American Association of Law Libraries Copyright Committee 2010-2011
Annual Report

The Copyright Committee is charged with representing the Association’s interests regarding copyright and other intellectual property issues in legislative, regulatory, and judicial affairs. The committee informs and advises the Board and the Government Relations Office (GRO) and coordinates with GRO to communicate the Association’s views on intellectual property matters.

The 2010-2011 Copyright Committee provided several educational programs, including a webinar, and published articles and other updates for the benefit of AALL members. The committee continued to track copyright legislation and cases, but there were no significant copyright laws proposed or Supreme Court cases decided during this period.

In November 2010, Mary Alice Baish and Roger Skalbeck met with Maria Pallante (senior advisor to the librarian) and Robert Dizard (chief of staff for the Library of Congress) to discuss qualities and qualifications for a new register of copyrights. Maria Pallante was later appointed interim register and ultimately became register of copyrights in 2011, following Marybeth Peters’ retirement.

In April 2011, Roger Skalbeck and Jennifer Wondracek gave a presentation at the SEAALL 2011 conference: “Dongles, Ripping, and Jailbreaking, Oh My! The DMCA Exceptions and Libraries.” This program explained all six exemptions to the Digital Millennium Copyright Act. Issued every three years, these exemptions are meant to enable lawful uses of copyright works otherwise protected by technology.

During 2009-2010, the Copyright Committee successfully argued to expand an exemption for creating clips from DVDs for use in education. The Library of Congress granted an expanded version of our requested exemption, published in July 2010.

In May 2011, the committee hosted a webinar entitled “Copyright Issues in Distance Education and Training,” coordinated by Jennifer Wondracek. Dr. Tom Lipinski spoke about detailed legal aspects of distance learning, including topics relevant to commercial as well as educational settings.

The committee provided four programs at the 2011 Annual Meeting in Philadelphia: “Copyright Conversation with Marybeth and Lolly”; “Battledecks AALL”; “Copyright Hell: Sites to Get You Out of the Inferno”; and “Google Book Settlement and Orphan Works.” It also provided input on programming for “Searching for and Locating Scientific Literature: Finding a Needle in a Haystack” (PLL-SIS) as well as “Mashup the Government’s Copyright” (GD-SIS).

Amy Ash wrote a draft issue brief about the Supreme Court case Golan v. Holder, which relates to public domain status of copyright works published outside the United States. The Supreme Court is scheduled to decide this case during the October 2011 term. The issue brief has not yet been published.
Steve Melamut’s article “Freeing Creativity: Understanding the Creative Commons Licenses” was awarded *AALL Spectrum* article of the year for 2011.

For the Spring 2011 AALL Board Meeting, the committee submitted an action item with three distinct parts, proposing that AALL (1) adopt a Creative Commons license for selective works, (2) provide options for members to select a Creative Commons license when submitting content to AALL, and (3) encourage use of Creative Commons licenses among AALL members. The action item was not passed. A similar action item was submitted for the Spring 2009 Board Meeting, which also did not pass.

For 2010-2011, members were Roger Skalbeck, chair; George Pike, vice chair; Lucy Curi-Gonzalez, Board liaison; Mary Alice Baish, staff liaison; Kate Hagen, staff liaison; and Amy Ash, Alicia Brillon, Emily Florio, Meg Kribble, Steve Melamut, Tracy Thompson-Przylucki, Lauri Urquiaga, and Jennifer Wondracek, members.

Roger Skalbeck  
Chair, 2010-2011