


2018 
EUROPEAN YEAR
OF CULTURAL
HERITAGE
#EuropeForCulture



Copyright and cultural heritage

Adrian Murphy

Varna, Bulgaria | 30 May 2018

Ansicht des Teiches und der
Franzensburg im K.K. Park zu
Laxenburg von Süd Westen

Welker, Ernst | Austrian
National Library Austria, Public
Domain

Outline

- **Why** you need to know about copyright
- **What** you need to know about copyright
- **How** to deal with the copyright and licensing aspects of objects on Europeana Collections (the licensing framework)

Culture Heritage Institutions (CHIs) have a mission to preserve and provide access to cultural heritage to citizens.

- CHI collections may contain:
- Public domain material
 - **Works protected by ©**



Interieur met figuren te midden van een schilderijenverzameling | Gonzales Coques

1672-1667 1706-1706

Het Mauritshuis te Den Haag
Netherlands, Public Domain

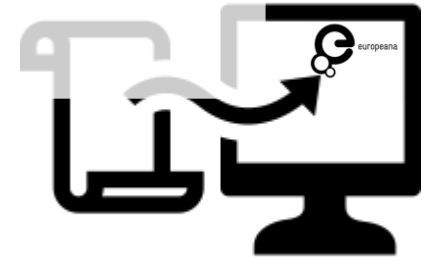


Copyright and CHIs

- Shared objective of facilitating availability and dissemination of culture for society as a whole
- Responsibility to understand copyright law when digitizing collections, as permission may be required from rights holders to perform certain acts in relation to protected material. If works are protected by copyright, the person who owns copyright in that work can decide how his/her work is used.

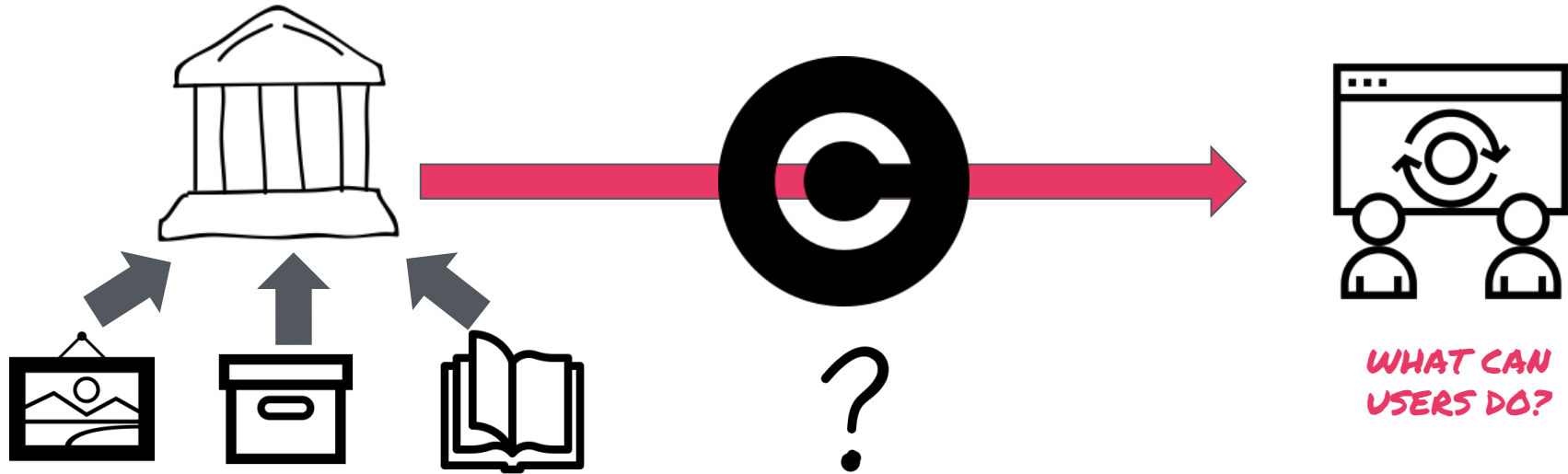


“Copyright law is complicated because it is not up to speed with modern technological possibilities”
Judith Blijden, Kennisland



**Het Mauritshuis te Den Haag | Hove,
Bartholomeus Johannes van
1825, Het Mauritshuis te Den Haag
Netherlands, Public Domain**

- The internet makes it possible to publish online...
- **...but it may seem like copyright is standing in the way of maximising the full value of your collections**
- Knowing the copyright status of an object lets an institution know if they digitise the collection and importantly, what users can do with the object



Origins



A 15th century portrait of a scribe. [JEAN LE TAVERNIER/PUBLIC DOMAIN](#)

- Middle Ages [curses on books](#)
- 15 century response to large scale production via the printing press
- Creating printing privileges for printers, providing a 'copy' right
- Eventually becoming an author's right, providing incentive to create (receive payment, protect reputation and integrity)
- Make material available to the public to stimulate further creativity

Main aspects

A bundle of **exclusive rights** granted to creators **to the perform certain acts in relation to his/her works**.

Automatic and **no registration** is required.

Protection is **limited in time**: in general, in Europe, life of the author + 70 years.

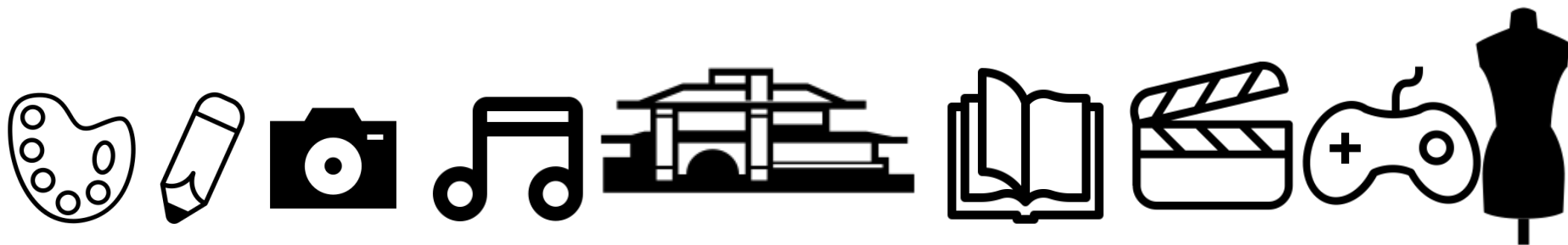
Territorial: there are currently 28 different (but partially harmonized) copyright systems in the EU.

Copyright is (partly) **transferable**.



What is protected by copyright?

original expressions of ideas



the 'author's own intellectual creation' (European Court of Justice)

Icons via thenounproject.com



The image shows a video player interface for a video titled "Public Domain". The video content features a light blue background with a white cloud layer. At the top, there are several illustrations: a person in a red coat playing a piano with musical notes floating above, a person in a pink coat, a portrait of the Mona Lisa, a person in a red and white outfit, and a person in an orange outfit. A progress bar labeled "LIFE" shows a red segment followed by a pink segment labeled "70". On the right side, there are four icons: a heart, a clock, a stack of books, and a paper airplane. The main text in the center reads "Public Domain" in a large, light blue font. Below it, the text says "Copyright Bite #1" and "Copyright Duration". A paragraph of text explains: "Copyright generally lasts for the lifetime of the author plus 70 years. Once a work is out of copyright it can be used freely by anyone." At the bottom, there are three illustrations: a film strip with a copyright symbol, a person in a pink coat and a person in a blue coat walking, and a diamond-shaped collage of various icons including a hand, an eye, a fingerprint, and a speech bubble. The video player controls at the bottom include a play button, a progress bar with a timestamp of "00:33", and icons for volume, settings, and full screen.

Public Domain

Copyright Bite #1

Copyright Duration

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Once a work is out of copyright it can be used freely by anyone.

00:33

What can Europeana do?

We can't clear the rights to your content, or advise you on how to do this. Local experts can advise on how copyright applies in your context. But we actively advocate on behalf of cultural heritage organisations for a fairer system for copyright institutions, as well as for those who can benefit from publishing your content online (e.g. research)



Icons via thenounproject.com

Public domain charter



The Europeana Public Domain Charter

Europeana, Europe's digital library, museum and archive, belongs to the public and must represent the public interest.

Digitisation of Public Domain content does not create new rights over it: works that are in the Public Domain in analogue form **continue to be in the Public Domain** once they have been digitised.

Public domain charter



Having a healthy and thriving Public Domain is essential to the social and economic well-being of society.

The Europeana Public Domain Charter

Europeana, Europe's digital library, museum and archive, belongs to the public and must represent the public interest.

Further resources



RIGHTS  **STATEMENTS**



Join the Copyright community

COPYRIGHT THE LATEST

Developing the RightsStatements.org Consortium in 2018

Can we achieve multilingual copyright information on Europeana?

62% of rights statements are accurate - together, we can improve on that

WELCOME TO EUROPEANA COPYRIGHT
Working with and for the copyright community, we cultivate, curate and share knowledge around the topic of copyright in the cultural heritage sector

WHAT TO READ IN APRIL
Updated every month, we select three articles from our archives that we think you'll find interesting

Business Plan 2018

help us translate the copyright terms we publish at europeana.eu

<https://pro.europeana.eu/network/association/special-interest-groups/europeana-copyright>

- Are you interested in translating the rights statements into Bulgarian? Email copyright@europeana.eu
- Join the [IPR community](#)
- Follow @EuropeanaIPR and tweet your questions

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De Chinese markt
Manufacture Royale de Beauvais
1767, Rijksmuseum
Netherlands, Public Domain



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