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from OverDrive, they own the content and can transfer it to another provider. Has ALA been contacted about this matter? As a best practice, should libraries insist that such phrases be standard in eBook contracts?

CW: No, to my knowledge the ALA has not been contacted about this issue and typically does not provide legal advice on individual contracts.

ATG: In another example of publishers aggressively attempting to limit fair use, Kevin Smith reports in his blog Scholarly communication that Duke about a proposed injunction in the Cambridge University Press et al v. Patton et al case. According to Smith, this proposed injunction enjoins anyone at Georgia State University from “creating, reproducing, transmitting, selling, or in any manner distributing…any and all Works without permission.” Is ALA monitoring this case? Is the threat as serious a Smith believes? What has been your and ALA’s response?

CW: Yes, the ALA is closely monitoring the Georgia State University lawsuit! Kevin Smith’s assessment is on-point. If the court case is ruled in favor of the plaintiffs (the publishers and the Copyright Clearance Center — who are funding the case), it would be a serious threat to fair use. We expect that whatever the ruling is that it will be appealed, and we will continue to monitor it closely.

ATG: From ALA’s perspective, are there other major threats to fair use that our readers should be aware of?

CW: We actively monitor court cases as well as any legislative activity that may potentially impact fair use, the first sale doctrine, or other library exceptions to copyright.

ATG: Corey, we want to thank you for taking the time out of your busy schedule to answer our questions.

CW: Thank you for your questions! It has been fun to pause and reflect on where we are and where we’re headed — legislatively and policy-wise.

From the Reference Desk

by Tom Gilson (Associate Editor, Against the Grain, and Head of Reference Emeritus, College of Charleston, Charleston, SC 29401) <gilson@cofc.edu>

In an era of lowered expectations, ABC-CLIO is bucking the trend. The World History Encyclopedia (2011, 978-1851099290, $1,845) is a “big ticket” 21-volume set being published at a time when reference budgets are in steep decline, and the validity of reference collections themselves are in question. However, after examining this set it appears that ABC-CLIO is hedging their bets a little. Not only is this title available as an eBook, but the set had been organized with the flexibility that today’s market demands.

After much time, thought, and discussion, editors Alfred J. Andrea and Carolyn Neel, along with their team, decided to forgo the “standard A-Z organization of entries” and developed the encyclopedia along “coherent periods or eras” much in line with the National Standards for World History established in 1994. In order to make the final product as current as possible, the editors mildly altered this schema “in light of our 21st-century purposes and perspectives.” The result was a reference set divided into nine distinct eras starting with Beginnings of Human Society and proceeding to Early Civilizations, 4000-1000 BCE; and Classical Traditions, 1000 BCE-300 CE. These are then followed by Expanding Regional Civilizations, 300-1000; intensified Hemispheric Interactions, 1000-1500; Crescendo of World Civilizations, 1500-present.

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