

IFRRO Statement on the Digitisation of Printed Materials supported by the Authors' Coalition

(as adopted by the IFRRO AGM in Singapore, October 2004)

Official representatives of the International Federation of Reproduction Rights Organisations (IFRRO) and of the Authors Coalition met in Brussels to further discuss the role of national RROs in the granting of licences for digitising and storage and providing access by legitimate users to printed copyright works and copyright works in digital form. The Statement covers works in books, newspapers and other periodicals, etc. whether currently in print or currently made available electronically. The statement is not intended to be specific about digital format or the process of digitisation, and includes optical character recognition (OCR) and digital page formats.

Authors' Coalition represents the

- European Writers' Congress / EWC (55 member organisations in 29 countries, representing some 54.000 authors and literary translators),
- International Federation of Journalists / IFJ (500.000 journalists, photographers etc. in over 100 countries),
- Authors Guild, Inc. (8.400 professional authors in the USA),
- National Writers Union / NWU (6.000 members in the USA),
- Text and Academic Authors / TAA (700 textbook-writers in the USA).

AC includes authors of fiction, textbook, general non-fiction and scientific works. These authors publish their works in book, journal and machine-readable form. The members of these organisations are in most countries involved in the work of RROs on the national level.

1. IFRRO recognises the increasing demand by legitimate users to have access to copyright works in suitable digital format, and in certain circumstances to digitise and store such works.
2. IFRRO reaffirms (as in its [previous joint statements](#), January 1994 & February 2000) its commitment to the central role of Reproduction Rights Organizations (RROs) in licensing the photocopying of works. It stresses the role that RROs could play concerning the licensing of rights related to the digitisation, storage and use of works in digital form, subject to the consent of all stakeholders.
3. IFRRO recognises that in certain circumstances, legitimate users wish to make digitally stored materials available to authorised persons.
4. IFRRO recognises the desirability of making the procedures for acquiring rights for the use of digitised works, digitisation, storage and closed network rights as simple as possible.
5. IFRRO notes that the AC recognises that national RROs could provide a non-exclusive rights clearance mechanism for works in digital form.
6. IFRRO recognises that the rightsholders can reserve exclusively the role of managing rights clearance for works in digital form. IFRRO supports the principle of both direct and centralised licensing of works in digital form, but recognise that centralised management of rights clearance will in many cases be preferable.
7. To this end IFRRO welcomes that AC will encourage its members to convey to their National RROs the non-exclusive international rights to licence certain digital uses in accordance with the principles embedded in this statement as long as the publishers also agree to the collective exercise or management of their share in the rights.
8. IFRRO notes that AC will also encourage its members to convey to their National RROs a general foreign mandate in accordance with the Policy Statement adopted at the IFRRO AGM in Amsterdam on October 20th 1999, authorising them to enter into reciprocal agreements with foreign RROs operating schemes which conform with the minimum standards of this statement and the Berne Convention.

9. In accordance with the Policy Statement adopted at the IFRRO AGM in Amsterdam on October 20th 1999, we appreciate that the AC will encourage and provide the necessary mandates for their National RROs to engage in pilot projects which take into account the minimum standards of this statement, and to explore questions related to downstream territoriality.
10. IFRRO affirms that as provided for in harmonised European as well as national legislations authorisation by the author or her/his authorised representatives, where identifiable, should always be a necessary precondition for electronic storage of printed works and for retrieval and distribution in whatever form.
11. IFRRO observes that unauthorised electronic use represents substantially greater risk concerning both the moral and economic rights of an author than the present damage from unauthorised photocopying.
12. IFRRO recognises that an author or her/his authorised representative should, unless otherwise agreed by collective agreements or national legislation, be entirely free to determine the fee, including the right to set the fee by type of content, type of user, or any other consideration deemed appropriate by the author or her/his representative.
13. IFRRO recognises that an author or his/her authorised representative may wish to license certain sectors directly whilst granting licensing rights to the RRO for all other sectors.
14. IFRRO supports the continuation of levy systems and extended legal licensing systems based on collective agreements between rightsholders and users wherever established and appropriate.
15. IFRRO supports collective use of DRM by RROs and the extension of existing collecting society mechanisms wherever appropriate and economically viable.
16. IFRRO applauds that AC will endeavour to persuade its members of the desirability of simplified and transparent pricing structures for use of works in digitised form.
17. Unless prohibited by the author or authorised representative, RROs may grant a non-exclusive licenses for use of works in digital form even when the material is already available in other digital formats and databases.
18. IFRRO fully acknowledges that the moral rights of authors as well as their contractual and customary rights and interests must be protected. The contributions of authors to the authenticity and integrity of information, and the interest of the public in the reliability of digital information, must be appropriately safeguarded.
19. IFRRO reiterates its commitments to continue to consult regularly with AC and co-operate closely in implementing and developing these principles.

Yours sincerely

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Jochen.kelter@bluewin.ch

Peter.shepherd@cla.co.uk

Ewc.lsw@t-online.de