

# WP6 Integration of Visual Material into ARROW

Bologna 29 June 2011

[www.arrow-net.eu](http://www.arrow-net.eu)

# Background related to HLG on DL

- EVA is signatory of the MoU of 4 June 2008 on diligent search guidelines for orphan works;
  - EBLIDA, EFJ, EVA, Fi museum photo, MLAC, Pyramide, UK NA
- Appendix to the joint report for visual works includes query to the text/publishing and the audiovisual sector as concerns embedded works:
  - Sector specific scenarios – different print media/visual work categories
  - Authors dominantly hold the rights in absence of prove of rights transfer or authorisation
  - CMOs are mandated for authors they represent to license non orphan works in orphan books by individual or collective licensing schemes and can extent with legal back up also for out liers.

[http://ec.europa.eu/information\\_society/activities/digital\\_libraries/doc/hleg/orphan/appendix.pdf](http://ec.europa.eu/information_society/activities/digital_libraries/doc/hleg/orphan/appendix.pdf)

## Background continued

- Mass digitisation of books from library collections include all categories of books
- Images inside books and on cover are included in the process
- About 15% of contents in print media are images based on empirical information of CMOs
- Categories of images – non exhaustive list
  - Illustration, Graphics, Photography , Art works

# Rights status of embedded images

- Rights status of embedded images is independent of the status of the book in which they are included
- An orphan book may contain images with traceable authors
- A book with traceable authors and publisher may contain orphan images, public domain, protected images with traceable authors
- If several images are within one book, each image can have a different status

# Consequences

- **CONSEQUENCE:** Search for authors may not end when publisher and writer of a book with images is not traceable; *Ref: Orphan Works draft Directive article 2.2*
- Images are also commercialised in a different way and the free use when wrongly considered as orphans seriously interferes with re-use, concerns all work categories and particular challenging to image agencies whose business model is based on re-use of photography.

# Available information on images in books

- What is needed: data base that contains information
  - ▣ On books with a standard identifier such as ISBN
  - ▣ On images in books and their authors/rights holders – not necessary work title
  - ▣ Link to contact the authors/rights holders
- What is available so far?
  - ▣ **Libraries** do not dispose of complete bibliographic data of image works contained in the books that they scan, but data on books
  - ▣ **Publishers** use complete bibliographic references rather recently and its collection in a data base is unlikely – data on books, publishers and authors
  - ▣ **Authors associations** have data bases from their members

# Available information continued

- **Collecting societies** have information and contact with author/rights holders
  - ▣ About art works where they licensed reproductions of art works in books and print media;
  - ▣ Where authors of any category of image claim share of remuneration based on uses of image;
  - ▣ Can inform about legal status of works, protected/public domain
  - ▣ Have contact to authors/image agencies/Moral rights
  - ▣ International networks for licensing and distribution of revenues

# Available information continued

- **Image agencies** have information on:
  - ▣ Licensing history including name of publishers
  - ▣ Copyright status
  - ▣ Information on possible personality rights or other limitations
  - ▣ Descriptive Content Information
  - ▣ May licence the image/ provide authorization if they hold the digitization rights
  - ▣ Can provide contact to author if they do not hold the digitization rights

# GOALS WITHIN ARROW

**How can visual images be integrated into ARROW ? Is it possible or not and if not what to do.**

- Evaluation of existing databases and their information
- Evaluation of interoperability with ARROW
- Evaluation the needs: how many probable orphans, reason of „orphanage“
- Assessment of costs

# outlook

- Considering that the main reason for the loss of parents is the lack of proper accreditation, evaluate how **visual technologies** may help to track the „orphans“ and whether they may be used in ARROW.
- Alternatively to integration into ARROW a sector specific solution including CMOs might be set up based on close cooperation with ARROW.

## EVA WP 6 leader and partners

EVA, partner and WP 6 leader

- EVA is a gathering of 23 European collective management organisations for fine arts and photography for close to 60 000 authors. Its members license primary uses such as the reproduction right and the making available right.
- They also manage secondary or remuneration rights, such as private copying, reprography and public lending/related to RROs
- Back in 2002 EVA members created OLA a multi repertoire multi territory one stop shop that grants world wide licenses for the use of fine arts works on internet sites. [www.onlineart.info](http://www.onlineart.info)

# Partner



## Who we are?

- Picture agencies
- ... for photographers, illustrators, graphic designers
- Picture libraires / illustration
- Historical picture archives
- Museums and Galleries

## Which fields?

- Press
- Stock
- Heritage

## How many?

- Approx. 900 members in 20 European countries
- Above 150 000 authors
- Network of affiliates all over the world
- Direct licensing only
- Experience with dealing with collecting societies for art works or secondary rights

## CONTACT:

**CEPIC, Centre of the Picture Industry**

**Secretariat Berlin**

**Tel. +49.30.88 91 01-60**

[ceplic@ceplic.org](mailto:ceplic@ceplic.org)

[www.ceplic.org](http://www.ceplic.org)

## Possible further participants

- **EFJ**, European Federation of Journalists, represents also photojournalists, confirmed
- **Pyramide**, European Network of national photographer associations, tbc
- **EIF**, European Illustrator Federation, tbc
- ASMP, American Society of Media Photographers, as members of **PLUS**

# PEOPLE



Carola STREUL, EVA

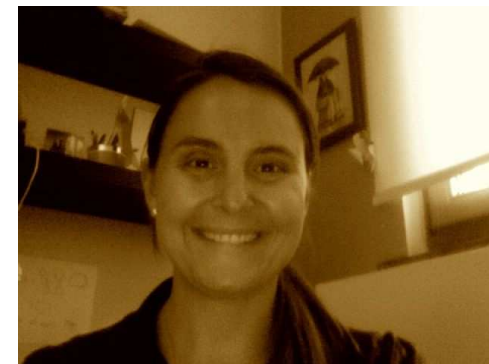
Dominique DELOUIS, CEPIC  
**THANK YOU!**  
Sylvie FODOR, CEPIC



Silvia MERA, EVA



Carlos VICENTE, CEPIC



A horizontal bar with an orange segment on the left and a blue segment on the right.

## FURTHER INFORMATION

Streul Carola

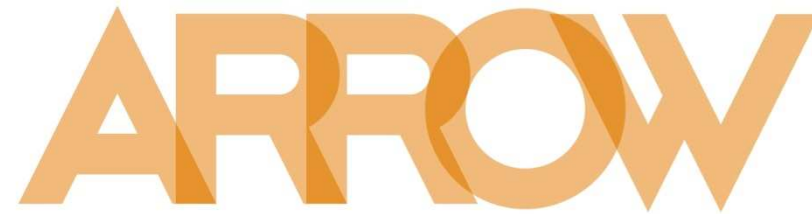
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<http://www.arrow-net.eu>

ARROW Plus is a Best Practice Network  
selected under the ICT Policy Support  
Programme (ICT PSP)

