

# JLSC

ISSN 2162-3309 | JLSC is published by the Iowa State University Digital Press | <http://jpsc-pub.org>

**Volume 12, 1 (2024)**

## **Brief Reviews of Books and Products** **Copyright: Best Practices for Academic Libraries**

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Gambill, A. (2024). Copyright: Best Practices for Academic Libraries [Brief Reviews of Books and Products]. *Journal of Librarianship and Scholarly Communication*, 12(1), eP17705. <https://doi.org/10.31274/jpsc.17705>



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## BRIEF REVIEWS OF BOOKS AND PRODUCTS

Book review: Ferullo, D. L., and Buttler, D. K., eds. (2023). *Copyright: Best Practices for Academic Libraries*. Rowman and Littlefield. 282 pages, cloth/hardcover and ebook. ISBN: cloth/hardcover (9781538168219); ISBN: ebook (9781538168226). \$65.00 on Amazon.

In *Copyright: Best Practices for Academic Libraries*, editors Donna L. Ferullo and Dwayne K. Buttler have cultivated an important, up-to-date resource on copyright law for academic librarians. This book highlights library-related recent developments in copyright law and discusses best practices for leveraging the limitations and exceptions to copyright law that facilitate research, teaching, and preservation for educational purposes.

This book is essential reading for U.S.-based academic librarians, especially those who work within archives, special collections, scholarly communication, and scholarly publishing. Some individual chapters may be of particular interest to library liaisons serving university music and creative arts departments, faculty members who teach online courses, technology specialists who work in higher education, museum and art gallery professionals who are interested in the interplay between copyright and photographs of cultural heritage artifacts, and general readers who want to learn more about modern legal trends impacting libraries, such as controlled digital lending.

Much of the book's value is derived from the expertise of its authors, many of whom possess both law and library degrees, have significant prior legal and library experience, and have published widely on copyright issues in libraries and archives. Several authors are leading experts on some of the most influential copyright cases and policy debates affecting libraries over the last decade. Readers stand to benefit from the unparalleled, first-hand perspective on copyright law from the very individuals who are shaping contemporary copyright policy for the benefit of libraries and archives.

Chapter topics are wide-ranging and include foundational topics such as fair use and the public domain as well as cutting-edge perspectives on software preservation and text and data mining. Other chapters, such as "Brick by Brick: Establishing Copyright Services at Universities" and "A Practical Guide to Copyright, Contracts, and Licenses in Libraries," are more practical in focus. Both of these chapters offer straightforward advice to readers, such as



negotiation strategies for obtaining library licenses and how to identify needs, services, and allies when developing library copyright programs.

The book also includes a chapter solely dedicated to international copyright considerations. The author of this chapter guides the reader on how to assess risk on providing access to foreign works housed in library collections and delves into conflict of laws doctrine to determine which country's laws apply when resolving cross border disputes. The complex subject of international copyright law is not often covered in resources related to copyright and libraries. Therefore, this chapter is a much-needed resource and one that would appeal to a global audience.

The goals of *Copyright: Best Practices for Academic Libraries* are multifaceted. One goal is to educate readers about topics in copyright law that an academic librarian might encounter on a daily basis so that they can become better legal issue spotters. To this end, several authors include an overview of relevant case law and explanations of selected sections in the Copyright Act. The chapters that provide the actual language of the statutory text are helpful for readers who are unfamiliar with the act. The editors might consider including the relevant statutory text at the end of each chapter for the book's next edition.

Another goal of the book is to provide readers with a variety of solutions and best practices to mitigate risk for the library and university. The book exceeds this goal. The majority of chapters include a section on "Practical Applications of the Law and Best Practices" and a summary of credible resources that have been widely accepted by the national academic librarian community. While readers might be able to source some of the substantive background information on the various legal topics included in the book from law school textbooks, the practical applications and best practices that authors share are the fruit of experience.

More broadly, the book aims to spark a wider conversation about the role that librarians play in shaping law and policy to facilitate the creation and dissemination of knowledge. The chapters on the Digital Millennium Copyright Act (DMCA) and controlled digital lending are particularly illustrative of the difficult balance that policymakers must achieve between rights holders, technology companies, and the general public who create, use, and share content online. The authors of these chapters also articulate how the contributions of librarians, whether through amicus briefs or participation in the Copyright Office rule-making process, are instrumental in effecting policy changes.

Copyright law is a complex subject matter, and most authors write in an approachable way so that readers with no legal background can understand the material. Some chapters are more dense than others, perhaps due to a combination of the complexity of the topic and an editorial

choice to keep the chapters brief. Several authors include charts and graphics to complement their description of best practices, which help illustrate the flow of analysis and decision-making. In future editions, the editors might consider asking more authors to include a short case study to further illustrate concepts in a practical way for readers, similar to what was included in the chapters on text and data mining, copyright services, and the DMCA. There is some overlap between chapters on certain legal concepts, such as fair use, the first sale doctrine, DMCA circumvention, and copying by libraries and archives. This overlap provides readers with an opportunity to either skim some content or engrain their understanding of these essential copyright considerations.

The editors conclude by touching upon new developments, such as the Copyright Alternative in Small-Claims Enforcement (CASE) Act, non-fungible tokens, and artificial intelligence. Editors might consider adding full-length chapters on these topics for a future edition of the book as well as chapters discussing recent case law and uncommon or overlooked policy considerations.

Readers should note that the book is not legal advice, and many of the viewpoints and perspectives portrayed represent the varying degrees of risk tolerance of the authors and how their uniquely individual experiences within libraries have influenced their interpretations of the law. As the editors explain, “[i]n this task, rarely is anyone completely right or wrong because the variables governing decision-making are ever evolving.”

Together, the authors and editors of *Copyright: Best Practices for Academic Libraries* have created an excellent resource for librarians who need assistance with untangling copyright conundrums in their daily activities and parsing difficult concepts of copyright law.

## **AUTHOR BIOGRAPHY**

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