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Questions & Answers - Copyright Column

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better on works from a company that is willing to guarantee its products. Otherwise, I can just tell everyone to log onto Wikipedia for free.

Of course, minor errors do not make a reference work defective. (It was the fact that there were 80 pages with errors that made the APA Publication Manual a real problem.) While guaranteeing the quality of a reference work sounds like a potential issue for publishers, in reality this is what distinguishes reference materials from the open Internet. Therefore, I strongly believe that it is in a publisher’s best interest to guarantee their work, admit their errors, and fix problems that arise. The APA has done just that with its second printing. Rather than being a sign of weakness, this is a sign of the true strength of reference publishing, and the real reason why libraries and individuals continue to buy reference works in the digital age.

Disclaimers: Please note that I am dealing with legal matters in a general way, and am not commenting on the laws of a particular jurisdiction. I think I got all the errors, but forgive me if you find a mistake. While the information in this article is correct as of the date of publication, new cases are decided every day. At this time I am only actively licensed in Kentucky, and am inactive in Ohio. I am not intending to establish an attorney-client relationship — even if we discuss the article via email. If you have a legal issue, do yourself a favor and consult the lawyer for your company, school board, municipality, university, etc. Both you and your counsel will be glad you did. — BC

Endnotes
2. id.
17. id.
18. id.
any problem with playing the video on the local Government Channel?  

**ANSWER:** Many people would respond that this should be fair use and it should be! Unfortunately, it likely is not. If the librarian simply played the video for classes in a non-profit educational institution as part of instruction, there would be little problem. To perform the video even on cable television, the library needs a license in order to use the Jacksons recording. In fact, the library needs both a performance license and a synchronization license (for synchronizing the video with the music). Both the underlying musical composition and the sound recording are still under copyright.

**QUESTION:** An audio engineer maintains a Website that many engineers worldwide use as a reference concerning audio issues. The now defunct audio trade publication Record Engineer & Producer was a treasure trove of information about audio recording. People often ask about finding back issues which would be useful to help educate today’s digital savvy but analog ignorant audio engineers. Someone has now offered 22 years of back issues to the Website owner. May the Website owner scan some of the various articles from this magazine for the Website? Or could he make articles available to folks who request them on an individual basis? The magazine ceased publication in the early 1990s.

**ANSWER:** The first determination deals with the publication dates of the magazine. Issues published before 1964 are very likely in the public domain. If they are in the public domain, then digitizing those articles for the Website would be no problem. Before 1964, publishers had to register the issues and then received 28 years of copyright protection. At the end of that 28 year period, the copyright could have been renewed for an additional 28 years. But many publishers of small magazines did not renew their copyrights which meant that the issues for that year passed into the public domain. Thus, determining whether the issues were registered initially and then whether they were renewed for copyright is necessary to make the determination about whether pre-1964 works are still under copyright.

Issues published between 1964 and 1977 still had to be registered for copyright. But it probably would be fair use to provide single copies of articles to individuals who request them occasionally, but it is very unlikely that they do this with a number of restrictions including that the reproduction and distribution may not be systematic.

**Questions & Answers**

**Biz of Acq — Things to Consider When Planning Section Programming**

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It is more than likely that an acquisitions librarian will have the opportunity to plan a program for a section of a national library association during the course of their career, but few have experience or background in doing this. It is important to plan ahead and pinpoint how to successfully plan an event where all participating parties will learn and grow from the experience, including the planner(s).

The first thing to consider when planning an event is what subjects will be covered and what the process will be to select them. If this was a section program for a national library association, topics could be gathered from members of that section at the annual section business meeting or via solicitation of that section’s listserv. The members will most likely suggest “hot topics” dealing with current best practices or trend setting innovations that will make acquisitions or collection management faster and more efficient. The selection of topics could also be chosen using a committee and the voting process as well, depending on the section and the organization. Here again popular topics will be suggested and the topic with the most votes will be the basis for the program. If there are several topics, then the committee might send out a survey to narrow down which topic will be selected for the final program. There are some library organizations that hold training sessions to assist with the selection process and to possibly partner with other sections who might have selected the same topic or a very similar one. Once the selection process is completed, the next part of the planning process is selecting how the program will be organized.

There are several ways that a program can be set up. A program can have presented papers, invited guest speakers, a panel discussion, or any combination of the three. Members of an organization look for opportunities to share their life’s work or research with others. Therefore, they write papers and submit abstracts so that they can come and share what they have learned with their peers. So, when a library association sends out calls for proposals for their annual meeting, members are more than happy to submit their abstracts and wait on an acknowledgement from the section or organization that their paper has been accepted. The program planner can select reviewers to assist with the selection of submitted papers for the program. Reviewers can be solicited via email or anyone that is co-sponsoring or working with the committee can also review the papers. Once papers are selected, the planners notify the authors and give them specifics about the program and what the expectations are. Some organizations offer travel grants to offset the costs of attending a conference. Other organizations offer a reduction in fees for presenters to attend their conference. This is something that should be expressed to presenters so that they know what options might exist for them when planning their travel budget proposals for their library. This is especially helpful during tight budget years when the economy has taken a turn for the worse. Guest speakers are another good vehicle for program planning.

Guest speakers are very good at giving expert training or advice to audiences and can provide a unique perspective on a hot topic or new job trend. They are usually very good with questions and answers, and can provide a wealth of knowledge to their listeners. The program planner can usually find out about good potential speakers via word of mouth or by remembering a speech or talk someone gave at another organization’s program or training session. Some organizations keep a list of potential speakers that can be quite helpful in choosing the right candidates to speak at a continued on page 55