under way. Cellule MathDoc is committed to remove display of any article(s) if so asked by authors or their legal successors.



# DML and the copyright point of view- three possibilities

- o 1. Authors assign relevant rights to the journals (institution or publisher).
- o 2. Authors assign relevant rights to the institution responsible for the digitization program.
- o 3. Authors assign relevant rights to DML (assuming appropriate DML structure).





# DML report on IP Metadata

Intellectual property rights management. The goal of making resources available freely or at no cost should not be construed as obviating the need to manage copyright, attribution, and rights and conditions. As standards emerge for "rights management" (see MPEG-21), it will be required to incorporate these into metadata.



# General recommendations

- Non exclusive rights to use materials from copyright holders
- Copyright held by original assignees



- o Given the complex nature of international copyright issues our discussion needs to take a pragmatic approach to developing the WDML. We need to look at licensing options as well as copyright law.

