

April 2011

People Profile: Sue Polanka

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Recommended Citation

(2011) "People Profile: Sue Polanka," *Against the Grain*: Vol. 23: Iss. 2, Article 21.

DOI: <https://doi.org/10.7771/2380-176X.5798>

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

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

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

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

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

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

Bob also sends the following news about new staff at **Ingram**. **Marc Roberson** joins **Ingram Content Group** as Director of Sales, Public Li-

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Sue Polanka

BORN AND LIVED: Cincinnati and Dayton, Ohio areas, Austin, Texas for a short stint.

PROFESSIONAL CAREER AND ACTIVITIES: Reference and instruction librarian and a writer, editor, and blogger for reference and eBook topics.

FAMILY: Nice nuclear family with an Alaskan Malamute named Moon.

IN MY SPARE TIME: I travel as often as possible, preferably with family and friends and enjoy life to the fullest.

FAVORITE BOOKS: Love the legal thrillers and mysteries, but have no time to read them.

PET PEEVES: Bad service and the statement "we've always done it that way."

PHILOSOPHIES: Everything happens for a reason, the more you give, the more you get, and work hard, play harder.

MOST MEMORABLE CAREER ACHIEVEMENT: Receiving a trademark on *No Shelf Required*. The idea for a blog to discuss electronic reference and eBooks was suggested to me by a reference publisher in 2008. I took the idea and ran with it, developing the content and brand over time. For me, *No Shelf Required* is the perfect intersection of my experience as a librarian and my education in communication and marketing.

MY PUBLICATIONS: *No Shelf Required: E-Books in Libraries*, ALA Editions, 2011. *E-Reference Context and Discoverability in Libraries: Issues and Concepts*, IGI Publishing, forthcoming. *No Shelf Required II: The Use and Management of E-Books*, ALA Editions, forthcoming.

GOAL I HOPE TO ACHIEVE FIVE YEARS FROM NOW: Professionally – create the ultimate research environment for library users, whether a digital tool, collection of services, or a combination of the two. Personally – Visit the three continents still on my bucket list with my family and friends.

HOW/WHERE DO I SEE THE INDUSTRY IN FIVE YEARS: I hope to see authors, artists, publishers, and libraries much more in-tune about licenses, DRM, and business models. Ideally, we will be settling into good practices based on collaborative efforts amongst our groups, all to provide the best access and service to end-users.

HISTORY AND BRIEF DESCRIPTION OF YOUR LIBRARY: Named after the world-famous **Wright** brothers, **Wright State University** in Dayton, Ohio, continues their spirit of innovation. The university serves nearly 18,000 students, offering more than 100 undergraduate and 50 Ph.D., graduate, and professional degrees. 🐾



braries. **Marc** comes to **Ingram** from the library systems market where he spent the last ten years in sales management. **Marc** can be reached at **Ingram** at <marc.roberson@ingramcontent.com> **Janet Walsh**, is **Coutts** new Area Manager for the Southeast U.S. **Janet** comes to **Coutts** from **American Baptist College** where she was the library director. Prior to working at **American Baptist**, she was the Assistant Director of Library Services at **Fisk University**. **Janet** also has a wealth of sales and training experience gained from working for the library system vendors **DRA** and **SIRSI**. **Lisa McDonald** is an MLIS degreed librarian with a strong background in sales and account management. **Lisa** worked for ten years at **OCLC** where she held a variety of positions including Contract Cataloging Consultant, Project

Manager and Metadata Specialist. **Lisa** will be responsible for the U.S. Central territory. Welcome, everyone!

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

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