

Book Review

Paul Pedley (ed.) *Managing Digital Rights: a practitioner's guide*. London: Facet Publishing, 2005. ISBN 1-85604-544-7 152pp £39.95

With the new blanket digitisation licence coming into force soon and digital rights the current hot topic among information professionals, a handy guide is timely. This book sets out to be a practical guide to the use of digital content and the issues that arise when you start scanning print resources then storing and using your digitised files. Edited by Paul Pedley, the guide is organised in five short but practical sections. Each contributor has a different viewpoint and with Ian Watson, we even get a rare view from a professional on the publisher's side of the fence.

Legal background

No work in the field is complete without a contribution from Paul Pedley and he starts off by laying out the legal landscape. This short but very relevant and clearly written section describes how the digital format raises different issues from print, what is meant by the term "digital rights management" (DRM) and the common contractual forms, restrictions and protections encountered. After defining copyright, he explains why copyright law is in itself no longer adequate in the face of new technologies and the resulting new opportunities for librarians and for rights holders. The handy analogy of a book is useful here – once you have bought your copy, you can consult it as often as you like without paying extra, but if you sell or give it away those rights move on the next owner. Not so in the digital world, where you are only leasing that content for a fixed period of time. This gives huge opportunities for publishers to monitor and restrict usage, which they didn't have before, and also for others to replicate and distribute infringing copies – witness the growth and popularity of Kazaa and similar networks. There is a short section on negotiating licences with some model agreements which highlight how important it is to be sure of what you're signing – it's all too true that however complicated the language of the contract or unfair the terms may seem to be, there is very little legal recourse for the librarian who did not read or fully understand what they were signing.

International treaties

Sandy Norman is another widely published expert in this field and concentrates here on the international perspective, the drivers for effective DRM and the WIPO treaties. She draws some very interesting comparisons between copyright conditions in the EU, USA and Australia, and looks at the points of contention and distrust between rights holders and users. She also points out the difficulty of control when some countries don't have any appropriate copyright legislation, and international conventions aren't mandatory – no wonder there can be an atmosphere of suspicion and defensiveness between publishers and users. She covers a number of major causes for this, exploring in turn the argument that "Digital is different", the technological lockup fear held by librarians concerned that long held conventions – such as library privilege and fair dealing – will become meaningless, and the fear of total control over information where the balance is distorted away from research and public access in favour of commercial interests.

Copyright clearance

In this section, Helen Pickering, copyright manager for HERON, takes us through the process of establishing when clearance is required, and getting permission. This area is a minefield where often there don't seem to be any definitive answers, especially if you are new to the field. The chapter has some very useful, step-by-step information on locating rights holders and obtaining permissions. It's always a comfort to know that you are not alone in finding this an uphill struggle, and the practical advice on timescales and third-party materials, where material requiring additional clearance from another publisher is embedded into the main body of the text, is very useful. The chapter also covers government publications, the CLA (and CCC, the US equivalent), NLA, HERON, authors & agencies, and answers some tricky questions, such as

how to find out who holds the rights and locate them – and even more importantly what to do if I can't.

Digital rights and teaching

Linda Purdy is Senior Information Adviser at Sheffield Hallam University and sets out to explore the changes in teaching and learning since the late 1990s and the Dearing Report, and how the transition from the physical learning environment to the virtual drives developments in digital rights. Academics who like to adapt, copy and repackage existing works to create new materials are one side of this coin, on the other are students who can freely draw on third party materials from a variety of digital resources or create their own with little understanding of the rights issues with which they are tangling. This chapter covers both perspectives on a practical level, looking at the implications for academics and librarians of the changing HE marketplace, with more demands from students for resources, and more distance- and part time-learners who require more flexible resources than traditional print. The role of technology and the VLE is considered and the need for easily prepared digital resources which can be slotted into environments where blended learning and virtual classrooms are becoming more common. It is a complex and rapidly expanding area with so many different sorts of resources being used – off airs, moving images and sound, internet resources – and an e-learning environment which is developing into a commercial venture for some institutions, so the role for a sensible technological means of requesting, granting and controlling access is discussed as well as the need for constant user education to prevent the kind of short cuts which can land the user and their institution in trouble.

The rights holder's perspective

Written by an information professional now working for NewsQuest Media, this chapter picks up on the threat to rights holders from digital copies which can be replicated endlessly and perfectly. An essential requirement is that the rights holder can exercise sufficient control over use made of their property. Anti-circumvention devices are considered here, as well as the relevance of copyright to digital assets. Corporate rights holders have different issues from users, which mainly centre on agreeing fees, tracking usage and preventing piracy/infringements. Conflict arises with users when technological measures are perceived to prevent legitimate use. Partly the clash is a cultural one as libraries are essentially co-operative in nature and instinctively look to share information, while publishers are restricting access in order to make a profit and stay in business. Digital object identifiers (DOI) are seen as one way forward as these can be used to uniquely identify any digital object whatever it is. Although not yet widely used they could be a hook on which to hang DRM in the future, and the case is presented for DRM to be seen in a more positive light – less as a copyright infringement protection tool and more a facilitator for new business models.

In summary, this is a very useful book for the practitioner, particularly someone fairly new to the field or returning after a break and who needs up-to-date information and guidance in this complex area. The lists of statutory materials and cases cover the main points which any practitioner needs to know. The contributors are also well chosen to give a valuable insight into each different facet of the topic, and as each chapter has a list of references it's a useful starting point for further reading.

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