connect | learn | explore

Shared Service Update

2014 ABC Copyright Conference, May 26

Presented by:
Allan Bell | Associate University Librarian, Digital Services | UBC Library
Copyright obligations have always existed.
BC Post-Secondary Administrative Service Delivery Transformation

Opportunity Assessment
Final Report

February 12, 2013
# Opportunity Profile – Copyright

<table>
<thead>
<tr>
<th>#</th>
<th>Potential Opportunities</th>
<th>Quantitative Benefits and Investments</th>
<th>Tier</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Benefits</td>
<td>Investments</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Low</td>
<td>High</td>
</tr>
<tr>
<td>1</td>
<td>Establish a Centre of Expertise at UBC</td>
<td>Due to rapid changes in the copyright environment and uncertainty about future requirements, estimating benefits will require detailed analysis and discussions with stakeholders.</td>
<td>Level of investment required is uncertain at this time.</td>
</tr>
<tr>
<td>2</td>
<td>Create a shared legal service for copyright issues</td>
<td>Magnitude of benefits will depend on the future needs of institutions and the volume of hours of legal advice required.</td>
<td>Effort will be required to determine volumes and negotiate a joint retainer with a law firm.</td>
</tr>
<tr>
<td>3</td>
<td>Explore joint procurement of rights management software</td>
<td></td>
<td>* Plus one-time cost avoidance of $45,000 to $60,000</td>
</tr>
</tbody>
</table>

**Total** | $7,000*  | $19,000* | * Plus one-time cost avoidance of $45,000 to $60,000 |

**Primary benefit driver**
- **Copyright COE:** Institutions avoid cost of creating and managing their own copyright office. Consistency of practice, increased access to specialized services and reduced duplication of efforts.
- **Shared copyright legal service:** Reduced hourly rates. Consistency of practice, increased access to specialized services and reduced duplication of efforts.
- **Rights management software:** Leveraging the buying power of the post-secondary sector to achieve discounts on implementation and maintenance costs.

**Institutions most likely to benefit**
- **Copyright COE:** Institutions who have opted out of the Access Copyright model license or those who lack dedicated copyright personnel may benefit most.
- **Shared copyright legal service:** Institutions without in-house copyright legal counsel and those who anticipate purchasing a high volume of hours of legal advice will benefit most.
- **Rights management software:** Institutions planning to invest in this software will benefit from discounts; those planning to operate without the software will not.
# Opportunity Profile – Copyright

<table>
<thead>
<tr>
<th>Qualitative Benefits</th>
<th>Opportunity Risks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Copyright Centre of Expertise</strong></td>
<td><strong>Copyright Centre of Expertise</strong></td>
</tr>
<tr>
<td>• A collaborative approach to copyright across the sector will encourage <strong>consistency of practice and standardization</strong></td>
<td>• The copyright landscape is changing at a rapid pace; assumptions and decisions made today may not be valid 6-12 months from now</td>
</tr>
<tr>
<td>• Centrally-developed policies, procedures, and education for faculty and students will eliminate duplication of effort and churn</td>
<td>• A significant degree of <strong>uncertainty</strong> exists with respect to the future of copyright in Canada</td>
</tr>
<tr>
<td>• Providing access to copyright experts and specialized services will <strong>alleviate the strain on smaller institutions that lack dedicated resources</strong> for this function</td>
<td>• <strong>Threat of litigation</strong> for non-compliance is a serious risk to those institutions who have opted out of the Access Copyright model license</td>
</tr>
<tr>
<td>• The COE would provide a <strong>more comprehensive service</strong> to allow institutions to handle all their copyright clearance and compliance in an effective and efficient way</td>
<td>• There may be resistance to UBC offering services to other institutions, and fear that their issues would not receive the same <strong>attention or priority</strong> as UBC’s</td>
</tr>
<tr>
<td><strong>Shared Legal Services</strong></td>
<td><strong>Shared Legal Services</strong></td>
</tr>
<tr>
<td>• Collaboration to negotiate a joint retainer (based on a minimum volume of hours at reduced rates) will improve access to legal advice for those institutions without the resources to independently engage legal counsel</td>
<td>• The needs of institutions may vary greatly and a risk of cost or use inequity exists</td>
</tr>
<tr>
<td><strong>Joint procurement of Rights Management Software</strong></td>
<td><strong>Joint procurement of Rights Management Software</strong></td>
</tr>
<tr>
<td>• Collaboration to procure the same software will encourage <strong>consistency of practice and standardization</strong></td>
<td>• Copyright issues are often highly <strong>time sensitive</strong> and a shared service may not be responsive enough to meet institution deadlines</td>
</tr>
</tbody>
</table>

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# Opportunity Profile – Copyright

## Implementation Risks and Considerations

**Copyright Centre of Expertise**
- A significant degree of uncertainty exists with respect to the future of copyright in Canada.
- The copyright landscape is changing at a rapid pace; assumptions and decisions made today may not be valid in 6-12 months.
- Threat of litigation for non-compliance is a serious risk to those institutions who opted out of the Access Copyright model license.
- There may be resistance to UBC offering services to other institutions, and fear that their issues would not receive the same attention or priority as UBC’s.
- The needs of institutions may vary greatly and a risk of cost or use inequity exists.
- Copyright issues are often highly time sensitive and a shared service may not be responsive enough to meet institution deadlines.
- UBC has invested in human resources, technology and other infrastructure to meet its own copyright clearance and compliance requirements; additional investments will be required to accommodate the needs of those institutions who use the shared service.
- Service Level Agreements (SLAs) will need to be determined to ensure institutions will receive appropriate prioritization and attention.
- A pilot approach involving a smaller number of institutions to test out the shared service and identify issues would reduce risk and disruption.

**Shared Legal Services**
- Some institutions may prefer to seek out their own independent legal advice; fewer participating institutions may lower the discounts obtained.
- The copyright working group that was recently formed in B.C could work together with stakeholders to determine requirements and negotiate a joint contract with a single legal firm.

**Joint procurement of Rights Management Software**
- BCELN could work with libraries to help determine which institutions will participate and to standardize requirements to allow for negotiation of a joint contract.
- Individual institutions would be responsible for implementation and integrating the rights management software with existing technology as needed.
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- Individual institutions would be responsible for implementation and integrating the rights management software with existing technology as needed.
Permissions Service

UBC Scholarly Communications and Copyright Office

– IP & Copyright Librarian
– Rights & Permissions Manager
– 3 Rights and Permissions Assistants
LOCR leverages new workflows in Copyright...

- secure PDF upload and storage
- distinguish between Fair Dealing, Permissions, Public Domain, and Licensed materials
- auto-generated cover sheets
- system deletes PDFs 30 days after course end
My Practice Course - Jonathan Strang

The permanent URL to this course is: https://go.library.ubc.ca/fth4b5

You are currently **SUBSCRIBED** to this course, and will receive notifications when new readings are available.

Readings

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<th>ID</th>
<th>Title</th>
<th>Format</th>
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<th>Available Until</th>
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<td>16368</td>
<td><strong>Canadian political philosophy: contemporary reflections</strong></td>
<td></td>
<td>Norman, W. J.; Beiner, Ronald</td>
<td>2015-01-31</td>
<td>Awaiting Course Reserves Processing</td>
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<td>Bart Beaty</td>
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</tbody>
</table>
LOCR - Adding Items

Place Items on Reserve for My Practice Course – Jonathan Strang

Requests for Library items may take up to 14 days to process depending on the time of year/branch

Library Content

- Article
- Book
- Chapter/Excerpt
- DVD/CD & Streaming Media

Instructor-Supplied Content

- Web Resources (e.g. blogs, news, YouTube)
- PDF Upload
- Physical Item

Search the Library's Collections

Previous Courses

If you would like to import items from a current or recently completed course which does not appear in your list of previously taught courses below, please contact your course reserves branch for assistance.

<table>
<thead>
<tr>
<th>CourseID</th>
<th>Title</th>
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<tr>
<td>28829</td>
<td>My Practice Course – Jonathan Strang</td>
<td>4</td>
<td>Copy Items</td>
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</table>
Chapter 6
Item ID: 20639 - PDF

ITEM COPYRIGHT DETAILS

<table>
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<tr>
<th>Page Count</th>
<th>Entire Work</th>
<th>Percentage of Work</th>
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<tbody>
<tr>
<td>21 pages</td>
<td>239 pages</td>
<td>8.79 %</td>
</tr>
</tbody>
</table>

Copyright Determination
- Not Determined
- Fair Dealing (Short Excerpt)
- Permission of Rightsholders
- Library Licensed
- Public Domain

Additional Copyright Information For Coversheet
n/a

Copyright Notes
STZWNB3E6201 (1397167028): Single chapter of a work owned by the library

Add to Copyright Notes
n/a

ACCESS URI(S)

Staff DocStore Access
The following link allows staff to verify a DocStore URL without having to pass through Connect. Do not share.

Internal PDF Access

UBC Go URL
https://go.library.ubc.ca/tk5D5

Primary URL (e.g. from Summon or DocStore)
https://docstore.library.ubc.ca/download

Send Item to Copyright
Can’t add DocStore URLs

Save Changes
### Embedded Rights and Permissions Service

- Cleared permissions for over 600 UBC courses during 2013/14 fiscal year
- Enhanced workflows with Permissions staff and with Course Reserves staff

<table>
<thead>
<tr>
<th>Year</th>
<th>Courses</th>
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<tr>
<td>2013, Fall</td>
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<tr>
<td>2014, Winter</td>
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The SFU Bookstore and the Centre for Online and Distance Education (CODE) have been participating in a trial of the UBC Copyright Clearance Service since July 2013.

<table>
<thead>
<tr>
<th>Year</th>
<th>Season</th>
<th>Department</th>
<th>Courses/Permissions</th>
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</thead>
<tbody>
<tr>
<td>2013, Fall</td>
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<tr>
<td></td>
<td>Bookstore</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td>2014, Winter</td>
<td>CODE</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bookstore</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>2014, Summer</td>
<td>CODE</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bookstore</td>
<td>11</td>
<td></td>
</tr>
</tbody>
</table>
Working with SFU

- The Bookstore and CODE are happy with the service and do not report any concerns with the work done by UBC. Both units intended to use multiple sources for copyright clearances, with UBC being just one choice of many. However, during the trial CODE was sufficiently pleased with the UBC Service that they now send all their copyright clearances for textual materials through the UBC service.

- Overall SFU has been very pleased with the level of service provided by UBC and is eager to continue this mutually beneficial relationship.

from SFU Comments on UBC Copyright Clearance Service
The Shared Permissions Service provides expertise in processing and obtaining copyright permissions for course instruction needs at partner institutions in British Columbia. We can:

• Contact rightsholders and obtain permissions on your behalf
• Track requests and escalate requests with non-responsive rightsholders
• Pay all required invoices and send you a single invoice
• Manage your records securely in our permissions database

Our services are intended to support your operations so you can focus on managing and delivering requested content.
Clearing permissions can be challenging work:

- The rightsholder denies permission for the amount requested or the intended use case.
- The organization holding the copyright for the work no longer exists.
- Publisher is slow to respond and does not hold the copyright requiring a permission request to a new party.
- The rightsholder cannot be located.
Shared Service – Expanding from SFU

Example 1: 100% FTEs participating
Institution A with 7,000 FTE – 7,000 x $.34 = $2,380 – Participation cost
Institution B with 1,500 FTE – 1,500 x $.34 = $510 – Participation cost
$600 minimum

Example 2: 75% FTEs participation
Institution A with 7,000 FTE – 7,000 x $.47 = $3,290 – Participation cost
Institution B with 1,500 FTE – 1,500 x $.47 = $705 – Participation cost

Example 3: 50% FTEs participating
Institution A with 7,000 FTE – 7,000 x $.70 = $4,900 – Participation cost
Institution B with 1,500 FTE – 1,500 x $.70 = $1,050 – Participation cost
Moderated Knowledge Base

• Interested Universities jointly retain a law firm
• The firm establishes a confidential website accessible to institutional copyright leads, including:
  • Discussion Forum
  • Mechanism to refer questions a lawyer for advice
  • Repository/Archive
    • Legal advice given
    • Vetted discussion threads and answers
• Each university contributes to the costs
www.library.ubc.ca

Allan Bell
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allan.bell@ubc.ca

Inspire.
Discover.
Create.