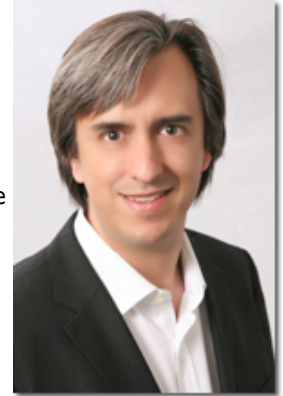




## High-Tech Tools Can Make Copyright Laws Easier to Respect

By Peter Derycz  
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In 2003, a Baltimore jury forced the financial services firm Legg Mason to pay \$20 million in a copyright lawsuit that was brought by Lowry's Reports. The offense? Legg Mason had bought a single copy of a Lowry market report and distributed it to as many as 1,300 of its stockbrokers and clients. Eight years earlier, Texaco paid a seven-figure settlement to six publishers in a case centering on whether it is "fair use" for a researcher to copy journal articles without getting permission from their publishers. And four years before that, Kinko's shelled out nearly \$2 million to settle a suit brought by eight publishers who alleged that university "course packs"—sets of readings from different sources that are bound together for the benefit of students—infringed on their copyrights.

In each one of these cases, the accused were not intentionally committing a malicious act. Their real crime was being ignorant of copyright laws. In fact, they were probably unaware that their actions touched in any way on issues of copyright, which in fact extend to the unauthorized copying and distribution of published material.

A not-for-profit organization called the Copyright Clearance Center (CCC), based in Danvers, Mass., was formed in 1978 in order to ensure that all published information—everything from scholarly medical research articles to popular songs—is used and shared legally and with ease. Today, that company's web-based applications and tools are allowing tens of millions of people worldwide in corporations, universities, law firms and government agencies to ensure that they are using published materials legally.

If the folks at Legg Mason, Texaco and Kinko's had been aware that their actions entailed copyright issues, they could have taken their inquiries to the CCC or a similar organization, and at the very least been able to determine whether they were in fact flouting the law. If each of these companies were faced with a similar task today, they would be even more fortunate—because innovative companies specializing in content retrieval and repurposing are developing new ways for companies to keep track, in ever more detailed ways, of which pieces of published information that they have in their possession are restricted by copyright.

For example, one tool now allows a company's employees instant electronic access to the status of their content use and re-use rights. In effect, all of the uncertainty that led to the pricey lawsuits that I mentioned in my first paragraph no longer exists. Do you, the publications manager of your pharmaceutical company, have the right to distribute to your 300 colleagues a reprint of a new study that indicates that your candidate schizophrenia drug is on the right track? With the new tools at your disposal, you can fire up your browser and find the answer in seconds.

In the pre-Internet era, it was challenging enough for a company just to locate the specific articles it needed that were buried somewhere in a university library's archives. Once those articles were finally found, the last thought on the employees' minds was whether there was a copyright conflict when they were distributed. We have come very far since those days. Today, high-tech tools are able to give employees instantaneous and up-to-date information on what materials can or can't be shared. In this way, it's easier than ever to ensure that copyright laws are obeyed.

*Peter Derycz is the CEO of Derycz Scientific. Derycz Scientific develops companies, products, services and systems that facilitate the re-use of published content in a manner that helps organizations achieve their marketing, communication and research goals effectively and in compliance with copyright law and regulatory rules. He can be reached at [pderycz@reprintsdesk.com](mailto:pderycz@reprintsdesk.com).*