

# Session 1: Managing IP – Core Observations

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IPR Framework for Digital Transformation in the Cultural Heritage Sector

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# MAIN TOPIC:

**How do you manage IP in your organization, and what do you consider best practices?**

# Which IP assets does your organization have?

- Primarily copyrighted works, e.g. images
- No trademark registrations
- Use of Creative Commons / GPL
- Many participants are representatives of aggregators of digital, cultural resources of third parties (no IP assets of their own)
  - Example: ICCU - Istituto Centrale per il Catalogo Unico (e.g. digital libraries)
  - Example: European Fashion Heritage Association (EFHA)



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# Are there IP protected works that belong to third parties and are under custody/deposit/license to your organization?

- Licenses
  - Reliance on Europeana data exchange agreement
  - Goal to create specific agreements in the long run
  - Licencing framework (based on Creative Commons) in place to streamline, standardise relationships: one agreement may lead to publication on several platforms
- Contracts in the form of acquisition agreements (including IP management or a licence)
- Risk management: search copyright holders / assess risk / decide / get senior management approval



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# Who is involved in the IP management within your organization?

- Cambridge University Library: combination of different methods
  - Members of staff doing copyright clearances for bigger digitisation/publishing projects
  - Picture Library Coordinator managing digital assets, answering copyright queries, advising on digitisation partnerships/licensing contracts (supported by University's Legal team)
  - CUL Copyright Working Group - offering advice and support
- Others: no institutionalised structure for IP management - staff members educate themselves and do their own research



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# How do you manage IP assets of your organization?

## What do you consider best practices?

- Clearer model for management would be beneficial
- Importance of efficiency
  - Reference to high volume of assets
  - Timing is key
  - Automation would be beneficial; find ways to generalise
- Specialised body at national level: provide clear, up-to-date, compact information and best practices (maybe later at EU level)



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# Do you encounter any specific obstacles when managing IP assets of your organization?

- Example: Europeana Archaeology, where ICCU is responsible for digital exhibition (40-50 images)
  - Licensing problems in practice; 1 year on, no full clearance yet!
  - Partners do not understand copyright issues: knowledge deficit among experts in CHI
- General observation: difficult to find balance
  - Provide good service to readers vs. respecting IP rights
  - Problem: right holders often ignore requests; difficult to manage relationships with them



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# **Do you commercialize products in your shop based on works or the logo/image of your museum?**

## **If not, why not?**

- Example: Cambridge University Library
  - Small-scale cooperation with commercial arm of Fitzwilliam Museum to produce merchandise for sale mainly in local outlets
  - No bigger scale commercialisation of photos from the collection
  - Library's and University's brand is managed by a different team



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# Do you envision major challenges/changes in your organization due to the COVID crisis?

- Main challenge: expectation vs. reality
  - It is expected from CHIs that they make works available online, but they have
    - much less financial resources
    - same legal restrictions as before
    - additional pressure of time

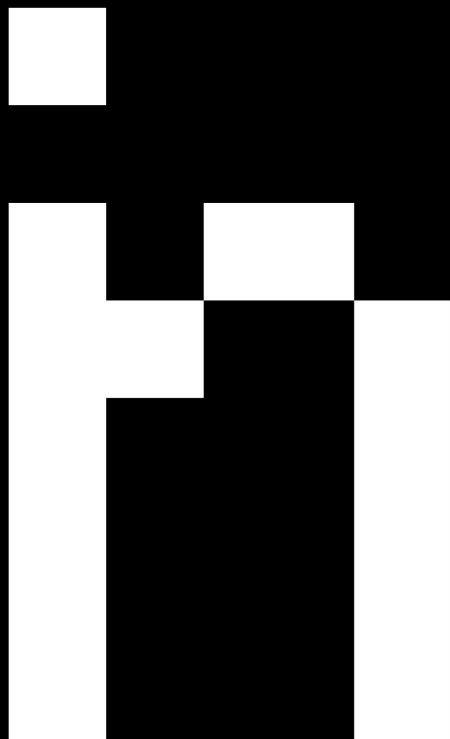


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