

# Chapter 11

## Copyright Issues in a Digital Library Environment

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### ABSTRACT

*This chapter examines copyright issues in a digital library environment. The author observes that the advent of digital technology has greatly accelerated the dissemination and distribution of information which greatly accelerated the dissemination and distribution of information with great speed and accuracy never seen before. The challenges in creating digital libraries include copyright management, development of appropriate technologies, issues related to storage, architectural and technical challenges, collection development challenges and the challenges of user engagement. The chapter recommends ways of managing orphan works and the roles of digital libraries in open access to knowledge. The author concludes that current developments point to the dominant role of information and communication technology in libraries for improved access to information.*

### INTRODUCTION

Information technology enables the reproduction, saving, and distribution of culture, arts, and sciences as well as the recording of the collective memory of humanity. Not only does information technology make almost all kinds of human creativity available in the internet worked public sphere, but also it enables the creation of new forms of art, creative expression, and distribution of knowledge. More often than not, the rapid pace in the evolution of information technology causes friction with law in as much as regulators' foresightedness could not have ruled to cope with new social trends, socio-political and economic phenomena in the market. Thus, the evolution of information technology is frequently seen as a factor that sets at stake the legal rights of creators and right-holders, as a cause for stricter intellectual property law and legal protection for the initial and subsequent right holders. The instantaneous reaction towards making the law stricter regarding the availability, use and distribution of creative works via the internet networked public sphere in most cases, a hazard to the evolution of digital libraries and repositories.

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## **LITERATURE REVIEW**

### **Concept of Digital Library**

According to Shiri (2003), the Digital Library Federation defines digital library as organizations that provide the resources, including the specialized staff, to select, structure, offer intellectual access to, interpret, distribute, preserve the integrity of, and ensure the persistence over time of collections of digital works so that they are readily available for use by a defined community or set of communities. Digital libraries are now emerging as a crucial component of global information infrastructure, adopting the latest information and communication technology. Digital libraries are networked collections of digital texts, documents, images, sounds, data, software, and many more that are the core of today's internet and tomorrow's universally accessible digital repositories of all human knowledge (Handa and Bhatt, 2015).

The advent of digital technology has greatly accelerated the dissemination and distribution of information with great speed and accuracy never seen before. It is much easier to disseminate library, artistic and scientific work to a very large community of internet users and users of electronic media. The libraries as a service have allowed their users to read a document, to browse through the whole collection, to search through the library catalogue, to supply Xerox copy for specific individual research and education purpose, to procure photocopies of articles from other libraries or clearing centres, to widely distribute the reproduced copies of documents requiring public awareness and to provide inter library loan service. If digitization is considered as reproduction, it is clear that in digitization, the initial work is merely changed into the digital form and the process of changing is accomplished by a machine, without any creativity. At the same time, if it is considered as a translation from one language to another, the digitization is also a change from natural language of humans into binary language of machine. In digitization however, there is no creativity involved and it could be considered as an activity similar to reprography. The copy right protects creative works. Simple transformation into the digital form of an original document cannot be considered as creative (Handa and Bhatt, 2015).

The digital library extends the breadth and scale of scholarly and cultural evidence and supports innovative research and lifelong learning. To do this, it mediates between diverse and distributed information resources on the one hand and a changing range of user communities on the other hand. In this capacity, it establishes "a digital library services environment" –that is, a networked online information space in which users can discover, locate, acquire access to and, increasingly, use information. Although access path will vary depending on the resource in question, the digital library service environment makes no distinction among information format. Books, journals, paper-based archives, videos, film and sound recordings are as visible in the digital library service environment as are online catalogues, finding aids, abstracting and indexing services, e-journals and e-print services, digitized collections, geographic information systems, internet resources, and other electronic holdings (Greenstein, 2000).

Lynch (1994) stated that digital libraries provide users with coherent success to a very large, organized repository of information and knowledge. According to Travedi (2010), the purposes of a digital library includes:

1. To expedite the systematic development of procedures to collect, store, and organize information in digital form.
2. To promote efficient delivery of information economically to all users.
3. To encourage co-operative efforts in research resource, computing, and communication networks.

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