

Copyright and Preservation: Hypotheticals

With a partner or small group, review the hypotheticals below. Be prepared to share your answers and discuss them with the group.

1. You work at an archive of American music. The archive has a collection of early gramophone records of popular songs, dating from 1902 to 1914. They are made of shellac and are quite brittle, but you can still play them and capture good sound from them. You would like to create preservation-quality digital copies and post them on the archive's website. This will reduce the possibility of the originals breaking during use and increase the accessibility of the collection for people who can't visit the archive in person. Given current copyright law, how should you proceed?
2. You work at a natural history museum. An eminent botanist has recently retired and given her papers to the museum. That includes several boxes of early field notebooks and written correspondence with colleagues, as well as a laptop and several hard drives of varying vintage. The laptop and drives include more recent research notes and all her email since 1992. The botanist never worked for the museum. You would like to convert the old digital files into formats that are readable today, and you would like to continue to do that as necessary in the future. You might also digitize the paper notebooks and written correspondence. All this would be a considerable investment, and you feel you can only justify it if you can also provide some access to the materials. Given current copyright law, how should you proceed?
3. You work in a small independent library where many of the printed books are brittle and deteriorating. Due to the nature of your collection, many of these books are among the last known copies of these titles. You have just received a grant that would cover digitization of your entire collection, including necessary pre-digitization conservation. You would like to digitize all of the books, including the small percentage that are not yet brittle. For any titles that are brittle, you would like to provide access to the digital copies instead of the originals. As the remaining books become brittle, you will begin providing access to their digital copies as well. Given current copyright law, how should you proceed?