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**QUESTION:** Why do so many journal publishers include in their license agreements restriction on divulging the terms of the license including price of the subscription?

**ANSWER:** Nondisclosure clauses in licensing agreements are fairly standard legal practice for all types of licenses. For library subscriptions, the matter has been in the press recently and a number of large academic libraries are refusing to sign such agreements as they come up for renewal. Cornell University is one such institution, and a document detailing the reasons for its stance is found at: http://www.library.cornell.edu/aboutus/nondisclosure. Many suspect that the reason that publishers require nondisclosure clauses in their licenses is because they make various price deals with different libraries. In addition to price, there could be other terms that differ for different size institutions, geographical locations, subject emphasis, etc. The problem, of course, is if there is a nondisclosure clause, one simply cannot know whether there are differences from institution to institution or consortium to consortium. Further, libraries want to be treated fairly in comparison to other libraries. Thus, the increasing refusal to sign license renewals that have nondisclosure clauses.

**QUESTION:** If the librarian knows that a patron intends to infringe copyright for material checked out to the person, is the library responsible? What should the librarian do?

**ANSWER:** If the patron asks whether certain behavior would be infringing, the librarian can supply materials to answer the question but should refrain from practicing law without a license. Naturally, the library also should refrain from making infringing copies for users. However, the library is not responsible for the patron’s behavior if the library has posted the required warning where copy requests are received and on the order form for such copies as required under section 108(d) of the Copyright Act and the library has posted notices of copyright on reproduction equipment required by section 108(f)(1). 😊

**Rumors from page 44**

and Tintin in the land of the Amish. Are you ready for the upcoming Spielberg movie about Tintin? Did you know that the creator was from Belgium?

The he’s-allover-the-place Rick Anderson gives us a glimpse inside the ALCTS Collection Development Forum at ALA Midwinter. (This issue, p.40) And Bob Nardini mentions the same Forum in his column, this issue, p.76.

Bob also sends the following news about new staff at Ingram. Marc Roberson joins Ingram Content Group as Director of Sales, Public Libraries. Marc comes to Ingram from the library systems market where he spent the last ten years in sales management. Marc can be reached at Ingram at <mroberson@ingramcontent.com> Janet Walsh, is Coutts new Area Manager for the Southeast U.S. Janet comes to Coutts from American Baptist College where she was the library director. Prior to working at American Baptist, she was the Assistant Director of Library Services at Fisk University. Janet also has a wealth of sales and training experience gained from working for the library system vendors DRA and SIRSI. Lisa McDonald is an MLIS degree librarian with a strong background in sales and account management. Lisa worked for ten years at OCLC where she held a variety of positions including Contract Cataloging Consultant, Project Manager and Metadata Specialist. Lisa will be responsible for the U.S. Central territory. Welcome, everyone!

Seems like this month has been a month of traveling to meetings. Now I sort of know what it’s like to be a sales rep. Not really, but I can pretend. Anyway, attended ACRL in Philadelphia at the end of March. It too was great! I approached ACRL with fear and trepidation figuring that all my friends would have retired and I wouldn’t know anyone. Wrong! Guess who was the first person I saw when I walked in the exhibits? Carl Teresa, General Manager of Wolper Subscription Services! Carl looks as great as he used to when he was at Ballen Booksellers! Carl and Ballen used to handle the continued on page 74