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ATG Interviews Tracey Armstrong

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President and CEO Copyright Clearance Center

by **Tom Gilson** (Associate Editor, *Against the Grain*) <gilson@cofc.edu>

and **Katina Strauch** (Editor, *Against the Grain*) <kstrauch@comcast.net>

ATG: Tracey, for our readers who may not be familiar with you or Copyright Clearance Center can you tell us something about yourself and the mission of CCC?

TA: I joined CCC in 1989 and in 2007 became CEO. Throughout this time our mission has remained constant — we create licensing solutions that help rightsholders monetize the reuse of their content, while simplifying the process for users who need to get permissions to share content when and where they need it.

ATG: At the recently completed Charleston Conference, Jack Bernard, Associate General Counsel for the University of Michigan said that the primary justification for copyright is to “advance public learning.” Is he right?

TA: The Founders of our country included copyright in the Constitution and in the first laws of the “new world” in order to foster creativity for the common good. Today, copyright protection covers text materials, images, multimedia properties, software, and many other forms of creative content. Copyright ensures that the creators of this content receive a fair return for their efforts and that, in turn, society benefits from those creations.

ATG: Copyright Clearance Center has a well-developed program as far as journals are concerned. However, given the mass digitization of books and other copyrighted materials, what role do you foresee for CCC in dealing with these formats? For example, will there be a “Get It Now” program for book chapters? Or are book chapters covered by fair use?

TA: CCC has long licensed book chapters, and more recently eBook chapters, on behalf of thousands of rightsholders. And, yes, we will be including this content in Get It Now. So you can see that CCC has always considered licensing book content to be as critical a need as licensing any other type of content. In the current environment, we think it’s important to help clarify rights around books so as to increase the availability of their content to users. To that end, CCC is working on a dozen projects right now to broker rights between authors and creators of content and publishers of content to help license books in digital form where rights are currently unclear.

ATG: CCC has announced several new initiatives regarding author rights, etc. Could you tell us about these new programs and why CCC is doing them?

TA: We’re constantly expanding our services to meet the needs of our rightsholders.

We recently launched a suite of new services to simplify the licensing of content between rightsholders and enable republication: the Permissions Acquisition Service and the

Republication License. These services were developed in response to the proliferation of new digital formats and rights standards, which have led to a dramatic increase in the types and numbers of permissions needed prior to going to market.

The Permissions Acquisition Service provides a team of experienced rights acquisition specialists who acquire the permissions needed to reuse content in new titles or expand the reuse rights when republishing backlist titles in new editions, formats or languages. CCC provides a record of the rights acquired for future reference and streamlines payment to a single invoice.

The Republication License is an opportunity for both vendors and acquirers of republication rights to participate in a smart, streamlined licensing solution that eliminates the time-consuming, expensive back-and-forth of rights negotiation.

There is a growing need in the rightsholder community to more easily obtain rights from other publishers, authors and creators. CCC’s robust, automated licensing solutions and relationships with publishers and authors put us in a great position to satisfy this need and increase royalties and profitability for rightsholders.

CCC recently hired **Michael Healy**, former Executive Director (Designate) at **The Book Rights Registry** as Executive Director, Author and Publisher Relations, where he’s responsible for the development of new products in service of the author and publisher communities. As CCC expands its business models to address a broader set of licensing issues facing customers, **Healy** will be instrumental in helping to devise and implement strategies to address challenging market gaps, including eBook rights, orphan works, and digital rights for pre-existing works.

ATG: Some multimedia publishers are promoting the need for academe to be “media agnostic.” In light of that, does CCC work with producers and distributors of videos and other visual media?

TA: CCC licenses all types of media, including millions of in- and out-of-print books, journals, newspapers, magazines, images, blogs, eBooks, mobile content, and videos. The way we use technology to facilitate the licensing process has changed considerably over the years, and CCC has been up to the challenge of delivering solutions to meet those changing needs. For example, when one of our clients asked for support in building licensing capabilities into its mobile-ready content, we developed a technology solution that did just that.

ATG: The U.S. Copyright Office just released its “Priorities and Special Projects” report, and you responded by saying that you

hoped “to be able to assist the Copyright Office in its evaluation of licensing opportunities in the U.S., ranging from repertory and pay-per-use models to concepts new to the U.S. such as extended collective licensing.” How do you plan to do that? What advice would you give the Copyright Office on licensing?

TA: Copyright plays an important role in U.S. and global economies. Advances in technology are accelerating options for creating, distributing, consuming, sharing, and preserving content, while laws have not always kept pace. There is an urgent need for legislative solutions to address our most challenging copyright issues, ranging from clarifying the use of orphan works (works where the copyright holder cannot be located) to streamlining registration for groups of copyrighted works to addressing the mass digitization of books. CCC actively engages with the **Register of Copyrights** and her staff on these issues and hopes to be able to assist the Copyright Office in its evaluation of licensing opportunities in the U.S., ranging from repertory and pay-per-use models to concepts new to the U.S. such as extended collective licensing.

ATG: Speaking of which, many are saying that contracts trump copyright. Is this true? And, if so, does CCC see itself playing a role in the licensing arena?

TA: Licensing is evolving because of the way that users are interfacing with content. Integrating rights management into that technology is key. The best licensing is transparent, and the best licensing solutions for our users are transparent. Keeping up with the demands of the market is critical because you have to keep in touch with user behavior.

CCC is a proponent of context-based licensing, which is about understanding what customers really want: Where and how do they want to access information? In what formats do they want that material? How do they prefer to share information? And how can they spend the least amount of time and energy getting permission to share copyrighted material? The answers to those questions will likely vary depending on each individual audience within a publisher’s market. Once customer needs are determined, rightsholders can choose from a host of traditional and emerging licensing approaches to meet market demands and to maximize their revenue potential.

ATG: The report highlighted a few key issues of specific interest to libraries like mass book digitization, orphan works, and of course, copyright exemptions for libraries. If asked, what recommendations would you offer them in order to ensure an appropriate balance among the interests of creators and

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other copyright holders, libraries, and archives — in a manner that best serves the national interest?

TA: The next few years will see continued developments in technology, content creation, and dissemination. **Register Pallante's** priorities indicate that the government is interested in ensuring that the U.S. retains its leadership position with contemporary policies reflecting the evolving use of content while encouraging creators and publishers to develop new content and new licensing and delivery mechanisms to serve their readers and customers. **Register Pallante** has hit the ground running in her new role as head of the Copyright Office, and is already making clear her intention to carry forward the strong leadership that has been the hallmark of the Office for decades. We support this agenda and encourage the U.S. Congress to consider the issues with urgency as recommendations are created. CCC remains ready to engage to create meaningful solutions for the market.

ATG: *You seem to have two licensing models for Academic Licensing and Permissions Services. Can you describe them and what type customers they were designed for?*

TA: We have three main products for the academic market — pay-per-use permissions services, an annual repertory license for multiple uses on campus, and Get It Now, which is a transactional service for content. These services complement each other. For example, content purchased through Get It Now can be used across campus in course materials, research collaboration, and other uses under the Annual Copyright License.

ATG: *There has been some concern regarding rising publisher permission fees. What impact is it having on CCC's role as a facilitator between publishers and libraries?*

TA: Rights holders set their own royalty fees, and using CCC systems are able to make changes based on the specific conditions of an individual request. For example, CCC enables rights holders to set royalty fees in many ways, including by the page, by the article, and by an entire work in the case of older works that may not be available on demand. CCC's customer service team is available to assist with special cases.

ATG: *We notice a link to a Partner Directory on your Website. What is that all about? In what ways do you and these partners work together to improve scholarly access?*

TA: Licensing content should be easy and intuitive for content users, and they should never have to leave their workflow — that's what CCC's partner program is all about. CCC partners with leading application vendors, publishing systems, and content aggregators to provide content users with easy-to-use rights licensing and advisory tools within the applications they use every day. As a result, CCC handles the complexity of copyright compliance, while content users get the permissions they need integrated into their daily workflow and partners can offer value-added tools.

against the grain

publisher profile

Copyright Clearance Center



Copyright
Clearance
Center

222 Rosewood Drive
Danvers, MA 01923 USA
Phone: (978) 750-8400

Websites: www.copyright.com
www.twitter.com/copyrightclear

AFFILIATED COMPANIES: RightsDirect, www.rightsdirect.com. Pubget, www.pubget.com.

EXECUTIVE TEAM: **Tracey Armstrong**, President and CEO; **Bruce Funkhouser**, VP, International and Distributions; **Gretchen Gasser-Ellis**, VP, Operations; **Frederic Haber**, VP, General Counsel and Secretary; **Thomas Hamilton**, VP, Business and Technology Affairs; **Haralambos Marmanis**, CTO & VP, Software Engineering; **A. Miles McNamee**, VP, Licensing and Business Development; **Michele Nivens**, VP, Human Resources; **Diane Pierson**, VP, Marketing; **Richard Ruf**, VP, Treasurer and CFO; **Michael Healy**, Executive Director, Author and Publisher Relations; **Emily Sheahan**, General Manager and Executive Director; **Kim Zwollo**, General Manager.

ASSOCIATION MEMBERSHIPS: One of the founding members of the International Federation of Reproduction Rights Organisations (IFRRO).

KEY PRODUCTS AND SERVICES: Pay-Per-Use Services; Annual License (Academic); Annual License (Business); Motion Picture License; RightsLink; RightSphere; RightCentral for Rightsholders; ReadyImages; Get It Now.

CORE MARKETS/CLIENTELE: Academic institutions; businesses; rightholders; government agencies; etc.

NUMBER OF EMPLOYEES: 240

HISTORY AND BRIEF DESCRIPTION OF YOUR COMPANY/PUBLISHING PROGRAM: CCC, the rights licensing experts, is a global rights broker for the world's most sought after materials, including millions of in- and out-of-print books, journals, newspapers, magazines, images, blogs, and eBooks. Founded in 1978 as a not-for-profit organization, CCC provides smart solutions that simplify the licensing of content that lets businesses and academic institutions quickly get permission to use copyright-protected materials, while compensating publishers and content creators for the use of their works.

ADDITIONAL ITEMS OF INTEREST FOR ATG READERS:

- Named to EContent Magazine's "EContent 100 Companies that Matter Most" in the digital content industry for 5 straight years
- Joined Google, Yahoo, and Microsoft as one of research firm Outsell's "10 to Watch" in search, aggregation, and syndication
- Distributed more than \$1 billion to rightsholders in the past 10 years
- Manages 450+ million individual rights
- Licenses 35,000 corporations with employees in 180 countries
- Licenses more than 1,100 academic institutions 🌱

ATG: *Given all of the changes that digitization is creating, are there any new services that CCC is contemplating that you feel free to tell us about?*

TA: Today we all benefit from easier and faster ways of sharing knowledge. CCC is all about building solutions that open the flow of information and support the principles of copyright. These solutions navigate new devices at an increased pace of information sharing to provide easy access while also offering incentives for writers, publishers, and other rightsholders to continue to bring us the information we value most. CCC's services make copyright work no matter what technology brings.

Moving forward, we will continue to

provide solutions that free the flow of information in a way that is mutually beneficial to those who produce content and those who use it. **Mahatma Gandhi** once said, "The future depends on what we do in the present." That philosophy is woven into everything CCC does. Technology continues to push the boundaries of IP rights. Open dialogue, educational resources, and adaptive licensing solutions can ensure the seamless sharing of knowledge for years to come and that is CCC's focus.

ATG: *Tracey, we appreciate your willingness to participate in the "open dialogue" with us. We have learned a lot.*

TA: It was my pleasure. 🌱