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ATG Interviews Kay Ann Cassell, Associate Director for Programs and Services, New York Public Library

Tom Gilson

College of Charleston, gilsont@cofc.edu

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ATG Interviews Kay Ann Cassell

Associate Director for Programs and Services of the Branch Libraries of the New York Public Library

by Tom Gilson (Head, Reference Services, College of Charleston) <gilson@cofc.edu>

ATG: *What new dynamics have electronic reference resources and e-books introduced into the collection development equation?*

KAC: I think it has encouraged librarians to look at information resources in a different way. Librarians now need to decide if a particular resource will be appropriate in an electronic format and if the electronic resource will meet the users' needs as well as or better than the print version does. It soon becomes apparent that all information does not translate into an electronic format in the same way. For example, some print sources are meant to be skimmed or used in a holistic way and others are meant to be read cover to cover. E-books bring this to the forefront even more than other electronic resources such as periodical indexes. Books that can be skimmed or read selectively do better as e-books than ones meant to be read in their entirety. Recent research indicates that certain subjects do well in e-book format such as computer books, business books and some reference books.

ATG: *In your book Developing Reference Collections and Services in an Electronic Age, you say that print resources will be with us for the foreseeable future. Do you still feel that way, and if so, why?*

KAC: I do feel the same way because for most libraries an entirely electronic reference collection is not feasible even if the materials were all available electronically. Not all reference resources need to be electronic, and most libraries and their users will continue to want some in paper and some electronic at least for the next few years. It is not always comfortable or convenient to have everything electronic. Some serendipitous searching is better done with a print reference book than an electronic resource such as almanacs, statistical abstracts, some handbooks and manuals and books that present information on a wide range of subjects.

ATG: *You also mention the problem of redundancy where the same resources appear in multiple formats i.e. print, CD-ROM and online. How long can libraries afford to buy the same information repackaged in multiple formats? What strategies should librarians use to select in this environment?*

KAC: Redundancy is a big issue. The more expensive the item the less redundancy is possible. However, for less expensive items I think libraries will choose to duplicate selectively in order to offer their users a choice of format. Sometimes it's just faster to look up something in a print version of a reference book than on a CD-ROM or online. For certain reference resources there is definitely a loss when it is only available online.

ATG: *What about big-ticket items like the Grove Dictionaries and the American National Biography? Can libraries afford to buy both print and electronic versions? Can they afford not to?*

KAC: I think it depends on the size of the library. Smaller libraries may have to make a choice between print and electronic whereas larger libraries may choose to have both. I think that if I had to choose, I would still prefer the print unless an electronic product's value-added features were so significant that it made more sense to buy the electronic.

ATG: *Overall, are you satisfied with the ease of use and content of the electronic versions of reference sources when compared to the print versions?*

KAC: Some electronic resources provide better ease of use and content than others. I think librarians must examine each resource and will still find some lacking either in ease of use or in the content provided. But, as a generalization, most electronic resources have improved tremendously. However, having said that, I think that if an electronic resource has no value-added feature, librarians may want to wait for the resource to improve.

But we also have to acknowledge that all

reference resources do not start with a print version. When they don't, we have to find other ways to evaluate what they offer and whether the content and the cost make them a good investment.

ATG: *Budget is always a concern. Regarding both reference and general collections, is there a proper balance in allocating funds between electronic and print resources? What formula do you use at the New York Public Library?*

KAC: In the Branch Libraries we haven't tried to develop a formula yet. We have allocated a small amount of our materials budget to electronic resources and try to live within this budget. We have subscribed to electronic resources that seemed to fit our needs. Now that we have a large number we look at them much more closely and may choose to drop some and add others. The main criteria are two: does a database duplicate others we have acquired and is it well used. We are alert to the use various databases receive and evaluate more closely ones that are not well used. We try to get meaningful statistics from our vendors and use that as one measure of what users want. We have found that the statistics tell us a lot about what users want.

ATG: *Given that traditional reference and circulation statistics are going down, don't libraries need a way to measure online usage of reference sources, e-books and databases? How are you addressing that issue at the New York Public Library? What statistics have you found most meaningful?*

KAC: We are certainly thinking about this issue. I think we are impeded by the difficulty of getting statistics from our vendors. But I think it's essential that we find a way to measure this usage. We have been reluctant to count hits but rather want to find a way to measure the actual use of the databases or other e-resources. We need statistics that we can count in the same way as the rest of our statistics such as the number of materials or items checked out or the number of items used in the library. We may have to break these down by type of material. We've never reported the number of periodical articles used but that could now be a meaningful number since the use of full-text periodical databases is so high. It is also important for us to report as is the number of e-books checked out during a particular time period.

ATG: *With the emergence of electronic reference sources like the OED, Britannica Online, etc. a one time print purchase has become a database subscription. What level*

continued on page 56

BIO

Kay Ann Cassell is the Associate Director for Programs and Services of the Branch Libraries of the New York Public Library since 1989 and is responsible for collection development for the 85 branches of the Library. Before coming to the New York Public Library she was director of the New School University Library and the Huntington (NY) Public Library. She teaches the introductory reference course and collection development for the Pratt Institute School of Information and Library Science. Kay is the editor of *Collection Building*, a quarterly journal on all aspects of collection development. She is active in ALA and is presently serving on ALA Council and as a member of the Committee on Organization.

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of updating and other value-added services should librarians expect for the added costs of a subscription? What kind of specific assurances should librarians insist on relating to archiving and future access to past editions of online reference sources?

KAC: This is a major concern for many librarians. I think that we should expect some value-added services for the additional cost particularly better searching capability and more frequent updating. I don't know what we can expect as far as archiving and access to past editions. But they are definitely questions that librarians should be asking of vendors. I think all librarians should talk frequently to vendors telling them what they need. It is only with this constant conversation that we can encourage vendors to consider the need for archiving and future access to past editions as well as many other issues.

ATG: *Do large libraries like the New York Public Library still feel an archival mandate for libraries as it relates to reference works? What about archiving other materials?*

KAC: I work for the Branch Libraries of the **New York Public Library** which does not have an archiving mandate. But I know that the Research Libraries are concerned about this. Any library has to make some compromises if it really needs a particular electronic resource. But I think we have to keep asking for archiving.

ATG: *Any advice for librarians trying to negotiate consortium deals for online reference products like the Grove Dictionaries, the American National Biography, etc.?*

KAC: I think simultaneous use is a better way to go than paying by the number of users. I know that many vendors want to charge for the population served or the number of units the library has. This may work okay if the resource is heavily used but if this is not the case, the simultaneous use model will serve the library better. I also think that vendors should expect libraries to look at usage statistics and to expect price adjustments based on the use. Libraries need to be realistic and expect to pay more if the usage warrants it. Consortiums can certainly keep costs down especially for electronic reference titles that may not receive heavy use.

ATG: *On a broader level, do companies like Questia and the various "Ask a..." services threaten to marginalize libraries and their reference collections? Will we be collectively outsourced?*

KAC: I really don't think so. I think that users will still need us. Many people are not skilled enough to get their information totally online and to work independently. Get-

continued on page 60

Profiles Encouraged

People Profile — Peter McCracken

Column Editor: **Allison P. Mays** (Acquisitions Librarian, Millsaps College, 1701 N. State Street, Jackson, MS 39210; Phone: 601-974-1083) <maysap@millsaps.edu>

Peter McCracken

Coordinator of Reference,
Odegaard Undergraduate Library
Campus Box 353080,
University of Washington, Seattle, WA 98195
<petermcc@u.washington.edu>

Principal & Co-Founder, **Serials Solutions, LLC**
2118 N 50th Street, Seattle, WA 98103
<peter@serialssolutions.com>

Born:

1969 in Seattle, Washington.

Education:

BA, English, Oberlin College, Oberlin, OH
MSLS, University of North Carolina at Chapel Hill
MA, Maritime History, East Carolina University, Greenville, NC
Williams College-Mystic Seaport Program in American Maritime Studies, Mystic, CT

Summary of library work experiences:

Graduate Assistant, Sloane Art Library, UNC-CH, Sept '93 to July '95
Archives Intern, Maine Maritime Museum Library, Bath, Maine, May to Aug '94
Reference Librarian, Joyner Library, East Carolina University, Jan '97 to June '99
Reference & Instructional Librarian and Coordinator of Reference Services, Odegaard Undergraduate Library, University of Washington, July '99 to present

Other interests:

Maritime history. Six years ago I started a set of Web pages called "Maritime History on the Internet," at <http://ils.unc.edu/maritime/home.shtml>. After that I started receiving a lot of questions about specific vessels, such as, "My great-grandfather came to America on the good ship *Dolly*. What can you tell me about it?" I knew nothing about the good ship *Dolly*, but I did have access to a wide collection of books that might know something. To my knowledge there was no central index of all of these books, so I created one, called an "Index to Ships in Books" at <http://faculty.washington.edu/petermcc/shipindex.html>. It tells people where they can find information about a specific vessel. It's like a *Biography & Genealogy Master Index* for ships.

Last book read and literary tastes:

The combination of work in the library and work at **Serials Solutions** doesn't give me a lot of time to read, which is frustrating to me. I did just read **Salman Rushdie's** 1990 novel, *Haroun and the Sea of Stories*, which my brother **Mike**, who manages technology for **Serials Solutions**, and his girlfriend, gave me. That turned out to be quite appropriate; **Rushdie's** story describes the "Eggheads of P2C2E House," where they manage the P2C2E: the "Processes too Complicated to Explain." It's a good description of what happens in our database as we successfully track all of these database holdings!

My wife has also introduced me to the works of science fiction authors like **Sheri Tepper** and **Connie Willis**, which I have enjoyed a great deal.

In seven years, will you be a librarian or a vendor?

I think I'll still be a librarian. I love working in the library, and I particularly enjoy working with students and working at the reference desk. I am interested in maritime librarianship, such as at a maritime museum, but there are only a few such positions in the U.S. The **University of Washington** is a great institution, and I'd love to strengthen its maritime offerings over the next few years. 🐙

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Profiles Encouraged

Company Profile — Serials Solutions, LLC

Column Editor: **Allison P. Mays** (Acquisitions Librarian, Millsaps College, 1701 N. State Street, Jackson, MS 39210; Phone: 601-974-1083) <maysap@millsaps.edu>

Got E-Journals? Get the Solution — Serials Solutions, That Is!!!

Founded by a reference librarian in Seattle, **Serials Solutions** is a new company which provides “one-stop shopping” for e-journals. They produce an alphabetical list of a libraries’ full-text electronic journals, pulled from all of the databases to which the library subscribes. The list is provided in HTML and print formats; in the HTML format, live links take the user directly to each journal. In this interview, founder **Peter McCracken** answers a few questions for *ATG* about what motivated him to create this company and how it compares to the competition. See the accompanying article for one library’s experience in dealing with **Serials Solutions** and a more detailed description of their product. — **Allison P. Mays**

What does Serials Solutions do, and how did it begin?

Serials Solutions was the first company to track the full-text electronic journals available through database aggregators. The idea came directly from my frustration at the reference desk of not knowing what we were paying for. We didn’t have a good way of tracking this information, and no way of updating what work we had done. **Serials Solutions** does this work inexpensively for everyone, and helps each library know what’s available to its staff and patrons. The company now has over 160 clients, from small community colleges and corporate libraries to major public libraries and **ARL** institutions. We are constantly guided by what librarians want, and we make a point of listening and responding to what people say they need.

The idea came from the reference desk, but the company came from a pitcher of beer. One night my youngest brother tried to get me, my wife, and our other brother to go out for a beer. It was like pulling teeth; I think it took him 45 minutes to get us to agree to go for “just one beer.” Over our first pitcher, I happened to tell them about this idea that I thought someone would implement soon. As it turned out, we closed down the bar while talking about this idea, and we realized that, together, we might have the skills to make it happen.

We thought that it would be pretty simple; we expected that the computer would be spitting out reports while we sat in the **Bahamas** sipping pinã coladas. Of course, it’s much more complex than we ever expected, and at the moment we track over 350 full-text databases, with some 800,000 pieces of discrete data. We have a full-time aggregator contact person, a full-time fulfillment person, and a rapidly growing tech crew, in addition to business development, sales, and customer service teams. It turns out to be an extremely complicated system, but we’ve done an excellent job of figuring it all out.

How do you manage work as a librarian with work as a vendor?

I don’t actually do too much of the **Serials Solutions** work; we’ve got a great group of people working on the **Serials Solutions** product, and I don’t have that much day-to-day contact with it, since I am still working in the library during the day. I work on it in the evenings, doing whatever I can then.

I was careful to discuss and clear the project with my library’s administration first. Scientists do this sort of thing all the time; I think it’s valuable for those of us in the humanities to pursue such mutually beneficial projects, too, when appropriate. This summer I got approval from my supervisor to try balancing my library work schedule in a manner that allows me to work two mornings a week on **Serials Solutions**.

How does your product compare with others out there?

Serials Solutions was the first company to provide libraries with individualized reports of the e-journals they have available, although librarians have had a few options for dealing with this problem.

The most common solution is an in-house database. This works well for li-

braries with very small collections, but rarely for larger ones. More often than not, home-grown solutions are not complete, rarely kept up-to-date, and when considering the staff time involved, very expensive.

The next most common alternative is **jake**, a cooperative project started at **Yale Medical School**. **Jake** is free and is an impressive project in many respects, but the data is not easily customized to individual institutions, and is getting old.

Two companies are also trying to solve this problem, but to our knowledge neither has yet delivered a product. One was founded by the son of one of our first clients. Imitation is the sincerest form of flattery, I suppose. The other is a venture capital-funded branch of **Teldan Information Systems**. Several members of our staff have experience in Seattle dot-bombs, so we’re wary of being beholden to VCs and their need for “liquidity events.” We continue to be innovators in this field, and because we place all relevant information about our product and pricing on our Web pages so that librarians can see it, we accept that our competitors can, as well.

In theory, this is a simple project. In fact, we have learned that it’s extremely complicated, and we believe that we are the only company that has proven its ability to accurately track and deliver the information librarians and their patrons need.

CONTACT INFORMATION

Serials Solutions, LLC

2118 N. 50th Street, Seattle, WA 98103

Phone: 206-545-9056

<http://www.serialssolutions.com>

One Library’s Experience: Getting Organized with Serials Solutions

by **Allison P. Mays** (Acquisitions Librarian, Millsaps College, 1701 N. State Street, Jackson, MS 39210; Phone 601-974-1083) <maysap@millsaps.edu>

Thank heaven for *ATG* and **Katina’s Rumors** column!! I was leafing through my February 2001 issue and saw a blurb in **Rumors** about **Chuck Hamaker** being impressed

with a new company called **Serials Solutions**. I looked at their Website and knew right away I had stumbled onto something BIG: a way

continued on page 60

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Serials Solutions from page 58

to manage our electronic journals. One nice, neat list. And at a very reasonable price. No more poking around through different databases trying to see if we had access to a particular e-journal title. In other words, I had found *The Answer to Prayer*. And after **Lynn Blair at Burrow Library, Rhodes College** gave it a ringing endorsement, I was sold.

Several things I liked right away: up-front pricing. None of that "what region are you in/how many FTEs do you have." **Peter McCracken**, the founder, apparently finds those games annoying and has insisted on a flat rate pricing. (See their Website for the price breakdown.) The personnel are also extremely easy to deal with and very helpful. They are constantly looking for ideas and ways to improve the product. Some new features they are considering are a subject breakdown and the ability to do keyword searching within the list. They are also putting together a list of free online journals which can be included with your journals.

The best thing about **Serials Solutions** is all you have to do is tell **Serials Solutions** which aggregators you subscribe to and they will go in with their magic software and produce the list. Amazingly, they have your e-journals list back to you in about a week. You get the report in HTML format which is loaded on your server and you can also get it in print; other customized options are available. **Serials Solutions** updates your e-journals list every other month and corrections/changes can easily be made.

On the **Serials Solutions Website**, you can see examples of libraries' lists; click on the "Library Partners" link.

Here are few examples of listings:

Journal of Educational Sociology is available from 1927 to 1963 in **JSTOR**.

Journal of Educational Thought is available from 1/1/1996 to present in **Wilson Select Plus**.

Journal of Elder Abuse & Neglect is available [from 1/1/1995 to 1/1/1998 in **ProQuest Research Library**] [from 1996 to present in Library holdings]

Journal of Electronic Defense is available as follows: [from 6/1/1989 to present in **Expanded Academic ASAP, General Reference Center Gold**] [from 1/1/1997 to present in **ProQuest Research Library**] [from 1997 to present in Library holdings]

In the HTML version, the name of each aggregator is the live link. If a title is available in more than one database, each aggregator is listed separately. If print titles

are included, the library name is the link and it takes the user to the online catalog record for that title. If you include the start and end dates of your library's holdings, that information will be included.

Yes, that's right: you can include your print titles **FOR NO EXTRA CHARGE**. You can also include any electronic journals you get for free as part of a paper subscription. (To clarify: there are no fees or extra charges for this. If we get above 7,000 journals which is the cutoff for the lowest price, we'll get bumped into a higher price range.) For years the **Millsaps-Wilson Library** has produced a typed listing of all print subscriptions; to say this is tedious to update and produce is an understatement. With **Serials Solutions**, we will have one master list with all of our electronic and print journals, plus all of the "freebie" e-journals that come with our paper subscriptions.

The most difficult part of the process for us was getting a list of all our print journals together to give to **Serials Solutions**, but we feel it will be worth the effort so that all our journals, regardless of format, are in one easy-to-use list. Fortunately our print journals list was already in a spreadsheet, so it was just a matter of making some adjustments. The spreadsheet for **Serials Solutions** needs to include the ISSN, journal title, start date, end date and the holding URL. (You don't have to include the start and end dates unless you want to, but we did.) The holding URL is a link that automatically searches our catalog for the journal and displays the results; users can easily locate journals in the catalog and find their location in the library.

It was very time-consuming copying and pasting the ISSN from each **MARC** record into the spreadsheet, but we also double-checked the holdings and title entries while we had the catalog record displayed. The point of access into your library catalog can either be a search by ISSN or the title. We wanted to use the title because many of our very old serials do not have ISSNs. And by using the title to search, the catalog will pull up all variations. I had to do some cleanup because some titles had parenthetical phrases, punctuation marks, or abbreviations; we also had a problem with foreign publications. For any that wouldn't work as a title search, I used the ISSN as the access point.

Some other things to consider when creating a spreadsheet for Serials Solutions:

- We did not distinguish between microforms and print; small gaps were ignored and the two formats were treated as one entry. (However, the patron can tell what we have from the catalog record.)
- If you have a major gap, you can use separate entries like this: "Rolling Stone 1983-96" and "Rolling Stone current year only."

- For titles with acronyms, we used entries for both the acronym and the spelled-out title (i.e. "ABA Journal" and "American Bar Association Journal").

I just sent our list to **Serials Solutions** this morning so I have not seen the finished product except for the examples on their Website. I still have about 90 titles that are going to be messy and I'll have to add them later in the update. I'm sure there will be some bugs to work out but we're so looking forward to getting this list that we can hardly stand it. We think the students will love it. Our inter-library loan staff will also benefit; think of the time they will save not having to search through all of those databases! It's been so frustrating for us because we know library users are not using the e-journals as well as they could, simply because they don't know what we have. We are especially pleased about being able to include our print titles, although it was a lot of work. And I love it that a librarian came up with the solution - thanks, **Peter!**

Note: I'll do an update once we get our list and let you know how it has been received by library patrons. If any other libraries would like to share their experiences, please let me know. — APM

Cassell Interview from page 56

ting information online appears easy, but there is actually a great deal of skill involved. Librarians can help users to master this. Besides there is nothing that can replace the personal service and guidance that the library offers so well.

ATG: *Some book review editors report that the number of published reference sources is going down. Have you noticed such a decline?*

KAC: *Publisher's Weekly* continues to report that the publishing of reference books in print is thriving. I think we see about the same number of new titles as well as updates of older ones. Libraries as well as the general public still want to purchase reference titles in paper.

ATG: *Any parting observations about the future of library reference collections?*

KAC: Reference collections are indeed in flux. The advent of more electronic resources calls for more evaluation and more decision making. Just because it's electronic doesn't mean that it's better than the print version. Or if it's an electronic product, it doesn't mean that it's better than another print product. I think we should select carefully using all the principles we have always used. I think we will probably continue to have a mix of formats in the reference collection that can serve our users' needs well.

From the Reference Desk

by **Tom Gilson** (Head, Reference Services, College of Charleston)
<gilson@cofc.edu>

An understanding of today's Europe is contingent on an awareness of the political and historical developments since the end of the Second World War. The last half-century has been a time of tremendous change from the start of the Cold War to the dismantling of the communist bloc to the continuing emergence of the European Union. In **Garland's Europe Since 1945: An Encyclopedia** (2001, 0815313365, \$195) readers now have a well rounded set that offers the necessary background to gain a useful grasp of these and other elements of Europe's recent past.

Editor **Bernard A. Cook** and 286 other scholars provide some 1700 articles on specific political figures, countries, international agreements, paramilitary groups and labor unions. Also treated are broad concepts like de-colonization, terrorism, human rights, women's issues, European integration, and regionalism, as well as articles that deal with non-political topics like art and literature, education, philosophy and the theater. However, the main strength is the political coverage, particularly of individual countries and personalities. Articles on the individual countries emphasize elections, parties, movements and other political developments while nearly a third of the articles in the set deal with political figures and their influence.

The arrangement is standard with alphabetical entries linked by "see also" references. Add to this a good general index and a "subject guide" grouping articles in broad themes and you have an encyclopedia that is well organized and easy to use. One caveat, the bibliographies could be stronger. Citations seem limited to books. There are few, if any, references to journal articles.

Although narrower in focus, **Europe Since 1945: An Encyclopedia** is more timely and comprehensive than the *Columbia Dictionary of European Political History Since 1914* (1992, 0231078803, \$92). It offers an up-to-date, thorough treatment of the forces making up recent European politics and history and is a natural companion to another quality **Garland** encyclopedia, *World War II in Europe* (1998, 0824070291, \$195). It should find a welcome place on both public and academic library shelves.

Anglophiles will welcome another recent entry from **Garland**. **Tudor England: An Encyclopedia** (2000, 0815307934, \$135) chronicles one of the most vibrant times in English history in a scholarly but highly readable fashion. There are 700 entries from some 250 scholars in the field. Every facet of Tudor life is captured from medicine and health

to games and sports, trade and craft guilds to interior decoration, sermons to sexual offenses and knighthood to lawyers. In addition, coverage includes institutions like the Chacery, concepts like Puritanism, events like the invasion of the Armada, and of course, the many accomplishments in Tudor drama and music. As you might expect, many of the entries are devoted to the individuals that peopled this fascinating time. Biographies range from those of kings and queens like **Henry and Elizabeth** to lesser nobles like **Thomas Howard** and from the great literary figures like **Shakespeare** and **Marlowe** to the more obscure like the compiler and indexer **Abraham Fleming**. There are also entries for Catholic martyrs like **Thomas More** and **John Fisher**, as well as Protestant reformers like **John Foxe** and **Hugh Latimer**. Tying all this content together is a useful index and numerous "see also" references. Each entry has its own brief bibliography, but, lending additional scholarly weight to this encyclopedia, there are bibliographic essays on primary and secondary sources for various aspects of Tudor life including education and science, literature, the visual arts, music, politics, religion, social history and economics. There are a few illustrations throughout the text but a handsome set of color plates helps brighten the book.

From the mundane to the majestic, **Tudor England: An Encyclopedia** offers the reader a collection of vivid snapshots that taken together provide a full picture of an era. Given the enduring interest in this topic, **Tudor England** is a worthwhile purchase for both academic and public libraries.

There is a never-ending need for quality biographical references and **Routledge** recently published a set that will prove a significant addition to most libraries. **The Biographical Dictionary of Women in Science: Pioneering Lives From Ancient Times to the Mid-20th Century** (2000, 0415920388, \$250) contains sketches of nearly 2500 women scientists worldwide. Thoroughly researched, it offers convincing proof of the neglected scientific contributions of women.

Editors **Marilyn Olgilvie** and **Joy Harvey** interpret scientist broadly and consider "most areas of science," as well as those "science related activities in which women have worked." Pure sciences like physics, biology and mathematics, various health-related fields, as well as the social sciences like sociology and psychology are fair game. While including people like **Clara Maria Pope**, a British flower painter, might raise some eyebrows, an expansive view of what constitutes

continued on page 62

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a scientist is appropriate given the historical neglect of women in this area.

Entries are alphabetical and are structured with ease of use in mind. Personal information like dates, family, educational background, etc. are given in a brief introduction followed by a biographical sketch outlining the contribution of each scientist. Each entry has a bibliography with many containing both primary and secondary sources. Access to the set is provided by a subject index, as well as by very helpful lists by occupation, time period, and country. The set is international in scope but "it is skewed toward the United States and Great Britain" because of the better coverage afforded women in the scientific literature of those two countries.

The *Biographical Dictionary of Women in Science* is a scholarly and comprehensive work that its editors have reason to be proud of. It joins *Gale's Women in World History* as a recently published, top-notch biographical reference focusing on the lives and contributions of women. Highly recommended for both academic and public libraries.

(Libraries collecting in this area should also consider *Martha J. Bailey's American Women in Science 1950 to the present* (ABC-CLIO 1998, 0874369215, \$75). Although its coverage is limited to American women, it concentrates on women who have made their mark in the second half of the 20th century and in that sense updates the *Biographical Dictionary*.

The *Dictionary of Biological Psychology* (2001, 0415136067, \$165) is another Routledge publication worthy of consideration. Edited by *Philip Winn*, this reference addresses the increasing impact that other sciences like the biological and brain sciences are having on the study of psychology. As Winn notes, this book is not a mere collection of jargon. The terms defined here are "clearly real things – anatomical structures, psychological processes, cell functions and so on." They include descriptions of the main

neurotransmitters and receptors, the physiology of the brain, various classes of drugs, as well as terms related to body chemistry and genetics. In addition there are definitions of the impacted human behaviors, conditions and syndromes. The *Dictionary of Biological Psychology* is intended for undergraduates studying psychology, many of whom have little background in the sciences. Clearly written and easy to use, it is well suited to the task. However, it will also be of use to those more practiced in these areas for thorough definitions and explanations of familiar terms. Entries vary in length from one to two paragraphs up to one to two pages. Naturally the arrangement is alphabetical and there are cross-references linking similar and related terms. American librarians will want to note that the spelling follows English conventions. This handsomely bound volume will find a place in many academic library collections, as well as on the shelves of some individual faculty members.

America is awash in them. Millions of us take them on a daily basis and they can be found almost anywhere from trendy health food stores to your local grocery to Walmart. Nutritional supplements play a major role in our diets and the folks at Physicians Desk Reference have just zeroed in on them in a recent reference work. But, the *PDR for Nutritional Supplements* (2001, 1563633647, \$59.95) published by *Medical Economics* is much more than a guide to vitamins. It offers comprehensive and sound critical evaluation of a variety of supplements from bee pollen to beta-carotene, fish oils to folic acid, green tea to glycerol, and soy protein to spirulina. Each entry has a description for the nutrient including structural formula, as well as a list of trade names, indications and usage, actions and pharmacology, a research summary, precautions and adverse reactions, interactions and dosage. Each also has a bibliography of sources from established medical journals. As with other *PDR* titles, the indexing is a thorough and highly useful feature. In total, there are eight indexes including ones for supplement and brand names, as well as for category, indication, side effects, interactions, companion drug, and manufacturers.

The *PDR for Nutritional Supplements* is intended for use by physicians to advise patients so the terminology can be technical at times. A glossary would have been a valuable addition for the general reader. Nonetheless, they can still learn a great deal about the value of nutritional supplements here. Overall, this work is tough to beat as an authoritative source for this type of information. It is a definite purchase for most public libraries. Academic libraries where there is interest should also consider it.

It is rare to find a reference title that is both informative and fun to read. But ABC-CLIO's recently published *Encyclopedia of Urban Legends* (2001, 157607076X, \$75) fits the bill on both counts. Written by the prolific *Jan Harold Brunvald* this *Encyclopedia* contains entries on the development of urban legends in individual countries, as well as those on major themes like religion, social class, crime and sex. However, the majority of entries are devoted to hundreds of specific urban legends. *Mr. Brunvald*, professor emeritus of English at the *University of Utah*, has been collecting bizarre, but often believed urban legends for over 20 years. These stories range from the issuing of death certificates for Cabbage patch dolls, to the mouse in the coke rumor, to reports of microwaved pets, to the "good times" computer virus scare of the mid-1990's. Most, if not all, of these legends are recounted in *Mr. Brunvald's* earlier book *To Good to be True: The Colossal Book of Urban Legends* published by *Norton* (1999, 0393047342, \$29.95). What *Brunvald* adds in this new book is an encyclopedic arrangement with an index along with supporting articles on themes, trends, etc. (One suggestion for any future edition would be a thematic index grouping entries by major categories.)

Each of the legend entries describes the legend, as well as any variant versions, points to related entries in the *Encyclopedia* and offers a brief bibliography. Another valuable feature is *Mr. Brunvald's* introduction that traces the development of the modern urban legend from the French concept of the contemporary legend developed in the 1880s. But he also points to a problem in the study of urban legends. *Brunvald* argues that with the advent of the Internet, urban legends are already losing their vitality as an oral-narrative genre. They have "migrated from folklore into popular culture where they became stereotyped, standardized, exploited, commodified and repackaged." However, according to *Brunvald*, this is also an opportunity. This change has "opened up another new field of research." He seems to see even this change as developing part of the urban legend tradition. I suspect he is right. Urban legends are here to stay and their study will only grow. The *Encyclopedia of Urban Legends* is a good place to start getting acquainted with them. There is nothing else quite like it.

Encyclopedia of Urban Legends is appropriate for both academic and public libraries and is one of those titles that would be equally useful in circulation.

It may be one of the most important jobs anyone can have but there are no required courses or training. Well, at least now there is a reference book. *Parenthood in America* (2000, 1576072134, \$175) also published by

continued on page 64

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The Fall of 2001 is sure to be a blockbuster, with something for everyone...the building of the Golden Gate Bridge, secrets of the gambling industry, the true identity of Jack the Ripper, and the hot-button issue of educational standards. It's a diverse fall list covering history, science and the environment, folklore, women's studies, and much, much more.

ABC-CLIO, is a 2-volume set offering scholarly and concise A-Z coverage of parenting issues and concerns. Drawing on the fields of psychology, health and sociology, editor **Lawrence Balter** has assembled more than 110 contributors who have written over 200 separate articles. Coverage includes issues like spacing of children, dual-career families, parent-teen communication, home schooling, divorce and custody conflicts, sibling relationships, parenting styles and the impacts of video and computer games. There are also entries on theorists and practitioners like **Louise Bates Ames**, **Maria Montessori**, **Arnold Gesell**, **Erik Erikson**, and **Benjamin Spock**.

Geared to the layperson, as well as the professional and student, the articles are written in down-to-earth, understandable language but with scholarly authority. Each entry is signed and has a brief, but helpful bibliography. A general index and "see" references provide access to related articles and there is a cumulative bibliography giving a sense of the depth of scholarship involved.

Parenthood in America should find a home in public, academic and professional libraries. It will prove a highly useful resource for a wide audience. In fact, this set might have even more value in home libraries. It's too bad the price is so steep. **ABC-CLIO** might consider an edited, single volume, paperback version for the home market.

A number of new editions of established works have also been released of late.

One of the more impressive is the second edition of the **Encyclopedia of Musical Theatre** (2001, 0028649702, \$368) published by **Schirmer Books**, a **Gale** imprint. Expanded into three volumes, the **Encyclopedia** contains 500 new articles and updates of 4000 more and is authored by **Kurt Ganzl**, who also wrote the first edition, a 1994 **Dartmouth** honoree. In the new edition **Mr. Ganzl** has also "filled in those annoying gaps in the birth and death information," as well as offering more thorough treatment of provincial theatre (outside of London and New York). Despite the heavy emphasis on American and British theatre these three volumes are international in scope and contain numerous entries for individual performers, composers, lyricists, musical producers, as well as specific shows. The entries are written in a straightforward fashion and are crammed with facts. The entries for composer/playwrights contain chronologies of their plays as an added feature. The set is illustrated with black and white photos. The third volume also has a small section of color plates. But there are some problems. While the alphabetical arrangement tries to be as inclusive

as possible, the lack of an index and cross-references is a surprising flaw, as is the lack of adequate bibliographies. The set could have also benefited from articles on the various national musical theatres, as well as on related topics like vaudeville, tin pan alley, etc. However, even with these lapses, this set will prove a necessary addition for both public and academic libraries where there is interest in musical theatre. In terms of broadness of scope and coverage there is nothing else matching it.

Also in its second edition is the **Oxford Companion to Politics of the World** (2001, 0195117395, \$60). The first edition was released in 1993 and as editor **Joel Krieger** notes "the world of politics seems more unsettled today and the challenges more daunting than ... when we began work more than a decade ago on the first edition." Reflecting this, 87 of the 672 articles are new with many others updated. There are new articles on topics like **NAFTA**, the wars in **Bosnia** and **Kosovo**, the **Rwandan Genocide**, as well as those on more recent players on the world's stage like **Tony Blair** and **Bill Clinton**. There is also a new "critical issues" essay format in this edition. Pairs of articles by different authors with differing perspectives are offered for six issues including sustainable development, the United Nations, the future of entitlements, affirmative action, censorship, and the limits of liberal democracy. In addition, there are interpretive essays on topics like gender, comparative politics, equality and inequality, globalization, media and politics, nationalism and revolution. Thoughtful and well written, the length of the articles varies from brief factual accounts to full-blown essays of 4000 words or more. Each entry has a brief bibliography and "see also" references. A set of selected maps and a general index round out the book.

The **Oxford Companion to Politics of the World** is a scholarly, skillfully edited update of a highly useful reference. The added content is worth the price, especially when you consider that the previous edition will still have shelf life in circulation. **Oxford University Press** has produced another useful reference for academic and large public libraries.

Political junkies have just received another timely fix from **Congressional Quarterly**. Now in its 11th edition, **CQ's Politics in America 2002** (2001, 1568026560, \$69 paperback; 1568026552, \$115, Cloth) provides objective and factual biographies of the men and women who make up the 107th Congress. Arranged in sections by state, each of the 535 representatives and senators is given a concise treatment in well-organized individual entries. Besides the biographical sketch, each entry contains contact information, committee assignments, election results, votes on key issues, selected interest group scores and **CQ** vote studies related to party unity and presidential support. Also included are descriptions of each state with a map of districts, as well as the descriptions of the districts themselves. Other features include a brief essay on the 2000 census and its resulting reapportionment, a section of member-related statistics and campaign financing figures back to 1996. For the first time, buyers of the book receive access to a Website from "which they can print profiles of members of both the 106th and 107th Congresses." Readers can register at <http://library.cqpress.com/pia>.

Politics in America 2002 is a necessary purchase for those public and academic libraries trying to meet the demands of either the politic novice or the serious political observer. And considering the added Web access, **CQ** has come up with a hard to resist package that will have strong appeal. 🐼

Book Reviews — Monographic Musings

Column Editor: **Debbie Vaughn** (Reference Librarian, College of Charleston) <vaughnd@cofc.edu>

Where would we be without **Mike Litchfield**? Over the past two years, our **Charleston Conference Coordinator Extraordinaire** has been a driving force in our

yearly meeting of the minds. He can now add "book reviewer" to his long list of accomplishments. An English major here at the College of Charleston, his favorite pastimes include reading, writing, and perfecting his classical guitar playing. His minor in Latin American Studies and his research interests in Che Guevara and Nicholas Guillen make him the perfect commentator on **Cuba: The Contours of Change**. Welcome, Mike! — **DB**

continued on page 65

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Book Reviews *from page 64*

Cuba: The Contours of Change. Ed.
Susan Kaufmann Purcell and David

Rothkopf. Boulder, CO: Lynne Rienner, 2000. 1555879330. \$13.95.

Reviewed by **Michael Litchfield** (Charleston Conference Coordinator)
<libconf@cofc.edu>

Over the past 100 years, the United States has gotten into the habit of viewing Cuba as something that rightly belongs to us. After all, it is a lot closer to the mainland than Hawaii or Puerto Rico. An American Cuba just makes sense. This view doesn't quite mesh with reality, however; we managed to keep Cuba as a colony for forty years, then we were content to give them freedom, so long as we controlled the people in charge. On January 1, 1959, as **Fulgencio Batista** boarded a plane for Miami and **Fidel, Raúl, and Che** rode through the streets of Havana in victory, American domination of Cuba came to a crashing halt. We're still bitter about it.

Cuba's leaders wanted to build a strong, modern, industrial nation to replace the single-crop sugar colony their island had been since Columbus first stepped ashore. Since getting the necessary aid from the U.S. wasn't an option, there was no place else to turn at the height of the Cold War but the Soviet Union.

When the Soviet Union collapsed, it took

a struggling Cuban economy with it. What followed is repeated in every essay in *Cuba: The Contours of Change*. "The weakness and dependence of Cuba's economy became painfully evident. The years that followed saw a deepening economic crisis in Cuba." Most countries in the Americas and Europe changed their policies towards Cuba in the early 1990s. Relations were stabilized, although huge amounts of aid weren't provided. Canadian corporations entered into partnerships with the Cuban government to mine nickel and bauxite. The United States, on the other hand, passed the Cuban Democracy Act and the Helms-Burton bill, making the American policy towards Cuba even more severe.

The essays in this book address the radical changes that have taken place in Cuba over the past decade, and question what, if anything, the United States should be doing. Some essays detail the political side of the question, addressing the embargo and relations with Cuba. Other essays address the economic reforms that have taken place over

the past ten years and what those reforms mean in terms of U.S.-Cuban relations. One of the economic essays points out that Cuba's economy is one of the best in the Americas. There might not have been a "Cuban Miracle," but those economic miracles are usually followed by crushing depressions. Instead, Cuba's economy has grown slowly but steadily over the past ten years, quietly becoming one of the strongest in the Caribbean.

What does all this mean? While the essays run from "Maintain and strengthen economic restrictions against Cuba at all cost" to "Lay off a little and let a robust economy stir up Cuba's poor," the end line is this: how do we get Castro to kick the bucket, and once he has, how do we exploit the Cuban market?

While I'm up here on my soapbox, I will admit that I found the essays interesting, even while they promoted the colonization of our misunderstood neighbors. Having read *Cuba: The Contours of Change*, I'm looking for another collection of essays, perhaps entitled *Cuba: Why We Should Let Them Do Their Own Thing*. I'm envisioning a think-tank of Latin American scholars pulled together to offer rebuttal essays. The combination of the two would be the seminal monograph on U.S.-Cuban relations in the Post-Cold War era. As the book stands now, it is a shining example of why Cubans should not trust American think-tanks.

LEGAL ISSUES

Section Editors: **Bruce Strauch** (The Citadel) <strauchb@citadel.edu>
Jack Montgomery (Western Kentucky University) <jack.montgomery@wku.edu>

Cases of Note — Tasini III and Joe Cartoon v. Zuccarini

by **Bruce Strauch** (The Citadel) <strauchk@earthlink.net>

Copyright - Tasini III - The Supremes Speak.

NYTimes v. Tasini, 121 S.Ct. 2381, 2001 LEXIS 4667, June 25, 2001.

Wow! That grabbed your attention. It's supposed to say Tasini v. NY Times.

Wrong! Times got reversed on the first appeal. So now their name goes first.

Well, the Times lost. As everyone knows.

We've lived with the tension of this for so long that I almost feel like yawning. Bout time for a new crisis. And who the heck remembers all the brou-ha-ha over ... what was it? ... Amoco?

Let's wend our way back to days of yore and review those mills of the law that grind both slowly and exceedingly small.

Tasini et al are freelance writers who sold articles to the *NY Times* that later ended up in LEXIS/NEXIS. Writers sued saying publishers of a collective work could only republish an article in a revision of the original collective work.

District Court (1997): Held for *NY Times*. Said the database was a revision. A "significant original aspect" was preserved by the publisher heaving into the database all the articles from the original collective work. Highlighted the original work by showing author's name, issue and page numbers.

And of course that's what's important to profs — what the high tone journal was and what year. Not the other thematically unrelated articles surrounding it. Indeed, National Geographic or even People Magazine function pretty much the same.

I know. You want the entire *Cosmo Special D.C. Intern Edition*. "Dating That Married Congressman." "Thonging' the Prez and Other Opening Gambits." "Phone Sex Dos and Don'ts." "Black Dog Souvenirs: Keep or Throw-away?" The context is invaluable for the scholar.

Second Circuit (1999): **Reversed**. Said § 201(c) does not permit the publisher to sell

a hard copy of the article. Databases are just a delivery system for this violation instead of the US mail or that Chem Abstracts Kiosk that eggheads are always seeking.

Supreme Court (2001): **Writers win**. LEXIS spits out individual articles — not in the original context — so they're not part of the particular collective work and not a revision and not part of a later collective work in the same series.

So Why Is That?

Prior to 1976, an author could lose all rights when putting an article in a collective work if the publisher refused to print a copyright notice in the author's name. 3 M. Nimmer & D. Nimmer, *Nimmer on Copyright* § 10.01[C][2], p. 10-12 (2001); Copyright Act of 1909, § 18, 35 Stat. 1079. Further, copyright was considered indivisible, making it impossible for an author to assign limited publication rights and necessitating the transfer of the total copyright under a contract that might or might not provide for re-transfer back to the author.

But the publisher presumably would always drag his feet about returning the copyright because he was trying to build a backlist and sell his company to a ravenous conglomerate.

So the 1976 Act created a "bundle of discrete exclusive rights" § 106, each of which "may be transferred ... and owned separately." § 201(d)(2). "Copyright in each separate contribution to a collective work is distinct from copyright in the collective work as a whole."

When an author contributes to a collective work, copyright in his output vests first in him. Copyright in the collective work vests in the publisher. § 201(c) of the Copyright Act

And a single notice of copyright as to

the collective work suffices to protect the author's interest as well. § 404(a).

If the publication of the freelance writer's work stirred interest, the writer could resell the article. This protection for the writer would be compromised if the publisher could sell individual articles or put the article in a new collective work.

If the publisher could sell individual articles out of the collection, the author's bit of the bundle would be worthless. *See Gordon, Fine-Tuning Tasini: Privileges of Electronic Distribution and Reproduction*, 66 Brooklyn L. Rev. 473, 484 (2000).

The publisher's right was limited to publishing the article (a) in the collective work, (b) in a revision, or (c) a later collective work in the same series.

Publishers saw the database as a revision of the collective work. The Court majority fixated on the definition of copyright being in "original works fixed in any medium from which they can be perceived." Open the newspaper and you perceive it on a place on a particular page. Viewing the electronic article from the perspective of a database user, it is now read without graphics, formatting or surrounding articles. As the database expanded to include thousands or millions of files, the user would come to see the article as part of no larger work at all, but rather a stand-alone.

A revision is a new version of the older work. "The database no more constitutes a 'revision' of each constituent edition than a 400-page novel quoting a sonnet in passing would represent a 'revision' of that poem." 121 S. Ct. 2391.

"That each article bears marks of its origin in a particular periodical ... suggests the article was previously part of that periodical. But the markings do not mean the article is currently reproduced or distributed as part of the periodical." *id.*, 2393, n9,

Other Media

So what about microfilm and microfiche? Aren't they pretty much the same thing as a database? The Court said no, they are a conversion of intact periodicals from one form to another.

Well, they do whack out a lot of the ads.

The dissent (Stevens and Breyer if you're a S. Court groupie) poked an interesting hole in this. A braille version is a revision. So is a foreign language version. And so would be a

continued on page 67

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Cases of Note from page 66

floppy disk with all of one edition of the *NY Times*. And the disk wouldn't have the lay-out, formatting or page-turning pleasure which the majority seemed so committed to preserving.

So then why, they ask, isn't it a revision to heave all of that day's *Times* into a database with yesterday's and tomorrow's?

Yes, why, indeed? Which is what we've been agonizing over for five years.

Public Policy

Yeah, what about that? The purpose of copyright is to have a whole bunch of new knowledge being created because authors will get paid for it. But the objective is the knowledge.

You have to agree that anyone who wants an article will find it easier to go to LEXIS than to track down the Tasinis of this world and ask their price. But *Tasini* never planned on mailing off photocopies of his work with an invoice for five dollars. The right that was being granted him by the 1976 revision was to sell the article to another publisher who would put it in a collective work — *The Best of J. Tasini*.

Has this holding helped him or hurt him? Will it motivate him to write more or less?

The Majority saw the LEXIS sale of individual articles as allowing a reader to evade buying a new anthology or other collective work.

But does it really? *The Omnibus of Boring Scribes & Sundry Hacks* will never be put in print. But if *Tasini* becomes a hot author, readers will want *The Compleat Tasini* on their shelves without having to scrounge up multiple print-outs from LEXIS.

Isn't the real end result the elimination from the historical record of newspapers and other texts going back for decades?

Which of course drives **Chuck Hamaker et al** into a blind rage. See: *Chuck Furibundus, ATG*, Vol. 13-4.

Domain Names - Cybersquatting

Joseph Shields as the Joe Cartoon Company v. John Zuccarini, 254 F.3d 476 (3d Cir); 2001 U.S. App. LEXIS 13288.

For fifteen years, **Joe Shields** has marketed his cartoon hits "Frog Blender" and "Micro-Gerbil" for t-shirts, mugs and other items so vital to the American lifestyle. His "shock" website joecartoon.com gets 700,000 hits a month.

Yes, we're in the wrong business. We should have sent in our money to the Famous Artists' School back when we were twelve.

And of course the Court is aware of Chuck and addressed his concerns in saying the publishers will simply negotiate payments to the authors and referenced models for distributing copyrighted works and remunerating authors. See, e.g. 17 U.S.C. § 118(b); *Broadcast Music Inc. v. Columbia Broadcasting System, Inc.*, 441 U.S. 1, 4-6, 10-12 (1979).

But as Chuck sagely points out, that's a forward looking solution and doesn't address the loss of history. And the forward solution is going to be handled anyway by really vicious contracts rammed down the authors' throats.

Have you seen the ones that reference "all rights anywhere in the Universe"?

Zuccarini is in the domain name "whole-sale" business of registering variations of domain names to surround a website and capture the ham-fingered and unwary. With 3,000 sites with such names as gwenythpaltrow.com and rikymartin.com he has been averaging an income of \$800,000 to \$1,000,000 a year.

Now you know you're really in the wrong business. As you've all fallen victim to this, I don't have to describe in any great detail how
continued on page 68

Cases of Note from page 67

you get mousetrapped into a nightmare of ads from which there is no escape except shutting off your computer.

Wholesalers became such a national problem, that Congress passed the **Anticybersquatting Consumer Protection Act** making it illegal to register in bad faith a domain name "identical or confusingly similar" to that of another person or company. 15 U.S.C. § 1125(d)(Supp. 2000). Statutory damages may be awarded from \$1,000 to \$100,000 per domain name. 15 U.S.C. § 1117(d) (Supp. 2000).

Zuccarini had bracketed joecartoon.com with multiple variations like joecarton.com. Shields sent cease and desist letters to Zuccarini who promptly labeled his sites as a protest against animal mutilation. Naturally he was doing it "for the children".

On the District Court level, Shields got a summary judgment \$10,000 for each domain name plus \$39,000 and change for attorneys' fees.

On appeal, the court noted that the ACPA was designed to combat "cybersquatting" — profiting from the goodwill associated with trademarks of others.

Not to mention infuriating the oafs who can't spell Britnee Spears or Pamela Amberson properly.

The first two elements of the ACPA claim were easily met. "Joe Cartoon" is a distinctive mark, and Zuccarini's domain names were confusingly close. Joe Cartoon had been around for fifteen years and the web site for five. The *NY Times* had run a page one story on Joe Cartoon. See Andrew Pollack, "Show Business Embraces the Web, But Cautiously," *N.Y. Times*, Nov. 9, 1999, at A1.

I'm just guessing from this, but it looks like he started out with only a single cartoon image of a frog in a blender. Only eight years later did he animate it. Do you realize the money we could make off squashing various critters with a steam roller? We were raised on Wile E. Coyote, by gosh! While we were wasting our time in grad school, Shields was pushing the envelope.

Shields had numerous emails of complaint from his army of fans who had blundered into mousetraps. Zuccarini even admitted to his personal amazement at the number of folks who mistype.

Zuccarini argued the act only outlawed grabbing a site using a famous name, then selling it back to the celebrity — and not "typosquatting" as he persisted in calling it. The court read him the language of the act (*presumably slowly*) and noted the legislative history of cybersquatting which included kiddies typing in

"dosney.com" and finding hardcore pornography.

You can go to Explorer and find 'dosney' later on. Settle down and let's get through this.

The final requirement was to find that Zuccarini acted in bad faith. Zuccarini had never used his sites to sell goods or services or as trademarks. Thus he had no intellectual property rights in the names. § 1125 (B)(i)(I)(II).

Zuccarini had knowingly registered thousands of confusing names for commercial gain. And he admitted to it. Hence bad faith. See *Northern Light Tech., Inc. v. Northern Lights Club*, 236 F.3d 57, 65 (1st Cir. 2001).

Zuccarini claimed he was protesting ger-

bil micro-zapping and he had a First Amendment right to take this needed stand. The district court called his defense a "spurious explanation cooked up purely for this suit." *Shields*, 89 F. Supp. 2d at 640. The Third Circuit agreed and pointed out he had only gone into a protest mode a few hours after been served with the lawsuit.

O.K. I did it. I paused in finishing this in-depth case analysis and checked out joecartoon.com.

It exceeded my expectations.

Twisted-tubbies. Stump the three-legged dog. Beaver Ranger with puns about ... well, you can see for yourself.

All proudly advertised by famous airlines and credit cards. 🐾

Legally Speaking — Copyright and Distance Education

by **Bryan M. Carson, J.D., M.I.L.S.** (Coordinator of Reference and Instructional Services, Western Kentucky University, Bowling Green, KY 42101; Phone: 270-745-5007; Fax: 270-745-2275) <bryan.carson@wku.edu>

The thing that hath been, it is that which shall be; and that which is done is that which shall be done: and there is no new thing under the sun.¹

Is the Internet "different?" Does the Internet change everything? Or is the Internet merely a new delivery technique for existing resources? These are fundamental questions that go beyond the delivery of library services, creating legal questions and touching the social fabric of our lives.² Today it is possible to obtain a Ph.D. from a regionally accredited institution without ever setting foot on the university's campus.³ Internet-based distance education raises many issues, including a number of legal issues that have implications for librarians and for publishers.

The idea of distance education is not really new. Correspondence courses first became popular in the early years of the twentieth century. The University of South Africa has been a leader in the field, even granting a law degree to **Nelson Mandela** while he was in prison. However, the new delivery format of the Internet has popularized distance education and made it much more common.

The problem of copyright is one of the issues connected with distance education. The current copyright law contains exceptions for the educational use of

materials, but the mode of delivery of distance education raises new issues.

Let's begin by reviewing the status of copyright law in traditional on-campus education. If you are teaching a class on campus, copyright law allows you to make copies of articles for your students. You can show movies in class. You can play music. This is all perfectly legal because of the fair use provisions under section 107 of the copyright law,⁴ and the educational performance exceptions listed in section 110.⁵

I have discussed fair use before in this column, so I will just give a brief summary. According to §107, "the fair use of a copyrighted work, including such use by reproduction in copies or phonorecords or by any other means specified by that section, for purposes such as criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, or research, is not an infringement of copyright."⁶ Even though the author of the work has the exclusive right to control what is done with his or her work, it is our First Amendment right to criticize, critique, or parody that work. According to **Duke University** law professor **David L. Lange**, the fair use provisions give copyright "breathing space" so that our First Amendment freedom of speech rights are not infringed upon by the copyright laws.⁷

Section 110(1) allows "performance or display of a work by instructors or pupils in the course of face-to-face teaching activities of a nonprofit educational institution, in a classroom or similar place devoted to instruc-

continued on page 69

Legally Speaking
from page 68

tion. . .⁸ Because of section 110, a professor may show a movie or play a recording in class. The concept of a "similar place devoted to instruction" includes libraries, auditoriums, etc., provided that the performance comes from a legal copy, and any copies are legally made. However, remember that the instruction must be "face-to-face." In other words, section 110(1) does not provide an exception for distance education.

Section 110(2) does allow non-profit educational institutions to transmit a performance of a nondramatic literary or musical work.⁹ However, this exception only applies if the transmission is received in "classrooms or similar places normally devoted to instruction," or if the transmission is received by a handicapped person who is unable to attend in a classroom.¹⁰ In effect, section 110(2) allows educational broadcasts of copyrighted materials to remote classrooms, but not to homes, offices, and other places where distance education students may be located. This restriction has many implications for distance education programs.

For example, suppose that you are teaching a music appreciation class. One section meets on campus, and one section is taught via distance education on the Web. In the classroom, you may play any recording that you want. This is a performance, but copyright is not a factor because of section 110(1).

On the other hand, if you are teaching a class via the Web, you are transmitting the performance. The current language of section 110(2) only allows you to transmit a performance if the transmission is received in "classrooms or similar places normally devoted to instruction." Under the doctrine of fair use, you are still allowed to play excerpts of the recording for your distance education class. "Fair use still applies to distance education if you use reasonable and limited portions of a copy which has been legally obtained and the copies are lawfully made."¹¹ However, fair use still does not solve the problem of performance in distance education. In order to obtain a license to play this recording for an Internet class, you would have to pay royalties to the owner of the copyright. The legal status of educational copies and educational performances is one of the biggest problems that is faced by the budding Internet distance education market.

The issues raised by section 110(2) have been the subject of a great deal of discussion lately. In April, the Senate Judiciary Committee (the committee in the Senate that works with Intellectual Property issues) took up the issue of the section 110(2) educational performance exception. The bill (Senate Bill 487) was jointly sponsored by Senators Hatch and Leahy, and is called the "Technology, Education and Copyright Harmonization Act

of 2001," or the "TEACH Act."¹² This act was passed in the Senate, as amended, on June 7, and introduced in the House, where it was referred to the Judiciary Committee. On July 11, 2001, the House Subcommittee on Courts, the Internet, and Intellectual Property approved the TEACH Act for full committee action.¹³

Copyright issues are difficult. Educators have one perspective; publishers have another. Librarians are generally caught in the middle. **MaryBeth Peters**, the Registrar of Copyrights, decided to do something about the problem. **Ms. Peters**, with the cooperation of **Senators Hatch and Leahy** and their staffs, convened a summit meeting for those

who were interested in the TEACH Act. This meeting included representatives from publishing, education, and libraries. The participants worked together on the bill to develop language for the bill which would satisfy everyone. On May 4, 2001, the participants came to a joint agreement on what the provisions of this bill should be.¹⁴

The main thing that the TEACH Act does is to amend Section 110(2) to eliminate the "face-to-face" requirement of the educational performance exception. The new exception would be available only to accredited, non-profit educational institutions, and the performance must only be received exclusively

continued on page 70

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Legally Speaking from page 69

by students enrolled in that course. The Senate version did not include performances by non-profit libraries. At one point the House version did include performances by non-profit libraries; however, that language was removed from the bill during committee markup. For-profit institutions, even if accredited, must pay royalties for a license.

The TEACH Act also amends section 106 to allow digital transmissions to be made to members of the class. Section 106 states that the author has the exclusive right to control copies of his or her work. However, every time you create a digital version of a document or performance, you are making a copy. The TEACH Act allows educators to make a

copy in order to transmit the work to their distance education students.¹⁵ In order to claim the protections of the TEACH Act, the non-profit accredited educational institution must be distributing the document or performance for educational purposes. The transmission must be only to those students who are enrolled in the class, so Websites should be password protected. Finally, to the extent possible, the institutions should attempt to make sure that the materials are not transmitted any further by the students. This provision would be satisfied by providing the students with Web pages which may be viewed but not printed or downloaded.

If passed, the TEACH Act would allow accredited¹⁶ non-profit educational institutions to do in their distance education programs what they can do in their on-campus

instruction. Rather than being a new type of education, the Internet will indeed be simply a new transmission method for traditional education.

Educators are becoming less bound by distance, and the TEACH Act helps to ease the restrictions. Publishers and authors will know that their work is being distributed only to students in accredited non-profit educational institutions for educational purposes. Educators will be able to transmit some performances for their distance education classes, and students will be able to obtain a quality education via the Internet. By working together on the language of the TEACH Act, everybody wins. And as Ecclesiastes states, there truly is nothing new under the sun.

*All original content copyright 2001
Bryan M. Carson.*

Endnotes

1. Ecclesiastes 1:9. King James Bible. **Thomas Nelson**, 1990.
2. In a previous article (December 2000), I stated that the advent of the Internet has created as big a change in society as the invention of the printing press. However, it is not the Internet itself that has created this change, it is the social changes that accompany the use of the Internet.
3. For example, Touro International University, the distance education section of Touro College in New York, provides Ph.D. degrees in Business Administration and Health Sciences which do not require any residency. This program is fully accredited by The Commission on Higher Education of the Middle States Association of Colleges and Schools. See Touro's Website at <http://www.touro.edu/>.
4. 17 U.S.C. §107.
5. 17 U.S.C. §110.
6. 17 U.S.C. §107.
7. **David L. Lange**. "Theory and Practice in Copyright." Presentation at *Intellectual Property in the Digital Age*, Madison, Wisconsin, May 8, 2001.
8. 17 U.S.C. §110(1).
9. 17 U.S.C. §110(2).
10. *id.*
11. **MaryBeth Peters**. Keynote address at *Intellectual Property in the Digital Age*, Madison, Wisconsin, May 7, 2001.
12. "Technology, Education and Copyright Harmonization Act of 2001." 107 S. 487.
13. 147 Cong Rec D 688.
14. I attended the conference *Intellectual Property in the Digital Age* in Madison, Wisconsin, on May 6-9, 2001. The conference began two days after the joint agreement was negotiated. Many of the negotiators were participants at this conference, and the agreement was reported at that time.
15. "Technology, Education and Copyright Harmonization Act of 2001." 107 Markup S. 487.
16. According to the TEACH Act, accreditation for post-secondary institutions "shall be as determined by a regional or national accrediting agency recognized by the Council on Higher Education Accreditation or the United States Department of Education; and with respect to an institution providing elementary or secondary education, shall be as recognized by the applicable state certification or licensing procedures." 107 Markup S. 487.

Questions & Answers — Copyright Column

by **Laura N. Gasaway** (Director of the Law Library & Professor of Law, University of North Carolina, CB #3385, Chapel Hill, NC 27599; Phone: 919-962-1321; Fax: 919-962-1193) <laura_gasaway@unc.edu>
www.unc.edu/~uncldng/gasaway.htm

QUESTION: *A special education teacher in my school has asked whether she can audiotape a book being studied in class for a child with learning disabilities. The library wants to purchase the tape, but a thorough search has not revealed any source from which it is available. Since it is unavailable for purchase, may the library and school make its own audiotape for this child?*

ANSWER: Under section 108 (the library section) of the Copyright Act, the answer is no, but under the Americans with Disabilities Act, the answer is yes. In the legislative history that accompanied the Act, specifically in the House Report, in the discussion on fair use under section 107, there is a statement about making copies of works in special forms for blind persons. The House Report mentions the Library of Congress program for making such copies but also states that making a single copy for blind persons would properly be a fair use under section 107. By analogy, making an audiotape for the one child should also be fair use. Such tapes should not then be added to the library collection without permission, however.

QUESTION: *When a library creates a Website, is the HTML code protected by copyright? There appears to be some disagreement among the experts on this matter.*

ANSWER: No, it is not. The underlying work is what is protected, for example,

the literary work, musical work, audiovisual work, etc., but not the HTML code. Section 102(a) of the Copyright Act details the eight categories of works that may be protected by copyright; while it is possible that other types of works might also be protected, a judgment would be made based on the originality/creativity requirement of the Act. Although HTML code is very useful, the code underlying a Webpage is not copyrightable although the page itself is as an audiovisual work if it meets the requirements of originality/creativity, etc.

QUESTION: *As an academic medical library, we are often asked to provide access to full-text journals to other libraries located in federal buildings on our campus. The full-text journals are free to the library with print subscriptions. Would this be a copyright violation?*

ANSWER: Not a copyright violation, but whether there is some type of liability for the library depends on the license. License agreements are contracts governed by state contract law instead of federal copyright. If a license for the online journals says restricted to the school's students, faculty and staff, then it violates the contract to allow the federal employees to use the materials. If not, then it is permissible, but each license agreement would have to be consulted for that title or group of titles.

continued on page 71

QUESTION: *What is the purpose and meaning of the requirement in section 108(a)(2) of the Copyright Act that a library be open to the public in order to enjoy the Library Exemption in section 108?*

ANSWER: The purpose is to exclude libraries in the for-profit sector and nonprofit ones that are exclusive (such as private clubs, etc.) which are not open to the public. It was a recognition of the public good of public libraries and similar libraries that serve the public even if open to nonaffiliated users only by appointment. The House Report indicates that this would prohibit a purely commercial enterprise from calling itself a library. Only libraries that meet the requirement of being open to the public or to researchers doing research in a specialized field may take advantage of the exemptions for preservation, copying for users, interlibrary loan, etc. under the Act. Another common sense reason for the requirement is that an exemption to the rights of the owner is asking the copyright holder to bear the cost for that exemption or to forgo royalties that it would otherwise receive. If a library is not open to the public, why should copyright holders bear the costs for another for-profit entity?

QUESTION: *A staff member wants to know whether the library can use a particular slogan if it is also the title of a book or would this title be protected by copyright? The slogan is "Learn to Earn" which is also a book authored by Peter Lynch.*

ANSWER: Book titles and slogans are not copyrightable. However, some of them are used as trademarks. There is a case right now involving the Harry Potter books, and now Harry Potter has been registered as a trademark because books are just one of the products being sold under that mark.

On "Learn to Earn" — is this just a book title or does the author also have the slogan on T-shirts, mugs, educational materials, programs and the like? If so, then it is likely a trademark or a service mark and the library should ask permission to use it. If the slogan is only a book title, then it may be used as there is no of protection available for titles that serve only as a book titles.

And They Were There — Reports of Meetings

XI. Transborder Library Forum, 2001 and IUG Meets in Santa Clara

Column Editor: Sever Bordeianu <sbordeia@unm.edu>

XI. Transborder Library Forum, 2001
"World Information: knowledge without boundaries"
Hermosillo, Sonora, Mexico, March 15-17.

Report by Elizabeth N. Steinhagen
(University of New Mexico General Library) <ens1@unm.edu>

Titled "*World Information: knowledge without boundaries*," this year's *Transborder Library Forum* was held in Hermosillo, Sonora, Mexico, March 15-17. Hosted jointly by the **Universidad de Sonora (UNISON)**, and the **Food and Development Research Center (CIAD)**, the event again attracted approximately 300 professionals, as in previous years, from mostly border states, with a number of representatives of libraries from other areas of Mexico, the U.S., and Canada. The theme was globalization, a concept that is here to stay and which has had a profound impact on how things are done today. The outcome of newer and better technologies in the realm of information exchange has revolutionized our way of seeking knowledge that may be generated thousands of miles away, anywhere in the world.

For the above reasons, the organizers of this *XI. FORO* envisioned an event that would present more than a physical space where librarians from our two sister countries, the United States and Mexico, could exchange experiences and share ideas about common problems not just relevant to border areas, but where they could also begin to brainstorm on ways to improve on daily tasks for the ultimate benefit of local users as well as those from remote areas.

From its simple beginnings in the late 1980s, when librarians from Arizona and Sonora realized the need to improve communication between libraries in the border states, attendance and scope have increased considerably. Sim-

ultaneous interpretation at all *FOROs*

has eliminated language barriers by providing each attendant with the opportunity to participate actively, while at the same time the number of bilingual

librarians able to take part in the discussions regardless of language appears also to have increased. Each *FORO* has been organized by an extraordinary and dedicated team of volunteers from the host site, and so far, the event has remained the sole responsibility — and sometimes headache — of the local hosts. However, while the informality of the group, the lack of structure, of dues, and of membership obligations, remain one of the major attractions, questions arose at the close of the *X. FORO* in 2000, about the continuity of these gatherings. Indeed, after lengthy discussions at the end of the recent *XI. FORO*, those present decided to look into the feasibility of coming up with some sort of structure that would provide the group with at least a semi-formal identity and standing. While all participants continue to cherish the informality and the social interactions, it is hoped that the group they elected to study and proposed new status will arrive at a solution that ensures the ongoing existence of these meetings.

These transborder conferences have been growing in importance and relevance as libraries and their users access information beyond their physical and geographical borders. There was ample evidence for it throughout the 3-day program that brought together practitioners from all areas of librarianship. It was preceded by a number of workshops presented by librarians from Mexico and the United States, which included a session on searching **MEDLINE** and **MEDLINEplus** for biomedical and consumer health information; a workshop on basic serials cataloging, based on the **CONSER Serials Cataloging Cooperative Training Program (SCCTP)**; a session on developing a library accessible to the community through design, attitude and technology; and another one on modern and general archives.

At the close of the opening ceremonies, the two keynote speakers offered interesting views of the present situation. **Estela Morales C.** of the **Universidad Nacional Autónoma de México** spoke about globalization and the importance of making more local information available to all users.

continued on page 72

Ernesto Camou H. of the **Food and Development Research Center** regaled the listeners with a humorous description of local history and the development of a population whose identity is rooted in agricultural and livestock activities. The above speakers were followed by a panel of Mexican library association presidents, joined by the current **SLA** President, **Donna Scheeder**.

Group sessions included overviews of important Sonoran archives and special collections, as well as a presentation on a binational archival digitalization project jointly undertaken by the states of Arizona and Sonora. Round tables included sessions on library education in Baja California, on the globalization of higher education, on training of students in school libraries to use libraries, and on distance learning. Several presentations covered issues of the informatics of border health, and on developing instruments to transmit health information to culturally diverse consumers in the Mexican-U.S. border areas. Others spoke on the use of the Internet in digital libraries to provide resources for educational purposes in academic libraries. Also of interest was an overview of the of interlibrary loan activities in Mexican institutions and on the future of document delivery among international libraries, based on the use of Ariel and the Web. Some specialized presentations centered on the use

of Spanish as a vehicle of culture, i.e., on how Spanish is being used in U.S. libraries, and on the development of Spanish language training tools such as the *CONSER Cataloging Manual* and the tools used in the train-the-trainer program which are being translated into Spanish. Other presentations spoke about the problems presented by some bibliographic records in international databases created in languages other than English and based on standards different from **AACR2**.

In an interesting aside from purely libraries and librarians, a few of the papers dealt with the native towns of northwest Mexico, with the archaeological heritage of Sonora, and with the anthropology of the region's indigenous populations.

On the whole, it was refreshing to hear that our Mexican colleagues are grappling with problems and issues very similar to ours, especially as the many new technologies offer some tempting but often unattainable solutions and which may, in fact, create problems of their own. These problems were forgotten, obviously, in the course of the many special events and socials that have helped, over the years, to give the **FORO** the reputation of being one of the friendliest meetings on either side of the border!

It is to be hoped that those in attendance were able to learn from one another and to forge lasting and collegial friendships which will make the next, **XII FORO**, to be held in Laredo, Texas, in March of 2002 equally attractive.

Ninth Innovative Users Group Meeting

Organized by Innovative Interfaces

May 19-22, 2001, Santa Clara, California

Report by **Sever Bordeianu** and **Chris R. Johnson**
(University of New Mexico General Library)

The **Ninth Innovative Users Group (IUG)** meeting took place in Santa Clara, California, from May 19-22, 2001. This is an annual event organized by **Innovative Interfaces** for its customers, which provides the company an opportunity to showcase new products, demonstrate product applications, and announce new developments, enhancements, and features of the system. The schedule consisted of continuous consecutive meetings covering all aspects of running an Innovative system, ranging from technical issues such as system administration to the entire range of library applications that the online catalog supports. Most of the workshops were repeated at least once during the three-day conference, giving participants the opportunity to learn about most of their topics of interest. Two preconference workshops were also presented, one on System Administration and Security, the other on Help Desk Techniques.

The rich variety of topics covered in the workshops underlies how versatile library online systems have become, and specifically, the potentials for delivering information to users by Innovative system libraries. As is usual at this type of specialized conference, all participants spoke the same jargon. There was no need to translate to each other such terms as item records, bib records, and order records, or to define the difference between a branch code and a location code. And, of course, there is **Millenium**, which is **Innovative's** Web interface, and **Release 2001**, which incorporates the latest technical enhancements to the system.

There were two types of presentations. The first type could be characterized as sales presentations or demonstrations by company employees that focused either on specific products for sale by the company, or enhancements to existing modules. The second type consisted of demonstrations by librarians who have implemented or adopted new products

and services. In many cases, the workshops combined a presentation by a company employee and a demonstration from librarians showcasing the particular product or service. This combination, which is not unique to **IUG**, works very well. A report of this type can't possibly cover all the workshops, nor should it. But it can give a good flavor of the variety of topics discussed.

"**netLibrary** and **VIPs**" presented the partnership between **Innovative Interfaces** and **netLibrary**, as well as other Valued Information Providers, such as **Britannica**, **Informata** (a company that provides links to Webpages containing book jackets), **RealRead** (an online review service), and many others. While **Innovative** does not sell the products, they can serve as a middleman between libraries and vendors. More importantly, the system's software supports access to these vendors' products. "A Question of Language" showed the process of translating **Innovative's Millennium** system into Irish. It discussed technical and linguistic difficulties, and provided useful information for others interested in translating **Millenium** into languages that are not part of the standard **Innovative** package.

"Millennium Cataloging Product Demo" was of particular interest to catalogers, because it showed the much anticipated release of the cataloging module which allows increased flexibility in list creation and updating. There were several workshops on list and report creation techniques, which every Innovative user knows is an addictive process. List creation allows the identification of records based on a variety of parameters, and then the possibility of doing rapid updates as needed. "Codes and You" discussed the importance of assigning logical codes for patron, location, material, item, and so on in order to be able to create and update lists efficiently. During this workshop it was also suggested that codes be reviewed every five years, since needs and system capabilities do change significantly in this kind of time period. A presentation by **John deSantis** of **Dartmouth College** demonstrated the relationship between the 680 field (public-displayed local note, as opposed to 667 and 670 fields which do not display) and cross-references within subject authority records. At **Dartmouth**, 680 notes are used to denote special information about local authors, headings of local historical interest, special collections, et al. **Dartmouth** also uses 260 (complex see) and 360 (complex see also) locally as local scope notes. Within the notes, **[i]** and **[a]** subfields are used to further define relationships between main headings and cross-references. Using these forms of notes locally could aid the patron in better understanding those relationships.

continued on page 73

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And They Were There
from page 72

Violet Johnson of the Houston Area Library Automated Network Consortium presented information on more efficient list creation. The management of information for multiple libraries within a consortium requires pre-planning and understanding of what specific information is to be sought. An understanding of the search structure as well as an understanding of the codes within the various records will greatly improve the validity of the list output. When one wishes to search older or newer records (e.g., patron activity within the past month), the search can be narrowed to those records within that range for greater accuracy. A feature of the *Millennium* list creation module will allow for cross tabulation of any two data elements.

The list creation feature can also be used to do inventories. Helen Dungan of Lafayette College showed how creating an inventory list can aid in weeding, shelfreading, and identifying missing volumes. Lafayette College uses student assistants to process the lists by doing the shelfreading. The list is printed onto a form that allows the shelfreader to verify the information on the list and also to

identify miscoded list items. A systematic search of all missing volumes on the list takes place each summer.

Errors within records can be located easier with the Create List module used in conjunction with the Statistical Reports function. Sharon Saunders and Marnie Gardner, both of Bates College, illustrated the procedure used at Bates College to identify and correct errors. The title of the workshop was appropriately named "Errors, Errors, Go Away." Using a statistical report can show the number of records falling within error criteria, and a list can be generated to list each record with the error. For errors occurring within the record itself (e.g. misspellings, miscoded branch/location information), corrections can be made using Rapid Update. Other types of errors would require checking the shelves and adjusting the records one by one.

Listing some workshop titles, which neither author was able to attend, will give a more complete idea of the breadth of this conference. Most of the titles are self explanatory: "Image Management," "Distance Education and Innovation," "OPAC Magic," "Implementing Circulation Notices via Email," "Do You Know Where your Books Are?" "Your WebPac: Not Just a Catalog Anymore," and

"Turbo-Charged Downloading." There were also several specialized sessions for system administrators that dealt with using the user manual, running proxy servers, running *Millennium* on alternate platforms, record loads, Z39.50 in *Innopac*, customizing the Web, and XML. Again, this is not a comprehensive list of all the workshops, but it does provide an idea of how dynamic and informative the conference was.

The handouts were excellent. They included the schedule, the summary, and a large three-ring binder with workshop descriptions and ample room for notes. All these materials, which were well designed, easy to use, and to a certain extent redundant, made attendance at the conference more productive. They are also useful as in-house tools in the library. The infrastructure was excellent. The conference facilities and the environment were pleasant and comfortable, breaks and lunches were well stocked, and the presentation software, the ubiquitous *PowerPoint*, worked without glitches. Like other library conferences, *IUG* allows for plenty of networking, interacting with vendors in the exhibit area, information gathering and exchange. Next year's annual meeting will take place in Houston.

Publisher Profile — University Press of New England

Column Editor: **John Long** (Consultant) <john-long@worldnet.att.net>

University Press of New England			
Address:	23 South Main Street Hanover, NH 03755-2055	Email:	<university.press@dartmouth.edu>
Phone:	(603) 643-7100	Number of Employees:	31
Fax:	(603) 643-1540	Director:	Richard M. Abel
Orders:	1-800-421-1561	# of books published annually:	80 titles
Web address:	www.upne.com	Backlist:	825 titles in print

Important Publications: *The Dickinsons of Amherst, Photographs* by **Jerome Liebling**; *Essays* by **Christopher Benfey**, **Polly Longworth & Barton Levi**; *St. Armand; A Year in the Notch: Exploring the Natural History of the White Mountains*, by **William Sargent**; *Generation Exodus: The Fate of Young Jewish Refugees from Nazi Germany*, by **Walter Laqueur**.

Editor's Note: When I see the UPNE catalog, new and forthcoming and backlist titles, I begin to feel like a youngster who is entering a favorite soda fountain and candy store. In each direction there is a new pleasure to behold: interesting, thoughtful, fascinating books. You want to touch each cover and seek a quite corner where you could begin reading immediately—a bibliophile's delight!

Founded in 1970, UPNE is a unique publishing consortium (**Brandeis University, Dartmouth College, Middlebury College, University of New Hampshire & Tufts University**) and housed at **Dartmouth College**,

the host institution. UPNE has earned a reputation for excellence: its publishing program reflects strengths in the humanities, liberal arts, fine and performing arts, literature, New England culture and interdisciplinary studies.

I had the pleasure of speaking (by telephone) with UPNE Director, **Richard Abel**, and here are some parts of our conversation:

JL: When UPNE was founded, wasn't the idea of creating a consortium considered an unusual idea?

RA: "...an idea ahead of its time (1970)...one of the first" presses to do so.

JL: I love the eclectic scope of your publishing program. I see the fascinating, *The Dickinsons of Amherst*, *Susan Baker's Following Proust* and *Mayewski and White, The Ice Chronicles*. Each title stirs one's imagination...

RA: "...we like to think that we are doing imaginative publishing." We attempt to have a "common focal point: grab the reader's attention."

JL: These titles certainly do just that.

JL: The idea of attempting to see a place, *Dickinson's Amherst* or *Marcel Proust's Combray, Balbec...*, as the poet/author once saw it is intriguing and a superb way for future readers to appreciate these great works of literature.

Mr. Abel indicated that you (the reader) gain a much deeper understanding of a poem or a novel by actually being able to see the place that is being written about. For example, he mentioned having lived in Mississippi and gaining an enhanced understanding of **William Faulkner's** novels by being in the fictional Yoknapatawpha County.

JL: In *Dickinsons of Amherst*, there's an illusory sense that it is 1886 and **Emily Dickinson** is actually in her house.

Mr. Abel noted, *The Ice Chronicles*, that UPNE tackles the difficult issues of the 21st century: the earth's climate, global warming, the impact on our societies. In *The Ice Chronicles*, the gap between scientific advances and the public discussion of these issues is narrowed and the issues become lucid.

Book Pricing Update —

Trends in Book Pricing for the Year Ending June 30, 2001

by **Tom Loughran** (Manager Approval Systems, Blackwell's) <tom.loughran@blackwell.com>

Broad Trends in Pricing and Coverage

Each year, **Blackwell's** reports on pricing trends in academic monographic publishing. We derive this data from the books that were treated on our academic Approval Program during the previous year. In the year ending this last June, we treated 41,872 academic monograph titles with an average list price of \$60.23. Excluding 1,742 reprints, the average list price of the 40,130 remaining new titles was \$61.29.

The distribution of titles by country of origin, and the average list price by country (including reprints), are as follows:

Country	# of titles	% of all titles treated	Avg. List Price
U.S. origin	25,183	60%	\$52.65
U.K. origin	11,015	26%	\$64.05
Other origin	5,674	14%	\$86.47

Countries accounting for "Other origin" titles included Germany (1,621 titles), Netherlands (1,618 titles), Canada (494 titles), Singapore (361 titles), Australia (306 titles), Switzerland (221 titles), India (173 titles), Sweden (134 titles) and Belgium (105 titles). An additional 39 countries contributed to this total with fewer than 100 titles each.

Last year we treated 10,183 university press titles, or 24% of all

titles. The average list price of all university press titles was \$48.68. Again, excluding reprints, the average list price of the remaining 9,611 new university press titles was \$50.11.

In broad subject areas the number of new titles treated (excluding reprints), and their average list prices, broke down as follows:

Broad Subject	# of titles	% of all titles treated	Avg. List Price
Arts/Humanities	14,246	35%	\$46.27
Social Sciences	13,086	33%	\$56.05
Sci./Tech./Med.	12,698	32%	\$83.56

The average list price for a scholarly book in the Arts and Humanities last year represents a one per cent increase over the average price of the year before (\$45.70). The average for a book in the Social Sciences also increased one per cent, from \$55.59. Prices for an average title in the Sciences, Technology and Medicine remained flat from last year's average price of \$83.57.

In the next issue, we'll investigate how prices in individual subject areas of these broader categories fared.

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Bestsellers — Reference Titles

by **Françoise Crowell** (Yankee Book Peddler) <FCrowell@YBP.com>

Publishing reference titles must be a lucrative business if the numbers **YBP** handled in a year is any indication. In a recent 12 month period we handled 3,570 titles coded reference. Fifty of the top academic sellers are listed here starting with the **Oxford Companion to Fairy Tales**. Literature tops the list with 9 titles and 6 titles in women's studies including **Routledges Biographical Dictionary of Women in Science**. University Presses account for a large number with **Oxford UP** publishing 11 of our top sellers; on the trade side **Greenwood** (who else!) comes in with 10. This collection is well rounded with Science, Literature, Dance, History, Social Science and even Library Science included (see **Copyright Essentials for Librarians and Educators**.) Definitely a book for every corner of your library.

Oxford Companion to Fairy Tales; Ed. By Jack Zipes. Oxford Univ Press 2000 \$60.00 Cloth 0198601158.

Oxford Companion to English Literature; Ed. By Margaret Drabble. Oxford Univ Press 2000 \$75.00 Cloth 0198662440.

Dorland, W.A. Newman. **Dorland's Il-**

lustrated Medical Dictionary. W.B. Saunders 2000 \$49.95 Cloth 0721662544.

Encyclopedia of Eastern Europe: From the Congress of Vienna to the Fall of Communism; Ed. By Richard Frucht. Garland 2000 \$145.00 Cloth 0815300921.

Diagnostic and Statistical Manual of Mental Disorders: DSM-IV-TR: Text Revision. Amer Psychiatric 2000 \$71.95 Cloth 0890420246.

Biographical Dictionary of Women in Science: Pioneering Lives from Ancient Times to the Mid-20th Century; Ed. By Marilyn Ogilvie. Routledge 2000 \$250.00 Cloth 0415920388.

Schoppa, R. Keith, 1943-. **Columbia Guide to Modern Chinese History**. Columbia Univ Press 2000 \$45.00 Cloth 0231112769.

Li, Tze-chung, 1927-. **Social Science Reference Sources: A Practical Guide**. Greenwood 2000 \$99.50 Cloth 0313304831.

Columbia Chronologies of Asian History

and Culture; Ed. By John S. Bowman. Columbia Univ Press 2000 \$85.00 Cloth 0231110049.

Handbook of American Women's History; Ed. By Angela M. Howard. Sage Publications 2000 \$99.95 Cloth 0761916350.

Craine, Debra. **Oxford Dictionary of Dance**. Oxford Univ Press 2000 \$39.95 Cloth 0198601069.

Henderson, Harry, 1951-. **Gun Control**. Facts On File 2000 \$45.00 Cloth 0816040311.

Encyclopedia of the U.S. Census; Ed. By Margo J. Anderson. Congressional 2000 \$125.00 Cloth 1568024282.

Encyclopedia of Medieval Literature; Ed. By Robert Thomas Lambdin. Greenwood 2000 \$89.50 Cloth 0313300542.

Kelly, Robert J. **Encyclopedia of Orga-**
continued on page 76

Bestsellers
from page 75

nized Crime in the United States: From Capone's Chicago to the New Urban Underworld. Greenwood 2000 \$59.95 Cloth 0313306532.

Child Abuse: A Global View. Ed. By Beth M. Schwartz-Kenney. Greenwood 2001 \$49.95 Cloth 0313307458.

Mitchell, Bruce M. *Multicultural Education in the U.S.: A Guide to Policies and Programs in the 50 States.* Greenwood 2000 \$75.00 Cloth 0313308594.

African-American Writers: A Dictionary. Ed. By Shari Dorantes Hatch. ABC-Clio 2000 \$75.00 Cloth 0874369592.

Knowles, Owen. *Oxford Reader's Companion to Conrad.* Oxford Univ Press 2000 \$65.00 Cloth 0198662149.

Encyclopedia of Feminist Theories. Ed. By Lorraine Code. Routledge 2000 \$140.00 Cloth 0415132746.

Encyclopedia of African Peoples. Facts On File 2000 \$60.50 Cloth 0816040990.

Newton, David. *Social Issues in Science and Technology: An Encyclopedia.* ABC-Clio 1999 \$75.00 Cloth 0874369207.

Crews, Kenneth D. *Copyright Essentials For Librarians and Educators.* Amer Library Association 2000 \$45.00 Paper 0838907970.

Encyclopedia of Computer Science. Ed. By Anthony Ralston. Nature Pub Group 2000 \$150.00 Cloth 156159248X.

Slade, Joseph W. *Pornography in America: A Reference Handbook.* ABC-Clio 2000 \$45.00 Cloth 1576070859.

Oxford Dictionary of Biochemistry and Molecular Biology. Ed. By A.D. Smith. Oxford Univ Press 2000 \$65.00 Cloth 0198506732.

Cassell, Dana K. *Encyclopedia of Obesity and Eating Disorders.* Facts On File 2000 \$60.50 Cloth 0816040427.

Hewitt, Christopher. *Encyclopedia of Modern Separatist Movements.* ABC-Clio 2000 \$75.00 Cloth 1576070077.

Meier, Matt S. *Encyclopedia of the Mexican American Civil Rights Movement.* Greenwood 2000 \$69.95 Cloth 0313304254.

Oxford Companion to Christian Thought. Ed. By Adrian Hastings. Oxford Univ Press 2000 \$75.00 Cloth 0198600240.

Kistler, John M., 1967-. *Animal Rights: A Subject Guide, Bibliography, and Internet Companion.* Greenwood 2000 \$39.95 Cloth 0313312311.

Adamec, Christine A., 1949-. *Encyclopedia of Adoption.* Facts On File 2000 \$71.50 Cloth 0816040419.

Oxford Reader's Companion to Hardy. Ed. By Norman Page. Oxford Univ Press 2000 \$49.95 Cloth 0198600747.

Encyclopedia of Ethnicity and Sports in the

United States. Ed. By George B. Kirsch. Greenwood 2000 \$125.00 Cloth 0313299110.

Medieval Folklore: An Encyclopedia of Myths, Legends, Tales, Beliefs, and Customs. Ed. By Carl Lindahl. ABC-Clio 2000 \$175.00 Cloth 1576071219.

Heaton, Tim B. *Statistical Handbook On Racial Groups in the United States.* Oryx 2000 \$65.00 Cloth 1573562661.

Niewyk, Donald. *Columbia Guide to the Holocaust.* Columbia Univ Press 2000 \$45.00 Cloth 0231112009.

Oxford Reader's Companion to George Eliot. Ed. By John Rignall. Oxford Univ Press 2000 \$65.00 Cloth 0198600992.

Oxford Guide to Literature in English Translation. Ed. By Peter France. Oxford Univ Press 2000 \$99.00 Cloth 0198183593.

Smith, Joseph, 1945-. *Historical Dictionary of the Cold War.* Scarecrow 2000 \$65.00 Cloth 0810837099.

Biographical Dictionary of Scientists. Ed. By Roy Porter. Oxford Univ Press 2000 \$125.00 Cloth 0195216636.

Barnes, Ian, 1946-. *Historical Atlas of the American Revolution.* Routledge 2000 \$50.00 Cloth 0415922437.

Extraordinary Women of the Medieval and Renaissance World: A Biographical Dictionary. Ed. By Carole Levin. Greenwood 2000 \$65.00 Cloth 0313306591.

Endangered Animals: A Reference Guide to Conflicting Issues. Ed. By Richard P. Reading. Greenwood 2000 \$59.95 Cloth 0313308160.

Frumkin, Norman. *Guide to Economic Indicators.* M.E. Sharpe 2000 \$64.95 Cloth 0765604361.

Zierdt-Warshaw, Linda. *American Women in Technology: An Encyclopedia.* ABC-Clio 2000 \$75.00 Cloth 1576070727.

Botto, Francis. *Dictionary of E-Business: A Definitive Guide to Technology and Business Terms.* John Wiley 2000 \$49.95 Paper 0471881457.

Encyclopedia of Women and Crime. Ed. By Nicole Hahn Rafter. Oryx 2000 \$65.00 Cloth 1573562149.

Civil Rights in the United States. Ed. By Waldo E. Martin. Macmillan Library Ref 2000 \$240.00 Cloth 0028647653.

Gaustad, Edwin Scott. *New Historical Atlas of Religion in America.* Oxford Univ Press 2001 \$145.00 Cloth 019509168X.

Something About Books — Identity Theft

by Jack Walsdorf (Library Relations, Alibris)
<jackw@alibris.com> <jackjuno@teleport.com>

What would you do if someone stole your identity? The thought came to me as I was watching one of those nighttime television news shows. They were telling the story of a New York doctor who had her identity stolen. The thief went the full route, using credit cards, opening accounts and even taking money out of accounts. What a frightening story it was.

I wondered what books were out there on the subject and a quick check of the Alibris site, under the heading "identity theft" brought up three titles. Still more searching by subject brought me to the heading "plagiarism" and an interesting title popped up: *Words for the Taking* by Neal Bowers. I ordered this book and the telling of his tale, of the hunt for a plagiarist, is a sad story on many levels.

I first became acquainted with literary plagiarism in the early 1960s as an undergraduate at the University of Wisconsin-Oshkosh. I was then the editor of the student newspaper, and often wrote poetry and short stories for the university literary magazine. My dream was to be a professional writer, and I thought I was fairly good, until I was stopped in my tracks by the reading of

one of my classmate's short stories in my English composition class. It was so good, that to this day, nearly forty years later, I can still retell most of the story. At the time, I sat stunned, thinking I could never write a story that well. The trouble was, as we found out a few months later, when another student began showing around the "original" story as published in *Redbook* magazine, it was not our student's story. The next day, in bold letters at the top of the blackboard, we found the word "PLAGIARISM" and we all heard a stern lecture on fair use.

Which brings me to the story written by Neal Bowers. Bowers is a much published poet both in book and magazine form, and among his prizes are a National Endowment for the Arts Poetry Fellowship and the Union League Civic and Arts Poetry Prize. He is on the English faculty at Iowa State University, Ames, and is also the author of the recently published novel *Loose Ends* (2001 - Random House) which he calls an "academic, literary mystery" novel.

Words for the Taking: The Hunt for a Plagiarist (W.W. Norton, 1997) begins simply enough. Bowers picks up his voice-mail messages in January 1992 and finds the

continued on page 78

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Issues in Vendor/Library Relations

False Starts, Setbacks, and Great Leaps Forward: Making Progress with ILS Vendor and Book Vendor System Integration

by **Ann-Marie Breaux** (Systems Vendor Liaison, YBP Library Services)

Column Editor: **Bob Nardini** (Senior Vice President & Head Bibliographer, YBP Library Services, 999 Maple Street, Contoocook, NH 03229; Phone: 800-258-3774 x3251; Fax: 603-746-5628) <rnardini@ybp.com>

"...Made the alligators look tame"

— Lyric from "Poke Salad Annie," by Tony Joe White

A couple of years ago, YBP asked me to assume responsibility for building and maintaining YBP's relationships with providers of the major integrated library systems (ILS) used by our customers. Five years ago, such a formalized position would have been a rarity amongst book vendors; now it has become a part of the structure of most large and medium-sized jobbers.

Book vendor technical services have mushroomed since the mid-1990s. Ten years ago, we might have seen some orders faxed to us, and even a few fledgling electronic orders, but for the most part, we received daily mailbags full of paper orders, which we then keyed into our purchasing and fulfillment system. When the books shipped, we included a paper invoice. If the customer desired, we

could provide rudimentary physical processing, such as strengthening of paperbacks or insertion of security devices.

Fast forward ten years and you encounter a complex web of electronic record and physical processing services available from book vendors and supported by ILS vendors, ranging from electronic ordering to cataloging records to electronic invoices. This explosion of capabilities from both the book vendors and ILS vendors offers customers the opportunity to rethink paper-based workflows, speed up manual processes, eliminate keystrokes, and reallocate staff to deal with shifting library priorities.

However, these developments have not been a simple task. The "standards" that we work with – MARC, BISAC, X12,

EDIFACT – are numerous and tend to devolve back into customization. For example, while several ILS vendors now offer EDIFACT ordering, their placements of critical data elements like library account number, purchase order number, and fund code vary. We who receive the orders must modify programs each time we extend our support of EDIFACT to another ILS. Electronic invoicing adds an even greater challenge, as matchpoints become a piece of the puzzle. How will an incoming payment line on an X12 or EDIFACT invoice find the correct order record on which to post? Is it using a number generated from the ILS like a purchase order number or a bibliographic record number? Is the electronic invoice instead using a matchpoint number generated by the book vendor, and if so, how did the library get that vendor number into their order record?

Since YBP's customer base comprises

continued on page 78

Issues in Vendor/Library Relations from page 77

mostly academic libraries using one of a small group of systems, we can limit our development efforts, mainly seeking to create interfaces with **DRA**, **Epixtech's Horizon** and **NOTIS** systems, **Endeavor**, **Ex Libris**, **Geac**, **Innovative Interfaces**, **Sirsi**, and **VTLS**. Our development priorities are driven by the size and number of customers we have using a particular system, the existing capabilities of that ILS and how well they mesh with **YBP's** capabilities, the amount of new development required, the demand we anticipate from our customer base, and pressures from numerous other internal development efforts.

As we've worked with various ILS providers, we've learned lessons from each experience. Our earliest partnership with **Innovative Interfaces** showed us the multiple uses of a "loaded" **MARC** record. Once the book vendor could output customized data in prescribed local fields, the **MARC** record was far more than a holder of bibliographic information. It became a transport mechanism and a trigger for the automatic creation of order records and electronic invoicing. The enormous influx of bibliographic and acquisitions piecework created with the arrival of weekly shipments could now be executed with a minimum of time, keystrokes, and staff. Furthermore, **Innovative Interfaces** set an early gold standard for clear, complete documentation of their book and serial vendor interfaces.

NOTIS was an aging mainframe system not designed to support processes like electronic ordering. With further development of **GOBI**, **YBP's** Web-based system, plus an ancient **YBP** pipe-delimited electronic order format, customers like the **University of Florida** and **LSU**, with the help of a talented consultant in the person of **Gary Strawn** from **Northwestern**, devised a way to graft

an electronic ordering capability onto **NOTIS**, and thus decrease time spent per order to a matter of seconds. **Sirsi's** willingness to allow customers to edit its source code offered pioneers like **Alan Hagyard** of the **Connecticut-Trinity-Wesleyan Consortium**, **Chris Hoebeke** of the **University of Virginia**, and **Ranny Lacanienta** of **Brigham Young University** the ability to write code that imports book vendor-supplied **MARC** records into **Sirsi** to create bibliographic records, order records, and electronic invoicing, all with minimal keystrokes.

To date, the most comprehensive development and testing in which I have been involved has been with **Endeavor**. For the rest of this article, I'll concentrate on that experience as a sample of the work involved in testing new functionality. When I inherited my position, **YBP** had a large number of customers eagerly awaiting the new acquisitions capabilities in the 2000 version of **Voyager**. We wanted to be sure that those capabilities were thoroughly discussed and vetted before extending them throughout the **YBP/Voyager** customer base. The **University of Rochester** agreed to become **Endeavor** and **YBP's** test partner in the summer of 2000.

Stanley Wilder, **Rochester's** Assistant Dean for Information Management Services, explains, "The way I remember it, we were plugging away on various aspects of our acquisitions function when suddenly we realized that we'd stumbled on a golden opportunity to re-make Acquisitions from scratch. Part of it was the imminence of **Voyager's** embedded order functionality, part was our new relationship with **YBP**, but there were lots of local factors that came together as well. Working with **YBP** and **Endeavor** on embedded order seemed the obvious next step, and

while the process was longer and more demanding than we'd anticipated, we never regretted that decision."

For both book and system vendors, testing is a many-to-many process. **YBP** has tested capabilities with many ILS vendors. **Endeavor** had to test their new acquisitions capabilities with numerous book vendors (not to mention serial vendors), all with different record creation and acceptance capabilities. **Kathryn Harnish**, **Endeavor's Voyager** Product Manager, explains, "One of the things that we heard a lot of was, 'Every vendor does it differently for every customer!' While the mapping of data from **MARC** records to the **Voyager** order record was certainly different, the issues and concerns that needed to be resolved were almost exactly the same for all vendors."

Representatives from **YBP** and **Endeavor** spent a day at the **University of Rochester** discussing approval and firm order workflows, creating a testing process, and previewing the coming **Voyager** functionality. It was both an exhausting and energizing meeting, as each of the three test partners began to see glimmers of the payoff to come,

as well as the mountain of work involved in getting there. **YBP** was interested in testing all options that a library might select when designing a workflow, so as testing began, we faced a list that included a **MARC**-based approval workflow, two **GOBI** and **MARC**-based ordering workflows, **EDIFACT** ordering, and **EDIFACT** invoicing. We knew that we would need to allocate development resources for

EDIFACT ordering and invoicing. Acquisitions experts, **EDI** staff, analysts, and pro-

continued on page 79

Something About Books from page 76

"voice of **Carrie Etter**, a poet unknown to me then living in Santa Monica. She said she knew my poems well enough to recognize my voice and style and felt certain she was in possession of a published poem that belonged to me but had someone else's name on it." Thus began **Neal Bowers** modern day quest for Corvo, only his Corvo is named **David Sumner** - a.k.a. **David Jones** of Aloha, Oregon. The bottom line was that between 1992 and 1994, "a person calling himself **David Sumner** had two of my poems accepted as his own 20 times at 19 different literary magazines." **Sumner** also stole poems of **Mark Strand**, **Sharon Olds**, **Marcia Hurlow**, and **Robert Gibb**. "The quarterlies are already littered with his primary pseudonym - 57 poems attributed to **David Sumner** in 46

periodicals, perhaps all of them other people's work."

If this were the only story, solve the mystery of who, what and why, it would still be a very good mystery story indeed. But, this is also a story of professional indifference — the unsympathetic colleagues who were mostly indifferent to the plight of **Neil Bowers**. As he says: "Why he doesn't tell his tale is a complicated matter, but it begins with the disparity between his own astonishment and outrage at having been robbed and the indifference with which many regard his plight. 'Lighten up,' they say, 'no big deal.'" And finally: "Relax, you can always write another poem."

The second sadness lies in the editors of all those poetry magazines who accepted works by **Bowers** and others as the original work of **David Sumner** and then offered little if any help in running him down. For his part, **David Sumner**

was clever. He made sure that each poem he used had a new and different title and that at least the first line of the text would be changed.

But in the end, through the hard work and persistence of **Neal Bowers**, assisted by his wife, **Nancy**, some fellow poets, and a private investigator in Portland, Oregon, the plagiarism of **David Sumner** stopped. As **Bowers** puts it: "It seems I have stopped **Jones [Sumner]** from taking my work, as far as I know."

Read as a book of fiction, **Bowers's** tale would be interesting and believable, and in the words of the blurb writer, "a real first-class page-turner." Read as fact, based on real-life doubt and disillusionment, this is a first-rate book based on a sad fact of life. People steal both property and words and in **Neal Bowers's** case, the words are his property.

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Issues in Vendor/Library Relations from page 78

grammers at **Endeavor** worked with us to troubleshoot and fix **Voyager** bugs as they were identified. **Rochester's** systems office loaded an early release of **Voyager 2000**, and then numerous patches as programming was adjusted. They also were responsible for the transmission, retrieval, and loading of approval, order, and invoicing files. **Rochester** acquisitions and cataloging staff oversaw the workflows and made the final decisions about which pieces of functionality were adopted into regular production at the end of the test.

Ultimately, testing involved approximately forty library and company staff members, hundreds of e-mails, dozens of phone calls, several months, and lots of patience. Testing proceeded more slowly than any of us liked. **Kathryn Harnish** explains, "There were lots of workflows to check and lots of pieces of software involved, and hence multiple failure points to test and eliminate. **Endeavor** made modifications to the software many times during the testing period, from changes to the requirements (pulling in things we missed or didn't anticipate) to bug fixes. Without the intensive testing performed by **Rochester** and **YBP**, we wouldn't have been able to forecast and correct those issues. And we would have had lots more folks calling our Support Desk — or **YBP's**." Toward the end of the process, finding a window of time at **YBP** to work on **EDIFACT** invoicing became increas-

ingly difficult as the assigned programmer faced the competing demand of an internal redesign of our warehouse and inventory software.

As the release date for **Voyager 2000** neared and customer demand grew, we streamlined our goals and tried to speed up the process. In late fall, we added **Georgia State University** as a secondary test partner, so that **YBP** could convert them from paper to **EDIFACT** ordering as quickly as possible for the thousands of firm orders they were placing. By **2001 Midwinter ALA**, most everything worked, and we announced our new capabilities to the **YBP/Voyager** customer base. **Georgia State** and the **University of Rochester** now have in place completely redesigned approval and ordering workflows which exploit the full capabilities of both **GOBI** and **Voyager's** expanded **EDIFACT** and new embedded order data functionality. From **Rochester**, **Stanley Wilder** reports, "Our monograph acquisitions process is now significantly less labor-intensive, less error-prone, and faster, and our financial operation has felt the benefits as well." Other **Voyager** customers are adopting various components of the functionality as they migrate to **2000** and have the opportunity to reassess workflows.

Kathryn Harnish from **Endeavor** sums up both the ILS and book vendors' expectations, that we "enter into this as partners, sharing the various costs (time, money, etc.) of the process on behalf of our mutual customers. It's a three-sided process, and it's important that the vendors work together to sup-

port their libraries." **Steve Oberg**, Business Analyst at **Endeavor**, was also heavily involved in the testing and served as the gathering point for bug reports, analysis, and fixes. He continues, "Overall, perhaps the most important factor in the entire process was a common sense one: open communication between all parties involved. Many, many hours were spent on the phone or by email, responding to questions, clarifying functionality, trouble-shooting problems, or simply letting each other know about successes, such as when a particular bug got resolved, or the first time that we got the entire process to work properly from beginning to end at the customer site. I believe the effort spent on open communication by all three sides was what made the final result such a success." **Stanley Wilder** closes, "We librarians have a responsibility to participate in such initiatives from time to time. We cannot expect that complex new functionality just pops out of the box, ready to use. This is especially the case when the technology involves cooperation between vendors, each with their own way of doing things. Someone's got to go first."

I offer **YBP's** thanks to **Rochester** and **Georgia State** for their willingness to tolerate ambiguity, frustration, and setbacks during the testing process, and to **Endeavor** for recognizing the value in working closely with book vendors to develop flexible services that can be easily implemented for multiple customers. Libraries, book vendors, and ILS vendors have come a long way in ten years.

Management of Gifts to Libraries, Part III, Consignment/Trade-For-Credit Agreements

Column Editor: **Jack Montgomery** (Coordinator of Collection Services, Western Kentucky University Libraries, Library Automation and Technical Services, 309 Cravens Library Complex W.K.U. Libraries, One Big Red Way, Bowling Green, KY 42101) <Jack.Montgomery@wku.edu>

This article is the third in a series of reports on programs for managing the volume of books donated to library. In the previous article by Howard Bybee of Brigham Young Libraries we saw how an institution can develop an internal business that can generate much needed funds through online Internet sales and internal distribution and management of the process. A second article by Pat Ditzler and JoAnn Dumas involved the successful operation of the traditional library book sale. This article will offer another possible scenario for libraries wishing to become involved in profitable management of their donated resources: the "trade-for-credit" scenario. — JM

Planning is critical:

It is important to be fully aware of your needs, requirements and options before deciding how and even if you wish to venture into this area of gifts management. You are, in effect, beginning a small business and as such, need to begin with a business plan.

You can begin by asking yourself the following types of questions:

A. What do you wish to accomplish by engaging in such a program?

B. What will be the benefit to my institution? What costs? Time? Labor? Supplies?

C. Do you have sufficient people and resources to accomplish our objectives? How do you propose to budget their time and your resources to this project?

D. Are there any institutional policy or administrative decisions that would prevent you entering into such a program or, in the case of consignment selling, prevent your entering into a business arrangement with a commercial enterprise?

E. Do you have the support of the appropriate institutional and management persons to inaugurate such a program? How does your institution deal with gifts now? You may also need to do a series of presentations in order to sell your idea to those above and below you in the supervisory chain.

F. How do you propose to measure the health or success of such a program?

The importance of initial planning cannot be over stressed. Like your basic budgeting process, this plan will be your road map, your guide to successfully managing any project of this nature. Also, like the budget, it will allow you to maintain control over the process and report and give important feedback as to the project's progress and problems.

Despite the fact that most libraries consider themselves a service or support institution to a public, special or educational institution, the library is, in effect, another type of business within the concept of a service industry. Like any business, it manages people and resources to generate a product or a service. Sadly, we still find those in the profession who find this concept distasteful or somehow beneath our mission to our patrons. This idea is rooted in our history and comes from a perceived notion of the benevolent patriarchal institution, funded largely in the past by aristocratic patronage and delivered by mostly gentlemen scholars. We were somehow apart, separate from the vulgar ideas of business, unsullied by the need to be cost effective or entrepreneurial. Those days are clearly past us and, as state support for higher education in particular has universally eroded over the past two decades, libraries are scrambling to justify their existence and often to generate a major part of their own revenue. Today, instead of the gentleman scholar's patronage, we need keen entrepreneurial instincts, savvy business sense and commitment to effective management to be able to respond to today's fast paced and changing world of information.

I can personally remember hearing about the existence and importance of a library's developmental officer for the first time mentioned as a novel concept. I have also never worked in an institution that had all the economic resources it needed to operate at its full potential. Every library institution with which I have been involved has gone through significant episodes of financial deprivation, cutbacks, losses in collections and personnel. It was out of this environment that I started, as a department head, to look back on my years in the private sector for guidance. With my background in small business management, I started to look at aspects of my operation

with a awareness of the need for responsible fiscal management, operational productivity, attitude to service and creative ways to possibly generate revenue.

The Missouri Experience:

My first experience in asset generation came about seven years ago when I took over as technical services librarian in a mid-sized Midwestern law library. One of the first things I noticed was a huge storage area filled with unprocessed donations. Approximately six ranges were packed with all manner of donated texts and journals. After I got over the shock, the first chore was to put all of this chaos into some meaningful arrangement. When this was done, we realized that the storage area contained an entire range of various duplicate serial runs. The decision was made to try to "trade" these runs for credit toward future purchases.

Credit was sought in that any money made from the outright sale of these runs would be treated as income and would have to be turned over to the university. This would not benefit the library in any manner. On the other hand, there existed no records of receipt for any of these runs and they had, in fact, never been a part of the library's collection. We checked with the appropriate institutional officials and secured their blessing for our endeavors. A list was created specifying title, extent of the run and condition. The list was mailed to several large firms who specialize in offering law serial back runs. Instead of asking for money, we requested credit that could be applied to new serial purchases we may wish to make in the future based on an agreed percentage of the value given our serial runs by the vendor.

During our review of the serials collection, we also discovered that several previous serials cancellation projects to accommodate budget cutbacks had left the library with many gaps in its serials holdings. Over the next two years, we were able to "trade-for-credit" and realize savings of nearly fifteen thousand dollars. We were also able to restore nearly all the gaps in our periodical collection as well as replace those volumes which had become damaged or simply worn out. The periodical collection of an academic law library tends to be heavily used and hence, there is an ongoing need for replacement.

continued on page 81

Through this program we were able to restore the periodicals collection to its former state of completeness and even add to back runs of titles we purchased as a part of our regular collection development process.

The Kentucky Project:

When I arrived at my present position, I found a similar situation with regard to donated monographs. In addition, while attending an ALA program on gifts management, I learned of a program at the University of Iowa managed by **Kathy Vachel** who sold donated books on a consignment basis through a local used book dealer. Building on that idea, I decided that we could replicate a law library model of "trade-for-credit" in this environment also. It took quite a bit of selling, so to speak, to find a dealer and convince them of the viability and mutual value of such a program and to secure the approval of my superiors here at Western Kentucky.

Among the questions I needed to answer were the following:

Who would make the lists of titles, describe their condition and appraise their value?

Where would the stock be kept? Who would handle payment for shipping?

What percentage of the sale price would be profitable to both parties?

What kind of financial reporting would be required to keep the auditors feeling secure about such a program?

How and by whom would the credit be applied?

Also, it was decided that these were to be monographs that had never been accessioned or ever been a part of the collection or duplicated titles already in the collection. Titles withdrawn from the collection are not eligible for this program as they must be sent to surplus. Titles donated to the library are reviewed by the subject bibliographers after an initial verification against our holdings. Only those rejected by the bibliographers or duplicated in our collection can be eligible for the "Trade-for-Credit" program. We also check the title in the collection to be certain that the duplicate title cannot be used to replace a worn or missing copy. In short, only if we can determine that the title would have no applicable value to the collection, does it fit our "trade-for-credit" criteria.

Once these and many other issues were settled we decided to go into a partnership with **BUSCA**, a book vendor in Ithaca, New York, who was looking to get into the used book sales environment. After verbal negotiations, a memorandum of agreement was signed by both parties. In exchange for a percentage of the sales price in credit, we would create the list, appraise condition and assign the estimated value. To assign estimated value, we used the online price found for the same title found on databases like **BiblioFind**, usually taking a median price based on several titles in similar condition.

As we create the list, we move the books to an empty range and they are stored alphabetically by title. We then e-mail the list to

BUSCA which posts our offers on the Internet environment. As a title is sold by **BUSCA**, they alert us via e-mail to drop ship the title to the buyer. **BUSCA** has agreed to pay the shipping costs. Reports are supplied on a quarterly basis and we notify **BUSCA** when and to what title to apply the available credit. As we are offering titles once held in storage by our **Kentucky Museum**, **BUSCA** maintains a separate account for those titles which gives the museum additional buying power in a very depressed economy. Please remember that none of these titles have ever, at any time, been a part of either the library's or museum's collection, duplicate materials already in the collection or have been rejected for the collection by the subject bibliographers. We have, as of this date, submitted lists containing approximately 200 titles to **BUSCA**.

At this time, after a slow start, the program is running smoothly and we in the library are beginning to realize the benefits of this program to our collections and our institution. Planning, preparation and permission are key elements to making a program of "trade-for-credit" a success. We still are moving slowly but steadily toward our goal of enhancing the collection with materials otherwise useless to the library and at a pace we can manage without any measurable interruption to our normal schedule of ordering, receipt and payment. If anyone is interested in developing such a program, please feel free to contact me regarding the details of our experience at <Jack.Montgomery@wku.edu>.

Postcards from Bremen — a.k.a. Oregon Trails

by **Tom Leonhardt** (Director, Information Resources Center and University Librarian, International University Bremen, Germany) <twl@iu-bremen.de>

Moin, moin! (That's low German or Plattdeutsch for Good Morning). It's Sunday, 8 July 2001 and I'm making time for myself. What better way than to sit at my desk with a cup of coffee (roasted right here in Bremen) and write a postcard to friends and colleagues and readers I have never met but who share my interest in libraries and all of the things that make them work.

After two months on the job, that is planning and working to establish library services by no later than 10 September 2001, I've given a lot of thought to what makes libraries work. The answers I have come up with aren't surprising but putting them together in the right order has become a bit of a challenge for many reasons, some understandable and some that are downright frustrating and beyond my control.

If you have never tried it, you might not know how helpful it can be to sit down and start writing. I write long hand and find the

direct, physical connection from brain to hand to pen to paper helps calm troubled waters and the respite itself is restful.

And writing is a way for me to try and organize my thoughts and test my ideas when it's time to revise my first draft. Writing is hard work, too, but when writing for myself, the release and relief that comes at the end is to the brain what a long walk or run is to the body.

I was advised, when I first accepted this job, to make time for myself. That has been difficult to do but the truth of that advice came late to my ears. I hear it now and am taking it to heart. When you read future postcards, you will know that I am taking time for myself.

There is a lot that I could say about what I have done so far to establish library services in very short order but I will be brief for the moment. If I have nothing else on 10 September 2001, no staff, no books, no journals, I will at least have an **OCLC** membership and **FirstSearch**. That is what I have now and on that foundation I will build other services.

I won't say a lot about German academic libraries, either, because I don't know much about them except that I think there are some differences and similarities. I look forward to learning more about them but that will take time.

To be honest, I am more interested in German bookstores and the German book trade than the libraries. I have already had delightful meetings with two local book jobbers, one who imports titles, mainly in English, is called **The Missing Link** (www.missing-link.de) and one who deals mainly in highly specialized and scholarly (is there a difference?) books and journals called **EBO-Fachliteratur** (www.eobuch.de). I am also, at long last, about to work closely with **Knut Dorn** and his colleagues at **Harrassowitz** (www.harrassowitz.de) in Wiesbaden just a four- or five-hour train ride away.

It's time to pour another cup of coffee and then go for a walk before it rains. Tschuess!

The Library Marketplace — Defining Trade Books and Trade Discounts

Column Editor: **John Riley** (Sales Director, Eastern Book Company) <jdriley@javanet.com>

Editor's Note: This column is open to librarians, vendors, publishers, anyone who would like to address an issue concerning pricing in the library marketplace. Just contact me at <jdriley@javanet.com> if you would like to address any of these issues. — **JR**

The term “trade” in relation to books and publishing is an ambiguous designation. Publishers generally market trade books to bookstores, so the closest you might come to a definition would be to say that “trade” applies to any books you would find in a retail bookstore. This is also the term that wholesalers and vendors use for the books that carry the highest discount, or “trade” discount. But there is another definition of “trade,” one that is more current in academic libraries, that would include any book that is for sale, as opposed to say, society and association publications or textbooks or government publications (even though any of these may enter the marketplace and be for sale to the public). And though this latter definition is much broader, it points us towards the problems we can run into when calling, or selling, a book as “trade.”

Many publishers that are considered trade publishers offer a wide variety of publications and price schedules. **St. Martin's**, **Scribners**, **Macmillan**, just to name a few, offer reference books and textbooks, as well as their well known trade publications. Many others have textbook lines, such as **Houghton Mifflin**, **Harcourt** and **Harper** that are “net” priced and some of these books have no price at all in **Books in Print** and their final pricing is left up to the bookseller. This situation leads to confusion when a library orders a book from a publisher that is considered “trade,” but instead receives a lower discount or none at all.

Librarians are familiar with “short” discounts from university presses, but they are sometimes not aware that trade publishers do the same thing. Some university presses may have as many as five different pricing schedules and some trade publishers are not far behind in creating Byzantine pricing schedules. In addition, university presses have their own “trade” line. **Oxford**, **Cambridge** and **California**, amongst many others, will give a trade discount on titles that they hope to place in bookstores, but it is unpredictable as to which titles will be covered. As university presses publish more in the manner of trade publishers and trade publishers seek to can-

nibalize the u.p. market, we will find “trade” publishing to be even harder to define.

Both trade and university press sales were down in 2000. According to preliminary statistics from the **AAP** reported in the *Bowker Annual of Library and Book Trade Almanac, 2001*, trade books were off by nearly 10% (excluding children's titles, which were up 15%) and u.p. sales were off by 2.4%. Also in the *Annual* we find that total sales for trade books was 6.5 billion vs. 400 million for u.p.

College libraries may not think that they buy many “popular” trade titles, but if they are buying art, architecture, history, biography, fiction or poetry, they are buying a significant number of trade books. Another thing to keep in mind is that trade books cost less than academic titles and they come with higher discounts, so dollar expenditures are not a good indication of numbers. If your library is spending 5-10% on trade books, those dollars could represent 15-30% of purchases. Approval plans cover most of the trade publishers, but statistics on trade purchases are hard to come by, since library ILS doesn't break them out as a separate entity.

With a growing interest in popular culture in academic libraries, we may even see greater sales of trade titles. Trade books provide a great resource for primary material, they are always topical and they are often of interdisciplinary use. In the case of children's books, colleges are even finding that it is not just the education department that is looking at them, but also art and design and English students. As evidence of the growing interest in children's books, **Hampshire College** has just broken ground on the **Eric Carle Museum of Picture Book Art**, a library/museum of children's illustrated books.

Trade books have been in the news lately because of the enormous returns problem that publishers are experiencing. Last year, according to the *New York Times* (“Book Returns Rise, Signaling a Downturn in the Market,” July 2, 2001) publishers received one return for every two books shipped. What this means for libraries is that fewer books will be published in the future as publishers seek to minimize risk and absorb losses. Why all of the returns? One reason is the expansion of the book market into stores such as **Sam's Club**, **WalMart**, even **Home Depot**

and **Staples** and supermarkets, drugstores and toy stores, etc. I recently saw copies of *Harry Potter* for sale in a gardening store. Their only book, but a good bet. These stores order many copies of bestsellers and using their “right of return,” send back all unsold copies. No risk, no worry. By over promoting, publishers are making it easy to over order.

Large retailers and chain bookstores have a peculiar method for financing their large inventories, which **Bernie Rath** of the **ABA** once called “...expensive wallpaper.” When the credit period for a purchase comes due, whether 90 days or 180 days, chain stores simply pack up the unsold inventory and ship it back for credit. Then they will often re-order the same books the next day, benefitting from another extended credit period. This may be one reason your local independent bookstore is no longer around. Despite the recent settlement between **ABA** and major publishers regarding more favorable discounts for chains than for independents, there will continue to be inequities as chains benefit from “racking fees,” essentially fees for placement of favored titles, large amounts of co-operative advertising money (the soft money of publishing) and flat fees for handling defective and short shipments.

In the trade, returns are referred to as books that are “Gone today, here tomorrow.” Even with this black sense of humor, publishers will have a hard time staying in business if these levels of returns continue. They will find it harder to continue publishing marginal books, leading to fewer titles published. With the demise of independent and smaller chain bookstores, we can also expect fewer local interest titles being published. Smaller publishers will find it harder to place their books in an environment where, as **Calvin Trillin** observed, “Books will have a shelf life somewhere between milk and yoghurt.” Perhaps “print on demand” (POD) will help alleviate this situation, allowing publishers to meet demand without over printing.

And though we don't seem to be any closer to an exact definition of “trade” we can see that trade publishing affects academic libraries in many ways. We also see that publishers, vendors and librarians can have different interpretations of what a trade book is. When we talk to each other, we should keep that in mind. 🍌

Group Therapy — CDs with Periodicals

Column Editor: **Rosann Bazirjian** (Assistant Dean for Technical & Access Services, University Libraries, The Pennsylvania State University, 507 Paterno Library, University Park, PA 16802-1812; Phone: 814-865-0404; Fax: 814-865-3665)
<rvb9@psulias.psu.edu>

GRIPE: (Submitted by **Marilyn Gane**, Head, Periodicals Department, **Andrews University**, Berrien Springs, MI)

We are currently in the process of reviewing our policy and procedures for dealing with the myriad of CDs that now seem to accompany many of the periodicals we subscribe to and I want to know what others of you do. Do you catalog them all, or selected CDs such as conference proceedings, indexes/abstracts/full text of the periodical itself? Do you discard them? Do you keep them with the journals? etc.

RESPONSE: (Submitted by **Eleanor Cook**, Serials Coordinator, **Appalachian State University**, Boone, NC)

Back in 1998, **Appalachian State University** librarians decided to develop some practical policies for handling CD-ROMs and physical software (floppies, etc.) that come with print materials. We devised procedures that would allow for as much access for patrons as possible, without promising a lot of technical support to go with it. In my opinion, publishers are producing these add-ons to prove that they can, and perhaps with the exception of music CDs they are rarely used.

For our circulating collection, all accompanying electronic pieces are cataloged with the main item. They are shelved next to the main item, carrying the same call number and a material designation (such as "CD-ROM"). These items may be checked out with the print item, or not, depending on the circulation rules for the main item.

At the time of ordering, *if* it is evident that software comes with the printed material (it often is not evident) we strive to determine if there is a choice of platform. Our university supports PC-based software far better than it does Macintosh-based software and if there is a choice we choose the PC option. Bibliographers are supposed to consult with our systems staff if they have any question about accompanying software; we are not supposed to purchase materials that do not support the curriculum or are not compatible with support on campus. Selection guidelines also note that we generally only buy software that has supplementary content that complements a text, not programs that support activities such as spreadsheet creation or word processing. (Such activities are supported through networked licenses to which everyone on campus has access.)

As for periodicals, they are alphabetically arranged in a separate shelving area from the

rest of the collection and are not classified. CDs and other accompanying software are simply noted during check-in. They do not need to be sent to Cataloging. Instead, they are routed to the Serials Coordinator who lets them pile up in her office for about six months and then when the pile is about to tip over, she sits down and reviews the materials and sends them on the Processing. Processing staff then has to pull out their procedures to review how to handle them because it's been six months since they've seen any. This is the ugly truth of the matter and frankly, I do not need to have these materials sitting in my office; they need to routinely go to Processing. In the future, I think I will encourage this to happen!

Processing puts the software in an appropriate plastic jewel case, slightly larger than the one it comes in, tattle-tapes the product and the case as appropriate, labels the case, assigns a barcode and creates an item record in the online system.

Once processed, software/CD-ROMs accompanying periodicals are housed behind the Periodicals Desk, where they can be accessed if asked for, although they never are,

from what I've been told. There is

also a label on the front cover of the periodical issue IF the software accompanies a specific issue that says "Includes CD-ROM; ask at Periodicals Desk." In many cases CD-ROMs cover an entire year of a journal so the CD-ROM is not tied to a specific issue, but rather is a duplicate of a volume or a year. All software get their own item record in the catalog, regardless of their relation to the main title, since they are discrete pieces that need circulation control. Print journals at **Appalachian** do not generally circulate, although faculty have limited checkout privileges and if they wanted to checkout a CD-ROM that came with a journal that would be allowed as well.

Basically, the philosophy has been to try to mirror the circulation of the parent material. Concerns about damage to the software, viruses, etc. have not been realized. Systems staff, worried about the drain on their time, would not promise huge amounts of individual attention to sup-

continued on page 87

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Press Clippings — In the News — Carefully Selected by Your Crack Staff of News Sleuths

Column Editor: **Pamela M. Rose**, M.L.S. (Web Services & Library Promotion Coordinator, Health Sciences Library, Univisity at Buffalo, 3435 Main St., Buffalo, NY 14214-3002; Phone: 716-829-2408 x129; Fax: 716-829-2211) <pmrose@acsu.buffalo.edu> wings.buffalo.edu/~pmrose

PRESIDENTIAL POISON

by **Pamela M. Rose** (University at Buffalo)

How toxic was “blue mass,” a common prescription for hypochondriasis in the 19th century? His interest piqued by a historical note that **Abraham Lincoln** “ate blue mass” prior to his election, **Norbert Hirschhorn** and colleagues recreated the pills from an old recipe calling for mercury, liquorice root, rose water, honey, sugar and dead rose petals. Their conclusion: **Lincoln’s** early mood swings, rage outbursts, insomnia and forgetfulness were due to his ingesting about 9000 times the “safe” level of mercury.

See — “Lincoln’s Blues” in Random Samples section edited by **Constance Holden**, *Science*, p. 601, Jul. 27, 2001.

POSTDOC SAID, PROFESSOR SAID

by **Pamela M. Rose** (University at Buffalo)

In a sweeping landmark reversal, the U.S. Appeals Court has paved the way for junior staff members and faculty to reap a share of financial and career rewards when they are part of a university invention and discovery process. The court granted **Joany Chou**, former postdoc at the **University of Chicago**, the right to assert her interest and seek legal redress. The judges also admonished senior faculty to keep junior colleagues fully informed of intellectual property claims they file. **Chou’s** mentor **Bernard Roizman**, who filed a patent for the variant herpes virus gene **Chou** claims she discovered, denies the allegations. The University has chosen to prepare for a trial rather than appeal at this point.

See — **Eliot Marshall**, “Appeals Court Clears Way for Academic Suits,” in *Science*, p.411, Jul. 20, 2001.

CELL BIRDS

by **Pamela M. Rose** (University at Buffalo)

Australia’s six “mimic birds” that imitate sounds in nature have a new addition to their repertoire — the electronic tweeting of mobile phones. Generally, the males imitate the sound of cell phones as part of their mating rituals. Females apparently know the difference between their potential mate’s tweets and an actual cell phone!

See — “Songs of Civilization” in Random Samples section edited by **Constance Holden**, *Science*, p. 45, Jul. 6, 2001.

VIOLENCE, SEX, CHILDREN & ANIMALS

by **Bruce Strauch** (the Citadel)

The Dunn *Daily Record* has the highest market penetration of any newspaper in the US of A (112%) meaning some folks in the town of 14,000 are buying multiple copies. Downhome news is the key. Local driver hits black bear with truck is front page; major Raleigh plane crash in a back section. And names, names, names — featuring the doings of anybody and everybody.

Other rivals for market penetration like the Hastings, Neb., *Tribune* prints snapshots that readers send in. *The Caledonian Record* in St. Johnsbury, Vt. features homeless cats and dogs.

See — **Patricia Callahan**, “Practically Everybody in Dunn, NC, Reads The Daily Newspaper” in *Wall Street Journal*, p. 1, Aug. 10, 2001.

CORNELL WOOS AND WINS

by **Pamela M. Rose** (University at Buffalo)

The architect of the **Los Alamos Electronic Preprint Archive**, **Paul Ginsparg**, is moving his creation to **Cornell University** in Ithaca, N.Y., where he has accepted a tenured position in computer science and physics. **Cornell** hopes the move will further their goal to establish a world-class center for research in information science. The archive will become a “special collection” in the new **Faculty of Computing and Information**, where library staff will assume the day-to-day administration of the archive. **Ginsparg** will then have more time to explore new directions for the archive, and to expand the preprint culture to other fields, particularly bialy.

See — **Mark Sincell**, “A Man and His Archive Seek Greener Pastures,” in *Science*, p.419, Jul. 20, 2001.

SLIPPERY SLOPE

by **Pamela M. Rose** (University at Buffalo)

BioMed Central, a free online publisher, is considering a sliding scale for author charges (up to \$500) to post papers on their Web site. Although the idea is backed by the **Public Library of Science**, it’s drawing mixed reviews from scientists who argue that a fee will drive researchers to submit their best work to no-charge commercial journals and drive up costs.

See — “Money Talk” in ScienceScope section (contributors **Jefrey Mervis** & **David Malakoff**) in *Science*, p. 27, Jul. 6, 2001.

POOREST TO PROFIT

by **Pamela M. Rose** (University at Buffalo)

Under a **World Health Organization** initiative, the six largest commercial journal publishers (**Reed-Elsevier**, **Wolters Kluwer**, **Blackwell**, **Harcourt General**, **Springer-Verlag**, and **John Wiley**) have agreed to allow **WHO** to construct an Internet portal. Universities, labs, and health agencies in nearly 100 approved nations will have unlimited access to over 80% of the top 1240 biomedical journals. Initially, the world’s poorest nations will participate; later **WHO** hopes to arrange deeply discounted subscriptions for additional nations.

See — **David Malakoff**, “Journals Offered Free to Poorest Nations” in *Science*, p. 189, Jul. 13, 2001.

CRITIQUE CONCERN

by **Pamela M. Rose** (University at Buffalo)

The **White House Office of Management and Budget (OMB)** proposes allowing citizens to critique data disbursed by government agencies. The guidelines, which would require agencies to set up mechanisms for citizen review, alarm researchers who worry that this is an open invitation to industry to trash the work of scientists.

See — “Data-Quality Jitters”, in ScienceScope section (contributors **Jocelyn Kaiser**, **Andrew Lawler**, **Michael Balter**, **Jon Cohen**, **Eliot Marshall**) in *Science*, p. 191, Jul. 13, 2001.

FEIST IS EVER WITH US

by **Bruce Strauch** (the Citadel)

Legendary **Algonquin Roundtable** wit **Dorothy Parker** kept a bunch of poems out of print because she thought they stunk. **Stuart Silverstein** has edited the "lost poems" and offered them to **Penguin** which offered him \$2,000. He rejected this and sold to **Scribner**. **Penguin** then released the *Complete Poems of Parker* which included a previously uncollected section. And **Penguin** pretty freely admits **Silverstein** was the "source."

And so the old *Feist v. Rural Telephone* question rears its head. Mindful of this, **Penguin** changed the order of the poems, but they used identical couplets, titles and punctuation.

Silverstein says his originality lies in the selection of the 122 poems. There were others which he could have used but didn't.

See — **Lawrence Carbel**, "What Fresh Hell Is This?" in *Wall Street Journal*, p. B1, May 4, 2001.

MUSIC GIANT HITS SOUR NOTE

by **Bruce Strauch** (the Citadel)

Highly placed **Bertelsmann** exec **Thomas Middelhoff** is an Internet fanatic who presciently engineered the \$50 million stake in **AOL** and another big chunk of **AOL Europe** that are now worth billions. A meeting with **Stanford University** students convinced him of the awesome presence of **Napster** and ultimately to an alliance to lend the bucks for a legit service. **Napster** would create the service and **Bertelsmann** would license music to it. This angered many artists plus it was just prior to the recent appeals court decision ordering **Napster** to rid its service of pirated music.

Bertelsmann and **Napster** want to offer the rest of the music industry a set fee rather than a percentage. The industry biggies, struggling to develop their own subscription services, refused.

Middelhoff thinks the obsession with protecting copyrights is denying consumers what they want and leaving the industry with no forward-looking strategy.

See — **Martin Peers**, **William Boston**, "Plugging into the Web is Jarring Experience for Music Industry," in *Wall Street Journal*, p.1, April 12, 2001.

PRONOID—ONE WHO BELIEVES THE UNIVERSE IS A CONSPIRACY ON OUR BEHALF

by **Bruce Strauch** (the Citadel)

John Perry Barlow of the **Grateful Dead** (and of **ATG** interview fame—see v.11#1, 1998) and free cyberspace advocacy fame says **Al Gore** not only didn't invent the Internet, he doesn't understand what it is. The fact that Gore calls it an "information superhighway" shows he is an authoritarian who wants the Net to be "a massive, centrally administered and planned government project."

A strong libertarian, **Barlow** says central governments provide nothing you'd be willing to pay for. And child pornography is just a stalking horse for "a whole raft of truly malign regulations." The "rights of artists" is another one, in that case disguising the dead hand control of the music industry which holds most of the copyrights.

"The more inclined an organization is to live on the fruits of its patent, the less inclined it is to be creative." The **Dead** always gave music away and always saw their sales zoom. Even the worst albums went platinum.

Of particular interest, **Barlow** explains why the feds backed off on the demand to have a key to all encryption. And it's so obvious. The banking world was already using the Net massively. Our government leaks like a sieve. The key to your bank account would have become common knowledge within days.

See — **Spencer Reiss**, "Cyberspace Cowboy," in *The American Spectator*, p.24, Vol. 34, April 3, 2001.

WHEN IS A BOOK AN eBook?

by **Bruce Strauch** (the Citadel)

Kurt Vonnegut, **William Styron** and other luminaries are being brought out in eBook form by **Rosetta Books LLC**. **Random House** is not happy and has called up the lawyers. After all, they have these titles under contract to publish in "book form."

Rosetta says a book is that familiar object—paper pages bound in a cover. **Random House** argues that books are anything that "faithfully reproduces the author's full text in a fashion that allows the text to be read."

An intellectual property law prof at **Columbia** says if eBooks were foreseeable at the time of contracting, then the author must have specifically held back eBook rights. [Which seems like a non-issue to your astute **ATG** law advisor. "Slaughterhouse-Five" is one of the books in question.]

Anyhow, agents are licking their lips over recovering rights and reselling famous books. And clearly, **Random House's** deep-seated fear is it could lose control over its 20,000 backlist titles.

See — **Matthew Rose**, "Definitions Are Key in Publishers' Dispute Over Electronic-Book Rights," in *Wall Street Journal*, p.B1, May 7, 2001.

CLOSURE CRISIS

by **Pamela M. Rose** (University at Buffalo)

The immediate and noisy outcry at the announced closings of two of the **Smithsonian Institution's** research facilities made public the long-standing problems behind the exhibits and research of one of the world's finest museums and its collections, research, and programs. The **National Zoo Conservation and Research Center (CRC)** and the **Center for Materials Research and Education (SCMRE)** were tagged for the ax as reported in the April 13, 2001 issue of *Science*. Other "Jewels in the Crown" face similar budget and leadership crises: the **Harvard-Smithsonian Center for Astrophysics (HSCA)**, the **Smithsonian Environmental Research Center (SERC)**, and the **Smithsonian Tropical Research Institute (STRI)**. As the first nonacademic to head the institution, **Smithsonian** secretary **Lawrence M. Small** came in January 2000 as a reformer pledging to put the Smithsonian on a firmer financial footing, define a new mission, and subject activities to more rigorous assessment. **Small's** plans have created great anxiety not only because they have yet to be spelled out in detail, but also because researchers have been left out of the loop of plans to reorganize into "centers of excellence" and because they feel **Small** has been critical of the scientists' work. Given the controversy, **Small** declined to make the details of the reorganization public and while approved by the regents, the final plan will be worked out in conjunction with a blue-ribbon committee, who will also consider a plan drawn up by the scientists themselves. Their work is expected to take at least until the end of this year. The announced closings have been blocked, however, researchers in many areas remain in the dark about their reporting structure and future.

See — **Elizabeth Pennisi**, "Turmoil Behind the Exhibits," in *Science*, pp.194-198, Jul. 13, 2001.

TOOTING THE HORN FOR GROVE

by **Bruce Strauch** (the Citadel)

The New Grove Dictionary of Music gets the royal *New Yorker* treatment. Author describes it as "a magnificent achievement, and, more than that, it is a work of love." — which it has been since **Sir George Grove** launched it in 1889. The author urges "Libraries should think twice before casting it (that 1st ed.) aside" — which is hard to imagine a library doing, but in the age of wholesale destruction of paper, who knows?

Grove, a bridge engineer, was a music fanatic among the first to notice **Franz Schubert**. The latest edition of his enterprise will include a constantly updated online version and much expanded coverage of 20th century music.

The **Zywny** of the article title was **Chopin's** piano teacher.

See — **Alex Ross**, "ABBA to ZYWNY" in *New Yorker*, pp. 82-86, July 9, 2001.

HG BROWN IS A HARD ACT TO FOLLOW

by **Bruce Strauch** (the Citadel)

A rash of firings and personnel shake-ups at venerable title womens' magazines is putting the spotlight on the deadly competition for readership. Ever since **Helen Gurley Brown** slapped that cleavage on the front of *Cosmo*, every zine felt it had to follow suit. Now even *Redbook* is trumpeting sex on its cover. Which makes it hard for the buyer to know what to pick off the rack.

Then along came single theme niche magazines — including the ultimate Condé Nast product *Lucky* which is dedicated exclusively to *shopping* — to dangerously crowd the field.

Meanwhile other income sources are bleak. Wholesalers are cutting distribution of weak titles, attorneys general are posturing about the sweepstakes, and ad revenues are sliding towards the toilet.

See — **Matthew Rose**, "What Do Women Want — to Read?" in *Wall Street Journal*, p. B1, June 4, 2001.

International Dateline —

News from South Africa and Important Developments in the UK over the Reed/Harcourt Merger

by **Martin White** (Managing Director, Intranet Focus Ltd., 12 Allcard Close, Horsham, West Sussex, RH12 5AJ; Phone: +44 1403 267030) <martin.white@intranetfocus.com>
www.intranetfocus.com

Please Note: British spelling has been retained. — KS

I suspect that most of us have an ambivalent view of conferences. Although in theory they represent an opportunity to learn and to network, all too often the papers are not of a consistent quality, or the organisation was notable for its absences. I am therefore pleased to be able to report that in June I attended a conference which for me set a new benchmark in quality. The papers were uniformly excellent, the time-keeping was within five minutes of the due time for the entire conference, the catering was very good, the workshops were well attended, all the technology worked and all the 320 delegates came prepared to network. In addition, the organisers had laid on a partial solar eclipse!

You might assume that such a conference probably took place in Germany, or maybe the UK, but in fact this was the 6th **South African Online Information Meeting**, presented by the **South African Online User Group** (www.saoug.org.za) and held at **Caesars Convention Centre**, Johannesburg, on 20-21 June. I had been invited by **SAOUG** to present a workshop on corporate portals and give a keynote paper on technology trends. The **SAOUG** had joined forces with the **Special Libraries and Information Services Group** and the **Organisation of South African Law Libraries**, and the result was a programme of some 25 papers which covered the broadest possible spectrum of online informa-

tion access and delivery in South Africa.

Listening to the papers, and talking to the delegates and exhibitors, I gained something of the complexity of the social, political, educational and economic factors in South Africa. One paper in particular brought home to me the problems that librarians and information managers face in South Africa. **Di Kruger** is the Librarian of the **Rand Merchant Bank**, and one of her staff wished to work on a telecommute basis, continuing to provide research services from her home some ten hours drive from Johannesburg. This would involve providing an ISDN connection, and to cut a long story short the telephone charges for the first month were 12,000 Rand. In straight currency terms this is around \$1400, but you need to multiply this cost by a factor of perhaps 3 to translate the cost into US real cost terms! Although the telecommunications cost was able to be reduced in subsequent months it was still a very significant factor and had to be taken into account in assessing the viability of the exercise. Terrestrial telecommunications are still in the hands of **South African Telkom**, which has a monopoly, and the high cost of telephone calls has a very significant impact on all aspects of online searching.

Another impact of the weakness of the Rand against the US\$ is the high price of online service subscriptions and e-journals. Some companies, notably **Dialog**, have not imposed a monthly minimum rate for South Africa, as this was proving a deterrent to subscribers. In doing so the level of use rose, as it provided easier to justify search

costs against an individual project or requirement than have to commit to a minimum in advance without any reliable measure of use. Other companies seem to be taking a less flexible route, and there seemed to be some annoyance with the approach of **LexisNexis**, which is a key database for South Africa because of the way in which its laws often use UK law as a precedent. However, the attitude of most of the exhibitors I spoke to was that deals have to be done, and it is better to gain some business and a satisfied customer than try to do a deal by the book.

Which leads me neatly onto copyright. The current copyright law dates back to 1978 and was modelled around the UK Copyright Act. A new Act is now in preparation and there is real concern on the part of the library community that the Act will be biased towards the interests of media owners. **Denise Nicholson** <Nicholson.d@library.wits.ac.za> of **Wits University** has put an enormous amount of personal effort into lobbying on behalf of the library community, and I know would appreciate support and advice from copyright experts in the USA. This is clearly an important issue in South Africa, and **SAOUG** had invited **Professor Charles Oppenheim**, **Loughborough University**, UK, and an expert on legal issues in information work, to give a keynote. (Incidentally the 4th edition of **Professor Oppenheim's** book on *The Legal and Regulatory Environment for Electronic Information* has just been

continued on page 87

International Dateline from page 86

published by **Infonortics Ltd.**)

Another important issue is that of information literacy, which as you can imagine is of crucial importance in raising the educational standard and economic performance of South Africa. The feeling that I gained was that there were many information literacy projects underway, but that senior management support in both the universities and in the corporate sector was poor. A feature of the university sector in South Africa is the extent of distance learning, given the geographic size of the country, and the highly dispersed centres of population. The challenges in providing access to both Web and online resources against a background of high telecommunications charges and expensive and inflexible subscription policies from information vendors are considerable. There is a Centre for Information Literacy at the **University of Cape Town**, under the direction of **Peter Underwood** (<http://www.uct.ac.za/depts/sol/default.htm>).

There are of course a number of library consortia in South Africa, the largest of which is the **Gauteng and Environs Library Consortium (GAELIC)** (www.gaelic.ac.za) which represents the interests of the **University of Pretoria**, **University of Witwatersrand**, **Rand Afrikaans University**, **University of South Africa**, **Medical University of Southern Africa**, **Technikon Pretoria**, **Technikon Southern Africa**, **Technikon Witwatersrand**, **Vista University**, **Technikon Northern Gauteng**, **Vaal Triangle Technikon**, and **Potchefstroom University for Christian Higher Education**, amongst others. There is also the **Western Cape Library Cooperative**

Group Therapy from page 83

porting these products. But frankly, it has not been a problem since many patrons ignore the material or don't know it exists, have little need for help, or else try to use the products and can't but give up and do not ask for help. It's hard to know exactly how much use is going on, but periodicals service staff report that the accompanying materials are not requested by patrons.

In my opinion, such accompanying materials are often not so useful, but serve as "bridge" products to Web-based materials. More and more publishers are finding that Web-based materials are easier to control and update, and are not so platform-dependent. I would encourage publishers to focus on Web-ready supplements and forget the CD-ROMs. I think this discussion will be moot sooner rather than later.

(**Calico**), the **Free State Library and Information Consortium (Frelico)** and consortia in the Eastern Cape and KwaZulu-Natal.

Information science education and research is a feature of most of the ten major universities in South Africa, though there are concerns about just where graduates from these courses will find jobs. There are some initiatives underway to amalgamate and streamline tertiary academic institutions to create "centres of excellence" and these may result in fewer schools of information science in the future.

In conclusion, if you do have the opportunity to visit South Africa then do take it. You will be assured of a very warm welcome by professionals who are doing their very best to provide the highest quality of service in difficult economic and social conditions.

Reed acquisition of Harcourt

In the June 2001 issue of *ATG*, p. 10, there was a reference to the fact that the potential acquisition of the STM business of **Harcourt** had been referred to the **Competition Commission** in the UK. The report of the **Commission** was published on 5 July and concluded that the merger was not against the public interests.

However, it was only by a majority decision of 2-1 by the three-person panel of **Commission** members, and the dissenting member of the panel insisted that his views were included in the report. This 152 page report is well worth purchasing if you have any interest in STM publishing. It contains a wealth of information on the background to the STM business, and sets out very clearly the issues about pricing, substitution and market position, with some very useful tables that the staff of the **Competition Commission** developed from many different sources. Some commercially sensitive information about the business activities of the companies has been deleted from the published report.

Included in an appendix is the evidence from a range of university libraries and

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other organisations and individuals. Almost without exception these organisations were against the acquisition going ahead. I did find some of the comments given in evidence by **Reed** and **Harcourt** a little disingenuous, and it will be very interesting to look back on the report in a year or two. In the UK the report costs just over \$25, and is excellent value for money. The details that you will need is that it is **Command Paper Cm5186** and the title is *Reed Elsevier plc and Harcourt General Inc. – A report on the proposed merger*. The report is published by **The Stationery Office** (the UK equivalent of the GPO) and the Website is www.clicktso.com.

A View from Africa

by **Digby Sales** (Collection Development Manager, Chancellor Oppenheimer Library, University of Cape Town, Rondebosch, South Africa) <digby@uctlib.uct.ac.za>

At the end of last year I returned full of enthusiasm from my second **Charleston Conference** (the first one being in 1993). It remains an important forum for discussion on acquisition issues despite the increase in its size. However, I am very worried about how we in Africa (and many other parts of the Third World) are going to keep up with the trends in scholarly publishing. Hav-

ing also attended **ALA** in San Francisco this June, my concern has only increased.

The push, especially on the STM front, is for journal publishing to appear in only the electronic format, as this will reduce the publishing costs. The change may be welcomed by First World countries, but lack of access to the Internet will side-line many African academics.

continued on page 88

A View from Africa from page 87

The following figures from an article on e-commerce in the local **Cape Town** newspaper (*Cape Times Business Report*, 15 November, 2000 p. 11) highlight the problem. There are about 3 million Internet users in Africa, of whom about 2 million are in South Africa. That means that there is about one Internet user for every 250 people in Africa, compared to the world average of one for every 35 persons. Africa's 780 million people have as many Internet hosts as **Latvia's** 2.5 million people.

The main problem is that the communications infrastructure is not in place. For most African governments, providing basic housing and education has had to be a higher priority than building communication links. Telephone densities are below one for every 100,000 people. Even if people had the money for computers, there is not the infrastructure to provide access, and what access there is, is expensive. To use the Internet is very costly. A typical charge for about 5 hours a month would be around \$50, compared to about \$29 for 20 hours in the United States of America.

My own institution is the **University of Cape Town (UCT)**, where I am fortunate to work in a relatively well-endowed library, by African standards. We have Internet access and, therefore, are able to give our users elec-

tronic resources. However, these resources are expensive, and we face fiscal obstacles which make it difficult for us to deliver the services our users need.

Though financial issues have clearly had an impact on library collections worldwide, South Africa faces its own set of additional constraints. First, South African academic libraries have to import over 85% of materials purchased, and thus have to pay additional costs to those of American libraries. Apart from having to pay First World prices with very small discounts, there are shipping costs, as well as a 14% value added tax imposed on goods and services. Unlike many American institutions, universities are not exempt from this taxation, even though they are partially state-supported. At **UCT Libraries**, we estimate that any item acquired from First World publishers in fact costs about 125% of the cost to North American buyers.

Two other factors have a major impact: (1) the annual price hikes by journal publishers which affect academic libraries worldwide and (2) the localised depreciation of the South African currency, the Rand, against First World currencies. In 1993 3.33 Rands bought \$1 worth of library materials. By the time of the **2000 Charleston Conference**, it took 7.66 Rands to buy the same \$1 in materials. (By the time of **ALA 2001** the Rand had devalued further

to 8.14.) **UCT Libraries'** materials budget for 2000 was R17 million (\$2.22 million), which was more than double the 1997 budget of R7.6 million (\$2.3 million), but less in dollar terms. Despite regular journal cancellation exercises, the ratio of books to journals continues to be very unbalanced. A decade ago the ratio of books to journals was 31:69, at present it is 15:85.

South Africa is one of the most prosperous countries in Africa, and **UCT** one of the top ten endowed African universities, so that the problems **UCT** faces are small compared to those of the majority of African universities. Fiscal and technological constraints result in only a privileged few in Africa having access to electronic information. Without the hardware and software infrastructure to work effectively, many African academics look to the First World for jobs, further impoverishing the intellectual capital of Third World countries.

It is in this context that I am concerned about more and more information becoming available exclusively electronically. The publishers are publishing this way with their primary market, the First World, in mind. If the publishers do not make provision for this other market, Africa will literally become the "Dark Continent," excluded from cutting edge ideas because of poor technological infrastructure and weak purchasing power. 🌿

Report from Fiesole III: The Fiesole Collection Development Retreat Series

by Alex Holzman (Cambridge University Press) <aholzman@cup.org>

Seventy-five librarians, publishers, and aggregators were fortunate enough to participate in the third **Fiesole Collection Development Retreat**, held at the **European University Institute**, March 22-24, and hosted by the good folks at both the **EUI** and **Casalini Libri**. A slightly different group also enjoyed the hospitality of the **University of Florence** at a preconference on Scholarly Communication and University Presses, which also included many people from the university community.

The preconference keynote address was delivered by **Michael Keller**, University Librarian and Director of University Presses and HighWire, **Stanford University**. As someone who is both librarian and university press publisher, **Mike** was able to provide a capsule review of how both professions have evolved over the past fifty years, and a peek at how they might co-operate in the future. He noted that electronic publishing can help both communities in both defining new audiences and in focusing their

efforts on areas that sell and are used.

Stevan Harnad of the **University of Southampton** then updated the audience on the Self-Archiving Initiative, presenting his impassioned plea that authors publish only with journals that allow them to post "free" copies of their articles on their own Websites. By so doing, he argued, the availability of scientific knowledge would be enhanced enormously. **Professor Harnad's** talk sparked frequent and occasionally heated responses from publishers and librarians alike.

Subsequent presentations provided summaries of a wide variety of scholarly publishing initiatives, including the **Roquade** project in the Netherlands, the **European Partnership on Scholarly Publishing**, the **European Mathematical Information Service**, the fascinating launch of **Firenze University Press** as an electronic-only publisher, and other recent developments in scholarly publishing. In addition, **Anthony Watkinson** discussed the legal deposit of electronic publications and associated archiving problems

as well as presenting an overview of the publishing role in the communication of knowledge in which he argued that publishers help organize knowledge and its presentation.

The **Fiesole** group convened the following day at the **European University Institute**, where it was welcomed most graciously by **EUI** president **Patrick Masterson** and the **National Library of Florence** Director, **Antonia Ida Fontana**. The subsequent program was divided into sessions on "invisible communities" involving libraries and scholarly communication; the evolving role of consortia; and electronic teaching materials -- in short, the various impacts of digital communication. Invisible communities involve users who can come to supposedly academic information from communities of activists, professionals, government people, and the like. Examples ranged from desalination communities to astronomy communities to clinical medicine -- all presenters were enthusiastic about the ways the Web is allow-

continued on page 89

WEBWORTHY —

Column Editor: **Pamela M. Rose, M.L.S.** (Web Services & Library Promotion Coordinator, Health Sciences Library, University at Buffalo, 3435 Main St., Buffalo, NY 14214; Phone: 716-829-2408 x129; Fax: 716-829-2211) <pmrose@acsu.buffalo.edu> wings.buffalo.edu/~pmrose

*Websites selected for broad appeal, depth of information, and ease of access. Sites are organized by broad subject area and are visited just prior to publication. Please let the editor know of any sites that are not accessible. Comments and suggestions welcome to **Pamela M. Rose, Health Sciences Library, University at Buffalo, 3435 Main St., Buffalo, NY 14214-3002; 716-829-2408** <pmrose@acsu.buffalo.edu>. Unless otherwise noted in square brackets following the description, Internet addresses were published in *Science*, *NetWatch* column edited by **Jocelyn Kaiser**. — PR*

Crocodiles

Did you know that female crocs tote their youngsters around in their mouths? Or that crocs are the most vocal of reptiles? The Crocodilians Website offers a detailed species list, a crocodilian biology database, a communication section where you can hear the sounds crocs make, and the most detailed captive care FAQ available ("only serious keepers need apply!"). Generally considered threats to humans and livestock and simply vermin to be eliminated, the decline and endangerment of two-thirds of the world's crocodilians has been reversed by the Crocodile Specialist Group (CSG), a worldwide network of various professionals actively involved in the conservation of alligators, crocodiles, caimans, and gharials in the wild. — <http://www.crocodilian.com/>

Biology

Designed for an introductory biology course at MIT, the MIT Biology Hypertextbook is laid out in chapters just like a standard textbook, but also offers a nifty tutorial, practice problems, and quizzes, not to

mention the versatility of Web links and the ability to search for a specific topic. — <http://esg-www.mit.edu:8001/esgbio/7001main.html>

Natural History

Quick: who was the Father of American Vertebrate Paleontology, the Founder of American Parasitology, a leading teacher in human anatomy and natural history and an expert in areas as diverse as entomology, geology and pathology? The Philadelphia Academy of Natural Sciences Website offers an online exhibit and tribute to Joseph Leidy, one of the leading American scientists of the 19th century. Browse through his biography timeline to get a sense of how he lived, learn about the incredible breadth of subjects he pursued, or read about his study of fossils and how he contributed to knowledge of the dinosaurs through his study of *Hadrosaurus foulkii*. — <http://www.acnatsci.org/leidy/index.html>

Paleontology

Dedicated to preserving the Coelacanth (literally "hollow spine" from the Greek), a cousin of the ancestor of all land vertebrates thought to be extinct, "The Fish Out of Time" Website offers a number of interesting tidbits, including the opportunity to buy a "living fossil" — a young Madagascan Giant Hissing Roach that will grow to its 2-3 inch adult size in a few months. The site's author, Jerome Hamlin, recounts his exciting descent to view coelacanths in their native locale, a cave 640 feet below earth's surface. The history of the discovery of the living specimens, *Latimera*, is presented, along with online videos and a collection of related links. — <http://www.dinofish.com/>

Public Policy

From Abortion to the Right to Die, Public Agenda, a nonpartisan, nonprofit public opin-

ion research and citizen education organization founded in 1975, seeks to help leaders better understand the public's point of view on major policy issues and help citizens better understand those policy issues so they can make their own more informed and thoughtful decisions. Each topic is clearly and concisely presented in a common outline format from two perspectives: Understanding the Issue and Public Opinion. The site also offers a newsletter (in pdf format), as well as an opportunity to invite a Public Agenda representative to your next meeting. — <http://www.publicagenda.org/>

Space Travel

Fascinating facts abound in this online version of an exhibit, "2001: Destination Space" running at the Tech Museum of Innovation in San Jose, CA. For example, did you know Swiss inventor George de Mestral conceived his invention, velcro (used on the shoes of flight attendants in Stanley Kubrick's film "2001: A Space Odyssey"), after observing the burrs that stuck to him and his dog after a nature hike in 1948? The name "velcro" was created from "velour" and "crochet."

The exhibit celebrates the arrival of the year depicted in Kubrick's film. The site offers an intriguing comparison of fiction technology depicted in the film to fact technology today. Browse the gallery of works by visionary "space artist" Robert McCall (whom Kubrick enlisted to paint posters for the film), view streaming video interviews with five artists and scientists, and visit a selection of learning resources particularly suitable for classroom use as well as a list of Websites directly related to the original movie. [Requires Real Player and Macromedia Flash] — <http://www.thetech.org/2001ds/>

Report from Fiesole III from page 88

ing them to reach these new communities while also recognizing some problems posed by ownership issues, privacy issues, and the like.

The consortia session looked at consortia widely defined, including a presentation regarding the relationship between library and university press, where the **Temple University Press** now reports to the library; case studies of the UK and Germany; an analysis of how libraries within consortia need to cooperate amongst themselves to build distinct collections; and a controversial presentation from **Michael Mabe** of **Elsevier** arguing that the so-called "crisis" in scholarly publishing

stems from a long-term decline in library acquisitions funding as a percentage of overall university budgets. This lively session provided jumping-off points for just about every aspect of collection building one could imagine.

The consensus in the digital teaching/learning portion of the program really seemed to coalesce around the idea that while there is much potential, distance learning via the Net does not offer quite the gold rush potential that many seemed to be predicting a few years ago. Various initiatives in the UK and US were reviewed and the need for libraries and publishers to work together to create an electronic infrastructure that allows researchers and students to work efficiently noted. This need

for simple and seamless systems across publishers, platforms, and fields was reinforced by Michael Keller in his closing remarks.

But it wasn't all work! Between the many sessions and during a couple of delightful dinners and a wonderful cocktail reception hosted by and at **Casalini Libri** there were numerous chances to discuss these issues informally, to exchange war stories, to network, and most especially to enjoy the beautiful scenery and lovely spring weather offered up by **Fiesole**. Everyone who attended felt very lucky on both intellectual and aesthetic grounds to have the opportunity to be present and all look forward to the July 2002 collection development conference in the Netherlands.

MILLENNIUM

A Look Back at Licensing

Minutes

by **Joyce L. Ogburn** (Associate Director of the Libraries, Resources and Collection Management Services, University of Washington, Box 352900, Seattle WA 98195-2900; Phone: 206-685-2889; Fax: 206-685-8727)
<jlogburn@u.washington.edu>

he seemingly ubiquitous license agreement has a longer history than our readers might imagine or remember. It has roots deep in contract law, and also has copyright, patent, and trademark parentage. Librarians tend to think of licenses in terms of databases and fulltext e-journals, however, it started with licensing of software and electronic data years ago. **DIALOG**, **Lexis-Nexis**, **OCLC**, to name a few, have had contracts and licenses for use of data for decades. Although there is an old and rich literature written for the publisher and developer of software and databases, for this article, I will focus on librarians and library literature to give an informal and personal look back at licensing.

I began tackling licenses around 1985 when the **Penn State Libraries** started purchasing CD-ROMs and software packages for a number of applications. Soon afterward we developed an acquisition policy and eventually one for user access. Our concerns back then were these: could we make a back up/archival copy; was it shareware, freeware, public domain or the property of the producer; could we actually allow use and circulation by our patrons; what kind of notifications were needed to discourage piracy and misuse; could it be used outside of the library building; and so on. The articles and books I consulted initially dealt with copyright and new media such as videotapes. As software started being acquired for academic purposes, I found guides and information published by associations such as **EDUCOM** and **CAUSE** to be highly useful.

Eventually resources about copyright and acquiring software began to appear in library publications as more libraries began purchasing software. An early work was the 1986 **ARL Spec Kit** entitled *Microcomputer Software Policies in ARL Libraries*. Although one might think that these early software policies are unrelated to present license terms, they have many similarities and concerns.

At the 1989 **Charleston Conference**, **Meta Nissley** and I both gave talks about software and CD-ROM acquisition and licensing. One aspect of my talk was the potential ramifications of a proposed national software rental bill that never passed. **Meta** talked about practical acquisitions issues. In 1990 **Meta** and **Nancy Medlin Nelson** wrote the first practical guide on CD-ROM licenses and libraries. It used a break-through approach in that it presented samples of licenses and instructions on

how to interpret them. Quite revolutionary back then! As it turns out, **Meta** and I pre-saged the concerns and publications about licensing that exploded in the following decade.

The 1990s were marked by educational efforts, national guidelines and development of informational resources as electronic resources permeated more libraries. The **ALA Washington Office** and the **ARL Office of Scholarly Communication** started tracking legislation and mobilizing librarians to speak up about fair use and copyright. Guides, symposia, workshops, colloquia, Websites, and listservs sprang up to assist and educate the librarians, the vendors and the publishers on licensing issues.

In the 1990s **Mary Case**, **Trisha Davis**, **Ann Okerson**, and **John Cox** all made major contributions to the debate on licensing and to solving practical issues. I asked them to share some of their memories and personal history.

Mary Case recalls many projects and events involving **ARL**. She notes that her involvement started with "Let There Be Light! A Conference on Licensing Electronic Resources: State of the Evolving Art," co-sponsored by **ARL** and **CNI** in 1996. She says "This conference was one of the first projects I undertook after joining **ARL** in June of 1996. We had about 120 people at the event, as I recall—a nice mix of librarians, vendors, and publishers. The **Planning Committee** included **Trisha Davis**, **David Farrell**, **Ann Okerson**, and **Paul Peters**. (Always attached to this conference will be the sad memory of **Paul's** death early that fall.)"

Mary also notes that in the fall of 1996 the **Shared Legal Capability**, an alliance of **ARL**, **AALL**, **ALA**, **AAHSL**, **MLA**, and **SLA** decided that their members needed help in understanding and negotiating licenses. She coordinated the work of the jointly sponsored **Working Group** charged to create a statement of principles. Participants in the process were drawn from representatives from the organizations. A final draft of the *Principles* was issued in July 1997 and was subsequently discussed at a number of professional conferences.

Following the creation of the *Principles*, **ARL** began developing the idea of a workshop for librarians on licensing. **Karen Hersey**, fresh from a talk to **ARL** directors on licensing, was contacted to see if she would participate. **Trisha Davis**, by now an established expert and contributor to the *Principles*, was also asked. **Angee Baker** of **Solinet**,

joined **Karen** and **Trisha** in September 1999. **Mary** gives this impressive chronology for the workshops: Boston (September 1997), Chicago (November 1997), Los Angeles (February 1998), Chapel Hill (March 1998), Washington DC (June 1998), Kansas City (November 1998), Washington DC (May 1999), Dallas (September 1999), Washington DC (February 2000), and Seattle (August 2000). These basic workshops have educated approximately 500 people and an advanced workshop was offered in New Haven in November 2000. **ARL** also offered a workshop for publishers in August 1998 and another one in January 2001. Last, but not least, in March 1999 **ARL**, along with **SLA**, sponsored a videoconference on "De-mystifying the Licensing of Electronic Resources."

As noted above, **Trisha Davis** has been active in educating librarians about their rights and how to negotiate to retain them. A very lively speaker, she recalls that her first talk was at the 10th **Texas Conference** on Library Automation in October 1995. She soon gave sessions sponsored by **Texas Library Association**, **CAPCON**, and **SOLINET**. Then came the landmark **ARL** and **CNI** symposium held in San Francisco in December 1996. 1997 was a busy year for **Trisha**—she participated in the development of the jointly sponsored national *Principles* that were released in July and then followed that with delivering the first official **ARL** workshop in Boston. **Trisha** has been a fixture of the **ARL** workshops ever since. Most recently she was part of **ARL's** first Advanced Licensing workshop held in New Haven in November. Along with all these teaching and speaking engagements, she found time to write informative guides and articles on licensing.

Ann Okerson, also a frequent speaker and contributor to the literature on licensing, relates that when she went to **Yale** in the fall of 1995, the **Biosis** renewal was one of her first challenges. The **Biosis** license contained the phrase, "no reproduction by any means, mechanical or electronic." She recalls: "It seemed to me upon a common sense read that this was quite simply not a workable license. I didn't know that librarians weren't negotiating—I assumed that everyone was. So I contacted **Biosis** and said we could not renew the sub under those terms. Folks here and at **Biosis** said, 'But **Yale** has had that license for a few years now and has not complained about it before! What's changed?' So I said that what had changed was the person who had to sign off on the renewal. Then **Biosis** asked me what

continued on page 91

we'd like instead, and I asked them to insert the language of Section 107 of the Copyright Act (fair use) — and eventually they did and we renewed and the **Yale Library** has never looked back!!”

Ann also started the **Liblicense** Website and **listserv** that have been successful in fostering information exchange and discussion about licensing. She writes that at present “**Liblicense-l** list archives about 2200 messages and has about 2500 subscribers worldwide, including librarians, attorneys, publishers, vendors, aggregators, and others.” As of May 2000 the **Liblicense** Website has a draft **Model License** up for review for possible adoption by the **Council on Library and Information Resources** and the **Digital Library Federation** (see <http://www.library.yale.edu/~llicense/modlic.shtml>).

John Cox came to licensing from a different avenue, being a lawyer and having worked on the publishing side. In his career he has written and negotiated many contracts. By email he says, “Digital is different... The flexibility, speed and ease with which we can use digital content involves us in considering a range of issues that copyright law alone cannot address: who is entitled to use it, what performance standards and customer support are required, how do fair use privileges work in the digital domain. We had none of the answers, because the technology itself is less than ten years old.”

John confirms that licensing has been around for a long time. He believes that the real problems arose with the development of e-journals, which prompted publishers to develop extensive, complicated and customized licenses. The administrative burden of negotiating licenses, among other things, led to work on developing model licenses in the UK and US. He remembers starting conversations with vendors, librarians and publishers at ALA in January 1999. These conversations resulted in a project, sponsored by the vendors, to develop a range of licenses with common structure and language that could be used by academic, public and special libraries. They were first released in September 1999 and updated in May 2000 (see <http://www.licensingmodels.com/>). He believes that “we have reached a general understanding among publishers and librarians on the content of licenses.”

Speaking of the serials vendor, I sought their input for this article. **Dave Fritsch** of **Faxon** remembers that, “At the first **Faxon Institute Colloquium** in 1996, **John Cox** raised the issue of replacing copyright with licensing as the governing body of law over etexts.” (I remember that **Faxon Colloquium** — I argued with **John** for copyright to govern usage of electronic resources rather than contracts. Looks like I lost!) “Later that year I got a vivid idea of what licensing was doing to librarians when **Julie Gammon** sent me a picture of herself standing next to her shelf load (nine three inch binders) of license agreements. I still have the picture.” **Dave** also recalls that the

Minutes continued

introduction of **Academic Press's IDEAL** package “was a real wake-up call to the agents, because of the loss of revenue to us that it entailed.”

To add one last note on the role of vendors, in 1998 I returned in print to the subject of licensing and explored, with ideas from a conversation with **Adrian Alexander** (then at **Faxon**), how vendors could expand their roles in assisting libraries with licensing. Although vendors are indeed inserting themselves into the process, it remains to be seen how successful they will be in re-inventing themselves in the era of licensing and electronic publications.

Conclusion

This brief history does not begin to cover the rich fabric of intellectual property laws and their application to electronic resources. It should, however, give some understanding that licensing has a deeper history than has been appreciated. As this is being written new and

bolder measures are afoot to further limit the rights of libraries to acquire and negotiate access to resources on behalf of their users. The successful push by the entertainment industry for protecting the rights of creators and publishers is overwhelming the ideals of copyright and fair use. Librarians are also struggling to document and develop software to track the terms of licenses. Prices of resources keep rising, and competition among publishers is shrinking. Vendors are vying to establish a role within the world of licenses and e-journals.

The challenges continue!

Endnotes:

Quotes and personal stories are drawn from emails from **Mary Case** (Nov. 30, 2000); **Trisha Davis** (Nov. 21, 2000); **Ann Okerson** (Oct. 23, 2000); **John Cox** (Nov. 6, 2000); and **Dave Fritsch** (Oct. 26, 2000).

A chronological sample of resources on licensing

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Desperately Seeking Website

Column Editor: **Amber Williams** (American Society for Bone and Mineral Research; Phone: 919-620-0681) <amber@jbmr.org> www.jbmr-online.org/

I had the pleasure of talking with Dr. Morna Conway, President of The Conway Group, about the impact of the online environment on publishers and librarians alike. I've asked her permission to share the details with you as well. As always, your comments are welcome on this and any other issue you'd like to see discussed in this column. —AW

Amber: How do you think the communication has changed between librarians and publishers?

Morna: I started The Conway Group 26 years ago and my client base has consisted of non-profit association publishers since that time. However, I think any and all publishers realize now that they need to communicate with librarians much more than was necessary at one time. After WWII, many STM journals were started. As significantly more money became available to fund research, publishers thrived and libraries built up their journal collections. In the early 1970s, you started an STM journal and libraries would usually take it. The proliferation of journals continued, and library budgets grew along with them for several years.

Beginning with the Reagan era, university budgets, including library budgets, came under the gun. Large publishers increased subscription rates far above inflation and libraries had no choice but to cancel subscriptions. As a result, publishers increased subscription prices even more, feeding a cycle of inflationary price increases and stepped up cancellations. In the last several years, publishers have realized that librarians have sufficient clout to cancel subscriptions if price increases and usage do not warrant continuing a title. Since 1995, with the advent of the Web, publishers have turned their attention to the dissemination of electronic journals, with print as the archival form. Communication with librarians has improved, driven by the need to talk about Web-based journals, library budgets, etc. This need for dialog has resulted in such forums as the Charleston Conference and the publishers' use of library advisory groups like the National Academy of Sciences' Librarian Advisory Group, which I have run for the last six years.

Amber: With the consortia effort in full swing, how should this affect the manner in which publishers relate to the institutional customer?

Morna: Consortia have arisen to negotiate better pricing for individual library members. One online subscription can technically

serve an entire group of libraries, and that translates into fewer subscriptions for publishers. However, it is still in the best interest of a publisher to lower prices for consortia. By providing service to consortia, journal content is distributed more widely than would otherwise be the case, resulting in more access, more citation, and more exposure for the science published in that journal. It is tougher for smaller and single-title publishers to develop consortia relationships, because there is less price flexibility. However, association publishers really have to look at providing expanded access for online journals. Technology has also created a need for different positions, requiring publishing staff who are able to engage in direct communication with librarians, aggregators, and subscription agents to untangle service and licensing requirements.

Amber: Where do you see common pitfalls that encumber both librarians and publishers?

Morna: Subscription pricing and site license models. There is a desire on the part of some publishers to retain the traditional economic base of print journals, while global access to Web-based journals makes this harder to do. Associations have the added concern of losing membership in the face of remote access that is available to scientists through their institutions. The association publisher's concern becomes, "by making site licenses flexible, will we lose membership?"

Market forces that we cannot predict will be at work; however, the wrong thing to do would be to tighten up the customer's ability to access online journals. This would only lead to resistance from libraries. Over-inflating prices for online access is another common mistake publishers make.

Amber: What is your perspective on the effort to store all information on one site (such

as PubMed) for the purpose of free access?

Morna: Firstly, we need to establish two separate issues: archiving and free distribution are not one and the same. Librarians believe publishers should be responsible for archiving back issues. They are interested in access guaranteed in perpetuity. Archiving of print means having multiple copies around the world rather than a depository of journals buried in some unreachable place. In order to maintain an accessible archive, a system of redundancy rather than burial will work better.

Free distribution begs the question of what it takes to produce a journal. Someone has to pay to take an issue through the process of peer-review, copyediting, formatting for legibility, structure and so on. The model of an end user paying for this process is the prevalent model in our society. The model that involves government participation in provision of such information is a more socialist model and not the standard in a society such as ours. Where there is an end product, it is customary that the end user pays for it. There is no such thing as a free lunch.

Publishers have set up a system of disseminating information and we've entrusted the library community, as brokers of information, to pay for what is valuable. These filters ensure that what is maintained as an archive is quality scientific information.

We have to take a good look at a proposal to make something free that is not free to produce. We have to look at the permanency of government funding before depending on such a proposition. If you look at the filters currently in place, then there is a strong argument to maintain libraries as gateways.

Adventures in Librarianship: Can this Marriage be Saved?

by **Ned Kraft** (Serials Librarian, Ralph J. Bunche Library, U.S. Department of State) <kraftno@state.gov>

Has the sparkle faded from your marriage to Accounts Payable? At breakfast, do you find Accounts Payable holding its newspaper high, hoping that you won't notice it, won't try to start a conversation? We here at ATG understand. We sympathize. And we've come up with a test to help you gauge your relationship and put it in context. Just answer the following questions honestly, as

painful as they may be, and add up your score.

1. How long does it take Accounts Payable to return your desperate phone calls?

- a) One day
- b) One week, with a bad attitude
- c) Only after veiled threats
- d) Returning phone calls is against policy

continued on page 93

2. Does Accounts Payable acknowledge your pleading memoranda?

- a) Sometimes
- b) Yes, by making librarian jokes
- c) Only through legal counsel
- d) That would be against policy

3. In meetings, does Accounts Payable...

- a) Refuse to look at or speak directly to you
- b) Leave the meeting almost immediately for "more pressing engagements"
- c) Whisper disparaging comments to others
- d) Give you what in some cultures would be called "the evil eye"

4. When you give invoices to Accounts Payable for payment, do they say...

- a) Clarissa will do these... as soon as she gets back from maternity leave

- b) Who are you again?
- c) What are these?
- d) Nothing; responding in any way would be against policy

5. When you and Accounts Payable are unexpectedly alone together, do you...

- a) Smile and try to pretend that all is well
- b) Silently sweat
- c) Release a blizzard of distracting, incoherent chatter
- d) Feel a deep sense of impending doom

6. In social situations, does Accounts Payable...

- a) Tell your most embarrassing stories
- b) Flirt like a teenager with the other departments
- c) Drink too much and start sobbing in the corner
- d) Claim to not know who you are

Scoring

If you scored between 6 and 10 points count yourself lucky. We recommend that you stop your crying and get on with your job. As sobering as it may be, your relationship with Accounts Payable is no worse than most.

If you scored from 11 to 18, therapy may help. We recommend a qualified counselor, possibly with some religious training, and a strict schedule of joint and individual sessions.

If you scored 19 or above, you probably already know that it's hopeless. Cut your losses. Get a credit card. And never voucher another invoice again.

1. a) 1	b) 2	c) 3	d) 4
2. a) 1	b) 2	c) 3	d) 4
3. a) 1	b) 2	c) 3	d) 4
4. a) 1	b) 2	c) 3	d) 4
5. a) 1	b) 2	c) 3	d) 4
6. a) 1	b) 2	c) 3	d) 4

Chaos — An Update on ONIX International

by **Sandra K. Paul** (President, SKP Associates) <Sandy@SKPAssociates.com>

We described **ONIX International** in *Against The Grain*, vol.12#4, Sept. 2000 p.84, and at the **20th Annual Charleston Conference**. This is an update on the **ONIX (ONLINE Information eXchange)** metadata standard since last fall.

In November 2000 **ONIX International Release 1.2** appeared on the **EDItEUR Website** www.EDItEUR.org. That version expanded some of the fields and corrected errors in the prior release. A minor set of additions and corrections appeared in **Release 1.2.1** in April 2001. (It should be noted that each release of ONIX indicates the changes from the prior release in its frontmatter. All of the versions of the standard and its DTD are available FREE OF CHARGE at the **EDItEUR** site.)

A set of Frequently Asked Questions has been developed and is available on the site. A mapping has been done between **ONIX** and both **MARC 21** and **UNIMARC**; the links to both of those appears on the site. AND, a list of all of the implementers who have advised us of their status now appears on the **Book Industry Study Group Website** - www.bisg.org. Efforts are underway to further publicize the standard for printed books within the U.S. and abroad.

Library community interest in **ONIX** has resulted in the addition of two librarians — **Sally McCallum** of the **Library of Congress** and **Karen Coyle** from the **University of California Digital Library** and Chair of the **American Library Association Task Group on E-Books** - to the **U.S. ONIX International Policy Committee**. Although it is acknowledged that the existing **ONIX** standard was developed to meet the needs of the retail and e-tail community, there is sufficient overlap with the traditional library bibliographic standards, and sufficient interest by librarians in having the data

contained in the **ONIX**-tagged records in their **OPACs**, to pursue this avenue further for commonalities. Specifically, we will be seeking input from the library community on tags and values in **ONIX** that overlap with those in library standards, so that they can be standardized.

ONIX International was originally adopted in the United States and the United Kingdom. At a meeting of the **ONIX International Steering Committee** in March during the **London Book Fair**, it was announced that implementations are now underway in Germany, France, Argentina, and Bel-

gium. In addition, a test file has been received from the **Russian Book Chamber**, indicating their potential adoption in the near future.

At the current time, however, future releases of the standard to cover e-publications and other media and applications are on hold. The implementers are awaiting a paper from the consultants to **ONIX International** (**David Martin** and **Francis Cave**) on the approach to be taken with other media. Just as the **MARC** standard had various versions for different media, the **Association of American Publishers**

continued on page 94

ADVERTISERS' INDEX

63	ABC CLIO	87	BRILL	95	KLUWER ACADEMIC
31	ACADEMIC PRESS	47	CASALINI LIBRI	67	MAJORS
23	ACM	79	THE CHARLESTON ADVISOR	61	McFARLAND
48, 49	ACS	10	THE CHARLESTON REPORT	96	MIDWEST LIBRARY SERVICE
2	ALFRED JAEGER	69	CHOICE	77	MARTINUS NIJHOFF INTL.
39	AM. INSTITUTE OF PHYSICS	33	EASTERN BOOK COMPANY	11	PROQUEST
15	AM. PSYCHOLOGICAL ASSOC.	75	EBSCO INFORMATION SERV.	41	RITTENHOUSE
13	AM. SOCIETY OF CIVIL ENGINEERS	21	ELSEVIER SCIENCE	12	SCHOENHOF'S FOREIGN BOOKS
37	AM. SOCIETY OF PLANT BIOLOGISTS	43	EMERY PRATT	19	M.E. SHARPE
59	ASME INTERNATIONAL	83	ERASMUS	65	SIENA LIBRARY COMPANY
5	ATG	17	FAXON, ROWECOM	57	SIAM
20	AUX AMATEURS DE LIVRES	51	GROVE'S DICTIONARIES	73	SPRINGER PUBLISHING
16	BASCH SUBSCRIPTIONS, INC.	27	IEEE	45	SWETS BLACKWELL
3	BLACKWELL'S BOOK SERVICES	35	ILLUMINATING ENGINEERING SOC.	55	H. W. WILSON
25	BOOK HOUSE	7	INGENTA	29	YBP
9	BOWKER	53	INSTITUTE OF PHYSICS		

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phone: 734-429-1029; fax: 734-429-1711

Backtalk — Kafka Meets Tasini

by **Tony Ferguson** (Library Director, University of Hong Kong) <ferguson@hkucc.hku.hk>

Recently I received the following letter from a friend in the States:

"I am sitting in an empty apartment. It used to be full of furniture and things. It used to be full of family and friends enjoying and interacting with each other within the context of my furniture and things. But workers' rights groups little by little descended upon me and took all my furniture and things away.

"First came the chairs. One of my neighbors squealed on me: I had used a chair as a ladder to change a light bulb. Apparently, the department store from which I had bought the dining room, study, and living room chairs had only bought the sitting rights from the builders of the chairs. My using a chair as a ladder constituted a misuse of the chair so the chair maker's union had gone to court and successfully obtained a court order allowing them to remove all my chairs.

"The tables were the next to go. I had unfortunately stood on a table to mount a new lighting fixture — again a new unauthorized and previously non agreed upon use of this piece of furniture. Then in succession I lost my rice cooker when I used it to steam a fish; my radio, stereo, and television when I put small decorative flower pots on each one; my beds were taken away because they were for sleeping, not for the illegal reading uses to which they had been put; and the last straw was when I went out in my car to buy all new things with the rights built into the purchase price.

"First of all, I discovered that the chair workers now wanted the department store to sell chairs on a per use basis. So when they added a wireless computing device to each chair to measure the number of times someone sat on the chair, the cost to purchase a chair went sky high. Plus I discovered I could only afford to buy a single chair since a ten-year estimate of the number of times people would sit on the chair for sitting and laddering made the cost breath-taking (even though I successfully negotiated for the rights of walk in non-members of my family). I spent a half day with the sales person trying to figure out if it

would be cheaper to buy 50 chairs since the estimated number of uses would go down so far that the chairs would be very cheap. But I was never much good at math so I decided to buy only a single chair.

"On my way home with the chair I was relishing in the thoughts of my family and friends returning to my life — we could all take turns sitting on the chair, thinking of the good old days when chairs were in abundance. But then I was pulled over and my car was confiscated. To avoid delivery charges I had decided to use my personal automobile to deliver the chair myself, a commercial use of my car that was not paid for when I bought it. The assembly line workers union had rightly detected my misuse of the vehicle (their roadside monitoring units are everywhere) and got the police to take it away. A friend told me to cheer up since he doubted if the police would continue to do this sort of confiscation work much longer. Apparently, the police officers' contracts specified they were to catch people committing criminal acts, not acts of industrial misuse, so their unions were demanding a percentage of the value of each article taken from the miscreant buyers. I thought about walking to the public library but they were all closed while my colleague librarians finish renegotiating their contracts: they contended they were hired as knowledge workers, not child care workers, and parents dropping their kids off at the local library constituted a previously not agreed upon area of work. In the end, the fact that the libraries were closed didn't matter: they didn't have any books.

"When I lost all my furniture, I borrowed large stacks of the things to use as ladders, chairs, and beds and so the writers' union had all books confiscated in my city until they could figure out how to monitor this new misuse of their creative talents."

I read my friend's letter with detached amusement until I spoke with a freelance writer over a nice lunch in the **Senior Commons Room** (read faculty house dining room) that has a lovely view of the Hong Kong harbor. I had decided I wanted to outsource the writing

and production of the library's annual report. He asked me what I thought of the **Tasini** decision and went on to tell me that it meant that freelance writers could demand that they be paid for what they wrote if it were republished electronically — republished in an entirely new medium.

I went into my usual diatribe about such a movement making the life of an academic librarian very difficult when it came time to get a gazillion disappeared writers' permissions to do digital reserves. Then I got to thinking, what if we did such a nice job of the annual report that someone found it fun to read? This might constitute the misuse of my annual report. It was supposed to be painful to read. What if it became recreational reading? Would its becoming recreational reading constitute a new medium? Maybe the freelancer was subtly leading up to getting more money for his creative efforts?

Doing a little research, I had read the four commandments for all freelance writers as promulgated by the **National Writers Union** (nwu.org/book/repubstd.htm). They are supposed to get advice from the Union before signing any contract; negotiate for royalties on the basis of retail, not wholesale prices; try to get 50% of the retail price; and if the publisher wants to stick to a percentage of the wholesale price, bury them in paperwork by asking for "a complete itemized list of all deductions." I wonder if the cost of taking library directors to five star restaurants at **ALA** might appear on such lists?

But back to my annual report: I suppose some of the facts in the report might be close to fiction and endanger its reclassification as a piece of recreational reading, but how can I be expected to make sure that the education librarian didn't fabricate the number of reference consultations reported? I think I will go ahead with the freelancer, but I expect that my annual report will be delayed a year or so while our lawyer negotiates the movie and online rights. It will be a lot of work but maybe we can put some streaming video clips of the ocean view from my office showing me meeting with my staff while discussing the implications of **Tasini**.

Chaos from page 93

and **EDiTEUR** took the same approach originally for **ONIX**. However, there is concern in the **U.S. ONIX International Policy Committee** that this is the wrong approach; that an e-book is simply another version of the text, comparable to the paperback version of a hardback. That concern was supported at the **ONIX International Steering Committee** and the analytic paper authorized.

It is our hope that the analysis will be carefully reviewed by all of the countries implementing **ONIX** that the e-publication additions to **ONIX** can be published before the end of May

2001, and that **Release (1.3)** will contain all of the fields necessary to describe an e-publication, including its format, length, and the digital rights management software it contains. Controversy still exists within the publishing supply chain about the need to identify each different version of an e-publication with a unique ISBN to enable current systems to handle the item or whether the approach some publishers have taken to go directly to one **Digital Object Identifier** for ALL formats is currently viable. **Release 1.3** will accommodate both approaches.

Other areas undergoing analysis at the moment include **ONIX** for video products and for serial issue information, including tables

of contents and article descriptions. At the urging of the organizers of the **Frankfurt Book Fair**, the development of an **ONIX** version for expressing subsidiary rights information should be developed soon. There has also been interest in **ONIX** from the music industry. **ONIX International** forms the basis for the metadata associated with the emerging **International Standard Textual Work Code** and will be recommended for the metadata to accompany an ISBN when that standard is revised to include the conversion from 10 to 13-digits.

For more information about **ONIX International**, check out **BASIC** at www.bisg.org or **EDiTEUR** at www.EDiTEUR.org.

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