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Eamon Fennessy, President, The Copyright Group

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ATG Interviews Eamon Fennessy

President — The Copyright Group <efennessy@worldnet.att.net>

by **Katina Strauch** (Editor, *Against the Grain*) <strauchk@cofc.edu>

over Christmas. He was being visited by 11 grandkids who were thrilled with the snow!—KS

ATG: You used to be President of the **Copyright Clearance Center**. Tell us about your background in copyright.

EF: My first involvement with intellectual property goes back to 1980. I was Director of Government Affairs for a British group heavily involved in intellectual property legislation in Washington. Following the 1984 death of **David Waite**, the founder of **The Copyright Clearance Center (CCC)**, I was asked to take over as President and CEO of CCC which was located at that time in Salem, Massachusetts.

The company was losing money but by establishing a solid licensing service for

the **Fortune 500** companies we managed to grow the company revenue from \$1.1 million to over \$16 million in the period from 1985 through 1992. We introduced simplified systems for corporations so that they could legally use protected works within their firms. In addition we started a permissions service for college course packs. Thus by the time I left to concentrate on electronics CCC was able to offer users a Transaction Service, a Corporate Licensing Service, and for the academics, a permissions service for the creation of course packs.

In 1992 I established **The Copyright Group** to offer electronic permissions. Since then we have grown to handle both print and electronic permissions for foreign and domestic clients from the Pacific Rim, Latin America, North America, and the European Union.

ATG: So that is your strength? The electronic permissions arena?

EF: Yes. **The Copyright Group** provides a permissions and content management service for institutions which prefer to access copyrighted works through the Internet as well as for vendors of electronic information who seek approval to use protected works in new media ... CDs, online, electronic document delivery, intranets and extranets. We also are heavily involved in the international arena, with the **European Union** and other foreign institutions which wish to scan, store, and electronically distribute intellectual property to a variety of clients around the globe. In addition, **The Copyright Group** performs market research through interviews and teleconferences for new electronic applications. The newest service, a government affairs capability, assists rightsholders and users in the communications chain who wish to have their views brought before Congress and Congressional Staffs.

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Eamon Fennessy Interview
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ATG: I know you write a lot as well for journals like **LOGOS**.

EF: Yes, in addition to writing regularly for *Against the Grain* I have written about rights and permissions for the UK-based **LOGOS**, as well as for other associations such as the **National Federation of Abstracting and Indexing Services (NFAIS)**, the Paris-based **International Council for Scientific and Technical Information (ICSTI)**, and for individual authors who have written monographs and ask me to address specific rights issues dealing with copyright.

ATG: Is education a part of your business, telling people about intellectual property, copyright and ownership?

EF: You are right again. I am particularly interested in copyright education. We offer basic copyright courses in-house for publishers' staffs. This is something that is a labor of love (although we do get paid for the service). We want people to be aware that if they create something it is theirs and they should always thoughtfully consider transfers of these intellectual property rights. We also want everyone in the communications chain to appreciate the value of intellectual property. I have given copyright courses for **NFAIS** and for **MITRE** (a consulting firm for the defense industry) and have spoken on copyright concerns to the **International Publishers Association**, to the **Scientific, Technical and Medical Publishers**, and at meetings sponsored by the **Association of American Publishers**. On the university circuit I have had the pleasure of speaking before undergraduates and post graduates in business and law schools.

When I first became involved in this business I expected it to be static and unchanging. I could not have been more wrong. Copyright and communications technology have been so dynamic over the years that we are all changing how we look at copyright and other forms of intellectual property, patents and trademarks.

ATG: Obviously copyright presents a big area of contention between libraries and publishers. What's your position in this debate?

EF: Librarians correctly want to distribute information and they have a clientele that now prefers information electronically. There are also publishers who want to provide that information and at the same time protect their intellectual property. We want to be fair to both interests. **The Copyright Group** arranges

electronic access to information while encouraging copyright law observance laws for the benefit of the rightsholder and the user. Librarians and other users of information acknowledge that property should not be appropriated without permission.

I think most publishers are reasonable. If an item is needed for educational use on the spur of the moment, rightsholders appreciate that users may not have time to obtain permission and in that instance the work may be photocopied for a class meeting that day. If, on the other hand, an educator sits down in October and decides he or she would like to use copyrighted works for the February semester, permissions should be obtained. Rightsholders, whether it is the author, the publisher, or someone else, want to know how their works are being used before permissions are granted. Will it be for a literary review, for re-selling to students, or other users?

This permissions area is important and by using a little planning users can enjoy the works and comply with the Copyright Law, Title 17 of the U.S. Code.

ATG: Tell us about your background and training.

EF: I have my Bachelor of Science degree from **Georgetown University's School of Foreign Service**, and my MBA from **Fairleigh Dickinson University** in New Jersey. For additional post-graduate work I studied at the **Sloan School of the Massachusetts Institute of Technology** and at **Pennsylvania University's Wharton School of Finance**.

ATG: How many people work at *The Copyright Group*?

EF: There are three of us and we are kept on the run. Today's Information Industry has become Technology personified and it revolves around intellectual property. Look at the **NASDAQ** and its high flyers ... **LYCOS**, **EXCITE**, **AOL**, **MICROSOFT**, etc., etc. Each of these firms deals with copyright issues and intellectual property each and every day. There is plenty to keep even more of us busy but so far we are handling the challenges and are looking for more opportunities.

ATG: Where do you think librarians should fit into this whole thing?

EF: I would like to see librarians taking a more direct role in the distribution and acquisition of electronic information. Librarians can provide an invaluable service to their employers, whether on an academic campus, in a public library, or in a special library in Corporate America.

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Profiles Encouraged

Robert (Bob) Bovenschulte
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Professional Activities: Prior to joining the ACS in 1997, Bob was Vice President for Publishing at the **Massachusetts Medical Society**, owner of *New England Journal of Medicine* and other medical publications. His career spans scholarly, professional, trade, college, and school segments of the publishing industry. Currently, Bob is chairman of the Board of Directors of the **Copyright Clearance Center**. He also serves on the Executive Council of the Association of **American Publishers' Professional and Scholarly Publishing Division**, the Board of Directors of the **Council on Library and Information Resources** and the Executive Board of the **International Association of Scientific, Technical, and Medical Publishers (STM)**.

Avocations: Books, music, and exercise.

Last Book Read: *Citizen Soldiers* by Stephen Ambrose.

Pet Peeve: Drivers ignore stop signs and lights in Washington, D.C.

Favorite Quote: All the best one-liners that Woody Allen ever wrote.

Origin of Incunabula

Incunabula is the term used to describe all books printed from the first, the Gutenberg Bible in 1450 through the year 1500. The term comes from the Latin words meaning "thing in the cradle." The largest collection in the United States is in the Library of Congress which holds 5,600 such books.

— excerpted from Nat Bodian's
The Joy of Publishing

Fennessy Interview
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Rightsholders need help in ensuring their electronic information is available to users, and librarians, as they have for users of print materials, can act as facilitators for professors, students, researchers, and the public, by taking the bull by the horns, establishing good relations with rightsholders, software, and hardware providers and thus ensuring their users have the best access at a reasonable cost. As the information changes, so does the role of the librarians.

ATG: Okay, tell us about yourself. What do you like to read and do for fun?

EF: Where do we start? I collect American antique clocks and have a couple of dozen of them all around the house. Each of our five 'kids' has at least one American antique clock in their homes, courtesy of my wife Mary-Louise and me. Of course this means if you are around on the hour you will hear not only ticking which may be unsettling, but you will hear multiple strikes of the clock every hour on the hour. Mary-Louise and I have tall clocks, shelf clocks, banjo clocks, wagon spring clocks, and what we call "gingerbread clocks" which many Americans have grown up with on the kitchen shelf. Most of these require winding each

Sunday, some on Wednesdays as well, and then the twenty-four-hour clocks also need winding each evening before bed.

Another hobby of mine is curling. You know, the game that is played on ice, with 42-pound blocks of granite (well-rounded to run smoothly on the ice), "thrown" down the sheet of ice into a series of circles at the other end with the intention of getting your team's 'rocks' nearest the center of the circles. It is played with two teams of four each and goes back to Scotland where it began many, many years ago. One of the best parts of curling is the warmth of the scotch (whatever brand you prefer) at the end of the match.

When it comes to reading, **Tom Clancy** is a favorite, along with **Jack Higgins**, and many other good mystery writers. Mary-Louise favors **Ellis Peters** and **Brother Cadfael** mysteries, as well as **Mary Higgins Clark** who lived near us when we were New Jerseyans.

I am also a retired Commander in the Navy, and the coordinator for reunions of the ship I served on in Korea ... the U.S.S.

Samuel B. Roberts (DD 823), a ship which took me around the world, and to exotic places like Kenya, Cuba, Brazil, the Azores, and hot spots like Korea and the Persian Gulf. Sometime you should ask me about the Egyptian-Israeli war of 1956 and our escapades in the Suez Canal.

My wife of 42 years, **Mary-Louise**, and I are kept busy and young by our eleven grandchildren who are spread up and down the East Coast from North Carolina in the South, through Baltimore, Chambersburg (NJ), and on up to Wellesley and North Andover, MA. Four of our five 'kids' are married and you should be here around

Thanksgiving and Christmas. Each Christmas we have one of our neighbors arrive as Santa and the first year we did this, without telling our own kids (the parents of those grandchildren) so even they were surprised by Santa's visit.

Well, y'all. I enjoyed that! Eamon was jetting off to PSP in February and an STM meeting in April in Washington, DC. He really does like to travel!—KS

Bowdler's Contribution to
Publishing Vocabulary

When Thomas Bowdler published the Family Shakespeare in 1818, he removed all the words he considered dirty, contentious, or blasphemous. His word-cleaning practice led to other areas of publishing and for several generations in England and America, cleaned-up texts of many literary classics were published. The term "bowdlerize" appears in most dictionaries today as a description of the prudish expurgation of a book, along with such related words as "bowdlerizer" and "bowdlerism."

— excerpted from Nat Bodian's
The Joy of Publishing
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