Beast of Burden

Copyright, Permission to Publish, and other inconveniences

Amy Rushing, Head of Special Collections
UT San Antonio  TCDL, April 27, 2015
UTSA Special Collections

- Rare Books
- Manuscript Collections
- University Archives
- Historic Photo collection
The Permission to Publish (PTP)

- One time license to use
- Rules for attribution
- Public Domain not a factor
- Can have fees
But, WHY?

- $$ is always nice
- Can be used to measure impact/use
- Enforce proper citation
- Legal protection
2014: A Seminal Year

Michelle Light  RBMS 2014

Controlling Goods or Promoting the Public Good: Choices for Special Collections in the Marketplace
The Washington Free Beacon has been combing through document archives at the University of Arkansas for a series of stories about Hillary Clinton. This week, however, the University of Arkansas suspended the WFB’s research privileges for violating library policies. In particular, according to a letter from library dean Carolyn Henderson Allen, the WFB’s...
The Battle
“it is time for repositories to get out of the ‘permission to publish’ game and leave permissions to the copyright owner”

“The PTP makes little or no legal or policy sense”

-Peter Hirtle
“Does a library have the legal right to impose such restrictions on reuse of public domain content? Strictly speaking, no: physical ownership of a public domain document does not give the owner the right to say how the document’s content may be used.”

-Rick Anderson
UTSA takes notice

- Many, many discussions
- Deed of Gift Inventory
- Website Language
- Letting go
Consequences / Issues

- Patrons’ © burden more obvious
- Out of date contact info for © holder
- Who owns © is not always clear
- ©Hearst Corp. $$$$$
- Publishers demand a signed form
Learn More

Jonathan Adler. University of Arkansas library suspends Washington Free Beacon’s research privileges, Washington Post (June 20, 2014) http://wapo.st/1Dx5Jyy


Peter Hirtle. What the University of Arkansas controversy can teach us about archival permission practices, LibraryLaw Blog (July 24, 2014) http://bit.ly/WR7TKY

Michelle Light. Controlling Goods or Promoting the Public Good: Choices for Special Collections in the Marketplace, Presentation at Rare Books and Manuscripts Conference, Las Vegas, NV (June 2014) http://bit.ly/1Khifqz