

Harvard Library Copyright and Fair Use Tool

By Kyle K. Courtney, Esq.

Project summary:

The Harvard Library Copyright and Fair Use Tool is a series of dynamic web pages, flow-charts, examples, and substantive information that can be used by Harvard faculty, staff and students to ascertain the copyright status of a particular item or to learn more about a particular area of copyright law

Accomplishments: After many meetings, the Office of General Counsel agreed to the Tool's creation, with some caveats for legal disclaimers and final approval of any legal language. The skeletal structure of the tool was built by Anita Patel at the Berkman center. We secured the web address copyright.harvard.edu. I also received approval to create the first Library Copyright Training working group which will train one "first responder" at each library through a series of classes based on some of the information the OGC would prefer to not be included in the Tool because of exposure and liability (we are calling it the "human element")

Challenges: To continue to create the proper language for the tool that does not offer legal advice and mitigates any liability, but also still offer substantive answers about a particular area of copyright law to Harvard faculty, staff and students.

Next steps: Now that the Tool's basic structure is established, one next step is to continue to develop the language of the tool and outline its "answer path" more precisely with help from the OGC. Since we have also secured approval to add the Library Copyright Training working group, the next step is series of classes on Copyright 101, with a slant towards questions that Harvard Libraries frequently get. Myself, John Palfrey, Jonathan Hulbert, and others will train selected library staff with information gathered and based on the Tool (the preference for licensed links as a solution to many questions; discuss fair use and libraries, reserves) and have open sessions with Q&A. If each person completes all the classes, and some of the required reading and work, they would be unofficially "certified" as the first line copyright responder for their library. They would continue to send in questions, meet, etc. to build upon that knowledge – which could be integrated into the Tool.

Budget spent:

Total development hours: 93

Total development cost (including salary, benefits, overhead, and administration): \$11,488.49

A list of any publicity you did, e.g., articles, blog posts, podcasts, etc.: At the OGC's request, publicity was limited to the Library Lab Showcase. However, the Library Copyright Training working group will be publicized using the momentum from the Harvard Strategic Library Conversation.

A list of any presentations you gave that involved your project: No presentations yet – but the Tool is planned for unveiling to Harvard Law School first, before spreading to other libraries.