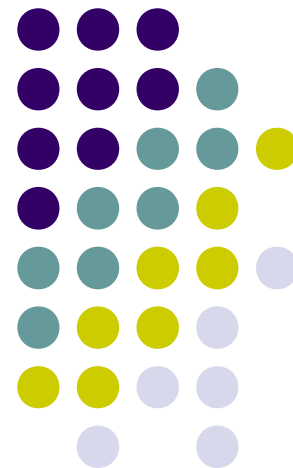


Дигитални библиотеки – авторскоправни аспекти

гл. ас. д-р Таня Тодорова
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„Авторското право и Интернет заедно способстват за напредъка на творчеството и иновациите, което е от полза за всички европейци...Новият проект за конкурентноспособен и преуспяващ цифров единен пазар...е възможен единствено, ако в изграждането му вземат участие самите създатели на творческо съдържание онлайн и ако поколението, израснало в цифровата ера, влезе в ролята на заинтересовани и иновативни потребители”.

Вивиан Рединг,
*Комисар на ЕС по въпросите на
информационното общество и медиите*





- **Report** on Digital Preservation, Orphan Works, and Out-of-Print Works. Selected Implementation Issues. (adopted by the High Level Expert Group at its third meeting on 18.4.2007), 11 p.
http://ec.europa.eu/information_society/newsroom/cf/itemlongdetail.cfm?id=1454
- **Europeana** – Next Steps. Communication from the Commission to the European Parliament, the Council, the European Economic and Council Committee and the Committee of the Regions. COM (2009) 440 final. Brussels, 28.08.2009. 10 p. <com 2009_0440 en01.pdf>
- **Консултации „Европеана – следващите стъпки“**

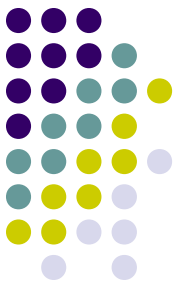
Как се определя съдържанието на *Европеана*?



За да се отговори на очакванията на потребителите по отношение на съдържанието на *Европеана*, е необходима координация и конкретни усилия във връзка с определени категории материали.

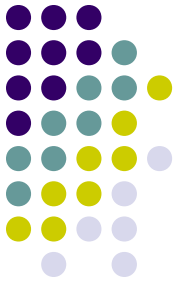
До момента в *Европеана* са включени предимно цифрованизирани книги, които са обществено достояние, т. е. не са обект на защита от системата на интелектуалната собственост. Съобразно действащото авторскоправно законодателство, *Европеана* не съдържа нито произведения с изчерпани тиражи (около 90 % от книгите в европейските национални библиотеки), нито осиротели произведения (приблизително 10-20 % от колекциите), които все още са защитени от авторското право. Опитът на *Европеана* показва, че в Европа лицензите за материали със запазени авторски права все още се издават в много разпокъсана правна рамка.

Как да се обогати съдържанието на *Европеана* по отношение на материали, защитени от авторското право?



Европейската комисия започва диалог със заинтересованите страни за намиране на подходящи решения за опростено и икономически ефективно уреждане на правата, обхващащо широкомащабната цифровизация и разпространението онлайн на библиотечни фондове, които все още са защитени с авторско право, вкл. изданията с изчерпани тиражи и осиротелите произведения.

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Most popular documents

- L'Humanité (1904-)
- L'Ouest-Éclair, éd. de Rennes (1899-)
- Le Petit Parisien (1876-)
- Le Petit journal (1863-)

Recent additions

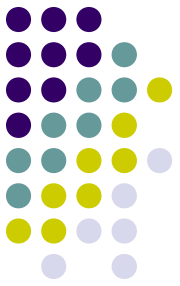
- Divers cartonnages de momie. Egyptien 167
- Fragment du Livre des Morts.
- Papyrus funéraire de Khonsoumès. Textes mythologiques et funéraires. E ...
- Divers cartonnages de momie. Egyptien 166

The latest blog posts

- Les débuts du vaccin (piqûre de rappel)
- Charles-Simon Favart (1710-1792)
- Le Code pénal de 1810
- La bataille d'Hernani dans Gallica
- Quelques éditions des Pensées de Pascal

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Libreka! Buecher & E-Books. < http://www.libreka.de/>



The screenshot shows the Libreka! website interface. At the top left is the Libreka! logo. Below it is a search bar with a dropdown menu set to 'in Büchern' and a search button labeled 'suchen'. To the right of the search bar is a link for 'erweiterte Suche'. Below the search bar is a navigation menu with links for 'Start', 'über libreka!', 'FAQ', 'Kontakt', 'Hilfe', 'Registrieren', and 'Login'. On the left side, there is a 'Stöbern' (Browse) section with a list of 'Themen' (Topics) including Belletristik, Geisteswissenschaften, Kunst, Musik, Kinder- und Jugendbücher, Naturwissenschaften, Medizin, Informatik, Technik, Ratgeber, Reise, Sachbuch, Schule und Lernen, and Sozialwissenschaften, Recht, Wirtschaft. The main content area features a carousel of book covers, including 'STIER LARSSON', 'SIBYLLE BERG Der Mann schläft', 'IRRE! Wir behandeln die Falschen Unser Problem sind die Normalen', 'Charlotte Link Das andere Kind', and 'MELISSE BY ZEINBAUM'. Below the carousel are buttons for 'E-Books ohne DRM!', 'E-Books bis 10 EUR!', 'E-Reader!', and 'iPhone App!'. To the right of these buttons is a 'Warenkorb' (Shopping Cart) icon. Below the carousel, there is a 'mit libreka! reinesen' section featuring the book 'Das Leben der Wünsche' by Thomas Glavinic, published by Hanser, Carl. To the right of this section is a 'Der libreka! Newsletter' sign-up form with an 'E-Mail' input field and a 'bestellen' button. Below the newsletter form is a 'Bestseller' section. On the right side of the page, there is a vertical banner with a purple background and white text: '»EIN WICHTIGES BUCH. DENN ES IST EIN VERSUCH, DIE KRISE ZU NUTZEN, UM DIE WIRTSCHAFTS-THEORIE UMZUKREMPeln.«' and 'Frankfurter Allgemeine Sonntagszeitung'. Below the banner is a book cover for 'animal spirits' by George A. Akerlof and Robert J. Shiller, published by Campus.



Цифровизацията и разпространението на **осиротелите произведения**

представяват сериозен културен и икономически проблем – бидейки защитени от авторското право и в същото време с неизяснени и неоткриваеми притежатели на права – тези издания не могат да бъдат дигитализирани и предоставяни на потребителите. Едновременно с това, те представляват значителна част от колекциите на европейските културни институции. Това влиза в противоречие с основните функции на библиотеките – да съхраняват и опазват културното наследство, а в днешни дни и посредством дигитализацията да го правят широко достояние за обществото.



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Important Update: The parties are working on improvements to the Claim Form. As part of those improvements, it is now possible for Rightsholders to begin the process of claiming their Books and Inserts in a way that is simpler than using the claiming website or the paper claim form. Click [here](#) for more details.

This is the settlement administration website for the Google Book Search Copyright Class Action Settlement. The purpose of this website is to inform you of a proposed Settlement of a class action lawsuit brought by authors and publishers, claiming that Google has violated their copyrights and those of other Rightsholders of [Books](#) and [Inserts](#) (click for definitions), by scanning their Books, creating an electronic database and displaying short excerpts without the permission of the copyright holders. Google denies the claims. The lawsuit is entitled The Authors Guild, Inc., et al. v. Google Inc., Case No. 05 CV 8136 (S.D.N.Y.). The Court preliminarily approved the Original Settlement in November 2008. For further information, please review the [Original Notice](#). On November 19, 2009, the Court preliminarily approved the [Amended Settlement Agreement](#). For further information, please review the [Supplemental Notice](#).

Important Dates

- [Claim](#) your Books and Inserts: You can do this at any time, but in order to be eligible for [Cash Payments](#) for Books and Inserts, you must complete your Claim Form on or before **March 31, 2011** (extended from January 5, 2010).
- File an objection to the Amended Settlement: If you wish to object to the provisions amending the Original Settlement, your objection must be postmarked on or before **January 28, 2010**. You need not and should not refile your objection to the Original Settlement, which will be considered as previously filed. You may, however, withdraw your objection at any time prior to the date of the Fairness Hearing.
- File notice of intent to appear at the Fairness Hearing: If you wish to appear in person at the Fairness Hearing on February 18, 2010, your notice of intent must be postmarked on or before **February 4, 2010**.

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CONTACT INFORMATION

Settlement Administrator
c/o Rust Consulting, Inc.
PO Box 9364
Minneapolis, MN 55440-9364
UNITED STATES OF AMERICA

Email:
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This website is maintained by Rust Consulting, Inc. the Settlement Administrator with technical support and hosting provided by

ARROW - The Accessible Registries of Rights Information and Orphan Works <<http://www.arrow-net.eu>>



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Calendar



22.03.10 EC Review Meeting

29.03.10 European Forum for Cultural Industries

12.04.10 Conference
Digitisation of cultural material.
Digital libraries and copyright

15.04.10 5th European
Creators' Conference "Authors'
Rights in the Digital Worlds"

20.04.10 The Big Picture:
ARROW and Europeana, Pan
European Digital Initiatives in
Libraries

[» Full Calendar](#)

About Arrow

ARROW, Accessible Registries of Rights Information and Orphan Works towards Europeana, is a project of a consortium of European national libraries, publishers and collective management organisations, also representing writers through their main European associations and national organisations.

ARROW aims in particular to support the EC's i2010 Digital Library Project by finding ways to identify rightholders, rights and clarify the rights status of a work including whether it is orphan or out of print. This will enable libraries as well as other users to obtain information on who are the pertinent rightholders, which are the relevant rights concerned, who owns and administers them and how and where they can seek permission to digitise and / or make available the work to user groups. The project also seeks to enhance the interoperability between sources of rights information (i.e. exchange of information) held by rightholders, RROs and other collective management organisations, agents, libraries and users. Solutions envisaged by the venture include the establishment of systems for the exchange of rights data, the creation of registries of orphan works, information on or registries of works out of print, supporting the creation of a network of rights clearance mechanisms. Key to achieving this objective is interoperability, standards deployment and stakeholder involvement.

ARROW is one of the projects selected among 102 ones proposed in 2007 under the European Commissions eContentplus Programme which seeks to help make digital content in Europe more accessible, usable and exploitable.

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News



The Italian cultural heritage in Europeana through Google

The scanning of 1 million public domain books was announced.

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The Committee on Culture and Education of the European Parliament urges EU States to enlarge Europeana while respecting copyright

A report approved unanimously by the Culture Committee of the European Parliament on Europeana includes references to ARROW project.

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Final report of the EC i2010 Digital Libraries Expert Group

The final report of the EC i2010 Digital Libraries High Expert Group has been published recently on the EC Information Society's Thematic Portal

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ARROW System development. German pilot on its way

During the first semester of 2010, the ARROW consortium will deliver the first phase of the project pilot.

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France and Germany announced digitization projects

Both initiatives would presumably feed into Europeana.

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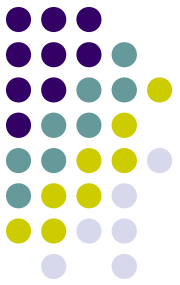
Newsletter

It will be active when the first number of the ARROW Newsletter is available.

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Orphan Works

What is an Orphan Work?

Orphan Works are works of art (and other copyrighted material) that are believed or known to be in copyright but whose copyright owner is unknown or untraceable.

What are the problems?

The uncertainty around the copyright holder of an Orphan Work of art prevents it from being used. This inhibits access to, exploitation of and promotion of Europe's cultural heritage. Orphan Works are works of art (and other copyrighted material) that are believed or known to be in copyright but whose copyright owner is unknown or untraceable.

Artists and artists' estates: The creative artists and/or the copyright holders of Orphan Works are losing income from both from the reproduction of their works and through any sales of their works which could occur through promotion via picture libraries or other means.

Picture libraries: Picture libraries sell reproduction licenses for the use of their images in creative media (including books, newspapers, films, advertising, packaging etc.) for a limited period of time. Many Orphan Works can be found in picture libraries but their use, sale and promotion is inhibited because clients are often reluctant to adopt the legal liability for the use of an image where they cannot gain permission from the copyright holder. This restrains income potential for the picture libraries, museums, galleries and collections and hinders any hope to repatriate Orphan Works with their copyright holders.

Image users: Publishers, advertisers, educators and the general public are inhibited from promoting or using the art depicted within an Orphan Work because they are concerned about their legal liability. This prevents further creative use of the Orphan Work and causes some cultural heritage that the world of art now offers



- Важен момент е изясняването на значението на съдържанието, което е „обществено достояние” и на възникващите въпроси по отношение на неговата цифровизация.
- Тук е необходимо да споменем и т. нар. „традиционни културни изяви”, които повдигат редица въпроси – дали и в каква степен да са обект на закрила от системата на интелектуалната собственост.



В резултат от протичащите дискусии и от общественото допитване относно създаването на европейски единен цифров пазар на творческо съдържание онлайн, Европейската комисия откроява три области, в които е необходима законодателна дейност:

- **Първа област:** Гарантиране на възнаграждението за творчески труд с цел творците, притежателите на авторски права и европейското културно наследство да процъфтяват в света на цифровите технологии;



- **Втора област:** Предоставяне на законен и ясно ценообразуван потребителски достъп до голямо разнообразие от цифрово съдържание, на всяко място и по всяко време;
- **Трета област:** Съдействие за осигуряване на равнопоставеност за нови бизнес модели и иновативни решения за разпространение на творческо съдържание в целия Европейски съюз.

Приоритет е изготвянето на правна рамка за трансгранично предоставяне на цифрово съдържание в Европейския съюз, съобразена с интересите на потребителите и същевременно осигуряваща за творците стабилна защита от системата на интелектуалната собственост и справедливо възнаграждение.

Дигитални библиотеки – авторскоправни аспекти

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