COPYRIGHT CHALLENGES IN RESEARCH
Session 2
Use of Images from Archival Research: Copyright Issues

29/04/15
Atelier Multimédia, EUI
Two Sessions

I. General: Copyright challenges in research (22/04/2015)

II. Use of images from research
- Photographs of archival documents and manuscripts
- Photographs of works of art in Museums collections
- Photographs of heritage buildings, archaeological sites, etc.
- Images of public domain vs images of copyrighted objects
- Private use vs publication
- Publication for research purposes vs commercial publications
- Ownership vs copyright // DRM // Metadata (standardisation)
- Italian case: changes after the *Decreto Franceschini*
Photographs of Works of Art in Museums Collections

- [http://www.archiviodistato.firenze.it/nuovosito/](http://www.archiviodistato.firenze.it/nuovosito/)
- Public domain
- Where money for reproduction goes to?
Photographs of Works of Art in Museums Collections

- [http://www.getty.edu/legal/copyright.html](http://www.getty.edu/legal/copyright.html)

- Open Content Images

- Permissions and Requests for Images and Other Site Content

Andrea Mantagna (1431-1506), Getty Museum, LA
Photographs of Works of Art in Museums Collections

http://www.mettuseum.org/research/image-resources

http://www.artstor.org/
Photographs of Works of Art in Museums Collections

- [http://www.polomuseale.firenze.it/archiviofotografico/Esito.aspx](http://www.polomuseale.firenze.it/archiviofotografico/Esito.aspx)

- [http://www.uffizi.firenze.it/archivi/](http://www.uffizi.firenze.it/archivi/)
Photographs of Heritage Buildings, Archaeological Sites, etc.

- [Link](http://whc.unesco.org/en/list/175)
Images of Public Domain vs Images of Copyrighted Objects

Distinctions

- Images of public domain vs images of copyrighted objects
- Private use vs publication
- Publication for research purposes vs commercial publications
- Ownership vs copyright // DRM // Metadata (standardization)
- Photographer’s copyright
Italian Case: Changes after the Decreto Franceschini

http://www.beniculturali.it/mibac/export/MiBAC/sito-MiBAC/Contenuti/Ministero/LegislaturaCorrente/Dario-Franceschini/Comunicati/visualizza_asset.html_231740378.html
I Session
Basic Copyright Concepts

1. Two categories of works → 3 categories adding a grey zone (orphans, out-of-print)
2. Why the arrow representation? What is the default?
3. Legal status dictates accessibility. Rules (term of protection) and practical consequences (free v. licenced use)
Lack of Harmonization as the Basic Source of Confusion

• Within the EU: Copyright is territorial = rights are enforced on a country by country basis under national law
• The dissemination of copyright-protected content on the Internet (e.g. by an online e-book seller) requires, in principle an authorisation for each national territory in which the content is communicated to the public.
• Right-holders can authorise multi-territorial or pan-European licenses.
• EU-level steps to facilitate multi-territorial licenses
• EU-level discussions about harmonisation prospects
Your Experiences

• **Common problems?**
  (examples)
  - Photographing archival material or artwork to use at Ph.D. or for a publication (access/ further use)/ Public domain status v. ownership of the photo or the material
  - Distribution in classes/seminars
  - Creating catalogues for museum exhibitions
  - Other legal considerations (eg. privacy, confidentiality)

• **Copyright of own work**
  - Copyright is automatic,
  - Own choice of licenses
  - Contracts with publishers
  - Creative Commons
  - University depositories
  - Open Access (=/≠ public domain)

- [More issues?]
Thank you for your attention and your interest 😊

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