

Internet and copyright: there is no hiding place



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Last month, I was taken aback to receive, among the requests for advice on copyright problems, an email accusing ALIA of breaching copyright by publishing an unauthorised extract. The e-mail went on to demand that we pay licence fees for the use of material on our website.

This e-mail was from a respected British newspaper and my first reaction was one of embarrassment — surely an association such as ALIA that prides itself on strict adherence to copyright law could not have transgressed in this way?

Indeed, on closer examination it appeared that we had not. We had published in the 'Making news...' section of *inCite* a short summary, written by our editor, of an interesting news item which had appeared in the newspaper in question. Our summary included a full citation — headline, byline, newspaper and date. I replied to the newspaper pointing out that we were not in breach of the Copyright Act.

This event is of interest because it was not the original publication in the print version of *inCite* that was referred to, but its appearance on the ALIA website. The copyright office of the newspaper is running a web crawler programmed to search for headlines and bylines appearing on the internet. A form e-mail is then produced.

While the episode is instructive for what it reveals about the 'rent-seeking' activities of major newspapers, it has some broader lessons for librarians. While ALIA is a 'professional' publisher both in print and on the internet, increasingly librarians are 'amateur' publishers.

Librarians who would never have dreamed of publishing a book, journal or newsletter in printed form suddenly find themselves publishing on websites. These may be for internal use only, to promote the library within the organisation, but frequently are made available on the internet. Whatever the reason, certain rules have to be observed on the use of material on these sites. As the tale above reveals, there is no hiding place. You may believe that what you are doing is legal, or at the very least on the borderline and you're unlikely to be detected. You could be wrong on all counts.

Internal websites are not exempt — although a web crawler will not detect them, material from them may be emailed or printed and distributed, often without your knowledge, in such a way that a copyright breach will be detected.

Use of copyright-protected material on a website

You will need to obtain copyright permission if you wish to use copyright protected material on a website, even an internal one. Such material may include text, pictures, music, logos.

Often all that is required is to contact the copyright owner and ask for permission, making sure that the permission is in writing, but sometimes it can be difficult to establish who owns the copyright. That could be the subject of another column!

Material on the internet often has no copyright notice; this does not mean that it is not protected by copyright. If it isn't obvious who owns the copyright email the web editor of the site. There may be a Creative Commons or other type of license that will allow you to reuse the material in certain ways. If there is, it will be clearly stated on the website. (For more information on Creative Commons see their website <http://www.creativecommons.org.au>.)

Don't be tempted to copy the design of another website. Imitation may be the sincerest form of flattery, but it could land you in trouble.

Linking to other websites

At first glance this may seem to be a ridiculous issue. After all, that's what the WorldWide Web is about, right? Without the links you don't have a web. This is true, up to a point, but here are a couple of instances which are bad practice, if not downright illegal.

1. Deep linking

This is the practice of linking directly to a document deep inside another website, causing the document to display without any copyright or ownership information. Some sites allow deep linking, others discourage it. Don't use it if you aren't sure.

2. Framing

Linking to another website so that it appears 'framed' in your site, thus giving the impression that it is yours.

3. Inlining

If you've found a great cartoon online that you'd like to add to your site, but you know that copying it would be a copyright breach, you might be tempted to do an `` link directly to the website. This is not permitted. Copying of photographs, cartoons or graphics is also a breach.

Sometimes getting permission to do any of these on your site is as easy as e-mailing to the copyright owner — so why take the risk?

Weblogs

Weblogs, or 'blogs' are one of the easiest ways to publish on the Internet, a sort of cross between a website and email. All of the above cautions apply to blogs. The most common way that blogs can infringe copyright is by copying all, or almost all the text of a posting from another blog. Even if this is for the purpose of comment, it is not allowed. Short extracts are permitted. ▶

*No copyright notice
does not mean
material is not
copyright protected*

► If you do publish on the internet on a site or in a blog, why not consider making your work available to others under a Creative Commons license? (<http://www.creativecommons.org.au>.)

E-mail

E-mail is also a very public way of communicating and the mails are copyright protected, in the same way as a letter. The copyright in an email belongs to the person who wrote it.

The real problem with e-mail lies in attachments and the ease with which they can

be forwarded. If you receive an e-mail with an attachment, please examine it closely to make sure that it's all right to continue forwarding it. If it appears to be a scanned copy of an article or newspaper item then it probably shouldn't go any further.

In this short piece I've briefly mentioned the more important copyright issues associated with publishing on the internet. There are also many common misconceptions about using material from the internet in a library — downloading, printing etc. That will have to be the subject of another column. ■

Who's Where...

Recent movements in the library and information sector

Children's literature professor retires

Professor **Belle Alderman** has retired from the Division of Communication and Education, University of Canberra. She came to Australia in 1973. Her specialty is children's literature, and retirement seems to be a very inaccurate description of her proposed program: she will be doing some online teaching, oral history interviews for the National Library and will work as the team leader on a University/Carriker Institute research project, in addition to her voluntary work at the Lu Rees Archive.

Australian

Bureau of Statistics

Debrah Lewis will start work as library and extension services director at the Australian Bureau of Statistics (ABS) on 30 January 2006. Debrah previously held this position from 1994–1997. For the last three years she has been the director, information resources management (Library services and records) at the Department of the Prime Minister and Cabinet. In the 8 years she has been away

from the ABS she has held senior positions at the State Library of WA and the Satyananda Yoga Academy as well as the Department of the Prime Minister and Cabinet.

La Trobe University Library

Geoff Payne has been appointed as the director, Library Corporate and Financial Services at La Trobe University Library. Until recently Geoff was the ARROW project manager at Monash University Library.

Factiva changes

On 11 January Factiva announced the appointment of **Bruce Macfarlane** as managing director, Asia Pacific. Mr Macfarlane hopes to increase Factiva's business in key markets including Australia, Hong Kong, Singapore, Japan, India and China. Prior to this appointment, he served as Factiva's sales director, Asia Pacific.

Andy Rowe has been promoted to sales director, Asia Pacific. Mr Rowe was previously the director, Asia Pacific, Customer Development Centre and Customer Service. ■

LIS sector watch

Nada Anderson, ALIA research officer

Interlibrary resource sharing (ILRS) code review

ALIA Interlibrary Lending Expert Advisory Group, <http://alia.org.au/interlibrary.lending/reviewed.code.html>

The ALIA Interlibrary Lending Expert Advisory Group (ILLEAG) has drafted the revised ILRS Code based on extensive feedback from the Australian library community on the discussion paper issued in July 2005. The draft revised ILRS Code, together with a report summarising and explaining the proposed changes is now available.

NSW public libraries and eGovernment. Research Report

Prepared by Environmetrics for the Library Council of New South Wales
<http://sl.nsw.gov.au/pln/projects.cfm>

The report provides a comprehensive view of the support that NSW public libraries are giving to eGovernment initiatives. It specifically

looked at the general uptake of eGovernment information and services, the usage of specific high demand sites, the amount and type of assistance public libraries provide to clients and general issues associated with supporting eGovernment.

Broadband connect and clever networks: supporting investment in sustainable broadband infrastructure. Discussion paper
Dept. of Communications, Information Technology and the Arts,
<http://www.dcita.gov.au>

The discussion paper outlines proposals to spend \$1 billion on broadband through the Broadband Connect and Clever Networks programs announced as part of the \$1.1 billion Connect Australia package. Submissions to the discussion paper are due on 18 January 2006. ■



ACT

• **8/2 National Library Technicians.** *Online chat* An opportunity for LTs to chat online with other LTs. Time 7:00pm (AEDT) in the ALIA Technicians Chat Room. Contact: Kevin Dudeney, ph 02 9804 5448, kevin.dudeney@dcs.nsw.gov.au

• **21/2 APSIG.** *Library visit: National Islamic Centre and Library*, 221 Clive Steele Avenue, Monash (corner Isabella Drive and Clive Steele Street), meet in the foyer, 4:30pm. Refreshments served. No bookings required. Contact: Deveni Temu, ph 02 6273 1040, dtemu@csu.edu.au

2/3 CAVAL Training. *Designing and managing research projects.* This workshop aims to develop the practical skills that are required to embark on a piece of research, whether as part of their work or as part of an academic program. Cliftons, Canberra, 9:30–12:30pm. Costs [GST incl]: \$226.40 ALIA members, \$283.00 non-members [GST incl]. PD points: 3. Contact: Eve Cornish, ph 03 9459 2722, training@caval.edu.au, http://training.caval.edu.au/pdt/show_course.php?CID=145281

2/3 CAVAL Training. *Information Policy: Implications for Australia.* Professor Nick Moore will relay the results of a recent UNESCO review of the national information and communication policies in the Asia Region...and will assess the implications for Australia. Cliftons, Canberra, 1:30–4:30pm. Costs [GST incl]: \$227.04 ALIA members, \$283.80 non-members. PD points: 3. Contact: Eve Cornish, ph 03 9459 2722, training@caval.edu.au, http://training.caval.edu.au/pdt/show_course.php?CID=173

• **29/3 APSIG talk.** *Voices of the forgotten: the East Timor Living Memory project.* Anya Dettman and Bob Legge talk about their visit to Dili. Asia Bookroom, Unit 2, 1–3 Lawry Place, Macquarie, 6:00–7:30pm. Refreshments served. RSVP 27/3 to: Amelia McKenzie, ph 02 6262 1519, amckenzie@nla.gov.au

NSW

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6/3 CAVAL Training. *Designing and managing research projects.* This workshop aims to develop the practical skills that are required to embark on a piece of research, whether as part of their work or as part of an academic program. Cliftons, Sydney, 9:30–12:30pm. Costs [GST incl]: \$226.40 ALIA members, \$283.00 non-members [GST incl]. PD points: 3. Contact: Eve Cornish, ph 03 9459 2722, training@caval.edu.au, http://training.caval.edu.au/pdt/show_course.php?CID=145

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29–31/3 Blogs, Wikis and RSS. Realising the full potential of online collaboration tools and emerging technologies in social media. Early bird \$100 discount available now and will be extended to the day of the event for all ALIA members! Contact: Helen Hassan, ph 02 9436 4255, helen.hassan@keyforums.com.au, http://www.keyforums.com.au/master_classes.aspx

27–28/4 Best practices for managing and integrating operational risk. Discover how to: Apply best practice principles for identifying and managing operational risk; Manage operational risk under the proposed new anti-money laundering legislation; Quantify, measure and control operational risk. Contact: Michael Scholtz, ph 02 9229 1082,

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