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## The Ins and Outs of CCC

by Corilee Christou

Copyright and its enforcement have challenged society for centuries, ever since the invention of the printing press. With the advent of the internet and its massive amount of available content, a floodgate has been breached that U.S. and international copyright laws are attempting to stanch. But these laws are severely hampered by the easy access to and widespread sharing of digital materials worldwide.

Copyright wasn't easy to understand, much less force compliance to, in its early incarnations either. British Parliament passed the first copyright law, the Licensing of the Press Act 1662 to prevent potential abuses engendered by the printing press. However, no printing press could be set up without the approval of the Stationers' Co., a guild for printers that was established as an organization in 1403 and then sanctioned by Royal Charter in 1557. Essentially, the Stationers' Co. owned the publishing industry at that time and established all laws and regulations affecting the printing industry until the British Parliament enacted the Statute of Anne in 1710. With this law, copyright fell under the control of the British Parliament and granted authors a limited term of 14 years, renewable only if the author was still alive at the end of the initial term. Today, U.K. copyright enforcement and law still reside with Parliament. The current law allows the author of a work to hold the copyright for life plus 70 years.

The U.S. Congress soon followed its British counterpart and passed the first federal copyright act, the Copyright Act of 1790, which essentially mimicked the Statute of Anne and also granted an author a term of 14 years. Since then, the legislature has passed several revisions to the

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original act and to the term granted an author. A major change occurred in 1870 when copyright registrations were moved from the U.S. district courts to the Library of Congress. Several more revisions followed, culminating in 1976 with the first major revision to the U.S. Copyright Act, which was essentially an attempt to align the U.S. more closely with the Berne Convention international copyright agreement. It wasn't until 1998 that the U.S., under the Clinton administration, attempted to address the burgeoning digital environment by passing the Digital Millennium Copyright Act.

Similar to the way the printing press upended the distribution models of the 15th century and fostered a legislative concern for copyright protection and regulation, the internet and associated digital technology are also generating significant challenges to copyright and copyright regulation and enforcement. Congress and the courts are still struggling to create rational copyright remedies, including appropriate statutory damages, awards, and even the suggestion of establishing a all claims tribunal that would let copyright holders seek damages without having to file suit in a federal court. As recently as July 2014, Congress held hearings to, once again, determine the best approach for creating new ways to enforce copyright compliance in the digital age.

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## Wardens of Copyright

Making and sharing copies of almost any type of media have never been so easy to do and so difficult to prevent. To compound the problem, the average user of digital content is likely oblivious to the concept of copyright law, let alone which works are copyrighted and which aren't. However important the enforcement of copyright law may be, perhaps it is even more critical to offer easy-to-use, point-of-use compliance solutions. Two entities exist today to help creators/publishers manage copyright and provide tools for users that enable them to stay within the boundaries of the law as it stands now. They are Copyright Clearance Center (CCC; copyright.com) and iCopyright (icopyright.com). Although very different in the audiences they serve and in the approaches and services they offer, both CCC and iCopyright attempt to provide simple-to-use, point-of-use solutions to help their userbases successfully and easily comply with copyright laws. [See the article on iCopyright in Information Today's Jan./Feb. 2015 issue. —Ed.]

CCC was founded in 1978, the year the Copyright Act of 1976 took effect, after Congress recommended that a compliance solution service be established to enable users to stay within the boundaries of the new legislation. Needless to say, only those users who must be cognizant of what copyright law entails would want to be deeply aware of the various ins and outs of copyright ownership and the specific term of protection for a particular author's work. Enter CCC, a nonprofit organization initially set up as a voluntary system to which participating libraries submitted an annual amount of copies made of their holdings and paid accordingly. As a voluntary service, it is critical that CCC listen and act in response to its customers. Throughout its history, one of its key strengths has been its ability to respond quickly and effectively with products and services that mirror the requests and needs of its customer base as well as its participating publishers. Acting as an intermediary, CCC collects user fees and pays the publishers/creators while retaining a modest percentage.

In the last 2 years, CCC has released several new services that are all geared to the changing requirements of its customers and the expanding digital arena. Included are several key components, such as Open Access Solutions, Open Access Resource Center, MOOC (massive open online course) Content Licensing Solution, and a Motion Picture License that allows employees to show movies and TV shows for internal purposes at company events such as sales meetings or training sessions. Another key service offering is RightsLink, CCC's online application, introduced in 2004, which allows publishers to manage copyright and payments on their digital and website offerings.



## New Tools

Perhaps one of the most significant new offerings for libraries is the incorporation of OCLC's Interlibrary Loan Fee Management Service (IFM) into CCC's Get It Now service. With library budgets and funding shrinking, it is not always possible for a library to subscribe to every journal its patrons require. Interlibrary loan, therefore, provides a critical service that enables libraries to support their users on a transactional basis. The enhanced Get It Now lets libraries fulfill requests and pay for articles from unsubscribed journals using the popular OCLC IFM solution.

Another important new addition to CCC's stable is its recent acquisition of Pubget. The service describes itself as "the comprehensive source for science PDFs, including everything you'd find in Medline. We add 10,000 new papers each day," and calls itself "the search engine for life-sciences." Combining Pubget's functionality with CCC's copyright solution simplifies not only the discovery aspect of research for scientists, but also their copyright compliance.

Not one to sit still, CCC further sweetened the pot for its users, announcing on Aug. 20, 2014, that the ACS (American Chemical Society), the world's largest scientific society, has implemented CCC's next-generation RightsLink for Open Access platform to manage article processing charges. In addition, CCC launched DirectPath in June 2014. This service is a true workflow solution in that it allows researchers to search for and then use CCC's copyright tools to simplify compliance. DirectPath also provides companies with usage figures to help them budget and plan for future purchases.

Roy Kaufman, CCC's managing director of new ventures, attributes the growth of the organization's product and service offerings to RightsLink, RightsLink for Open Access, and global corporate licensing. Kaufman describes global corporate licensing as selling a license to a corporation for books that it owns and journals to which it subscribes. It allows the company, for its internal use, to email these materials to colleagues and its marketing department, post on its intranet, and generally use the content as needed. Today, 84

Fortune 100 corporations have purchased a corporate license from CCC. Another aspect of the global corporate licensing effort is through RightsDirect, CCC's wholly owned subsidiary based in Amsterdam. RightsDirect provides licensing solutions that allow companies to reuse and share relevant digital content across borders. Together, CCC and RightsDirect serve more than 35,000 companies and more than 12,000 publishers around the globe.

### **Making Copyright Work**

Kaufman, whose position was created 2 years ago by CCC to better focus on new opportunities that serve its customer base, describes his role as “to promote, develop, and enhance products and services that respond to market inefficiencies in order to make copyright work, which is the CCC mission.” He says, “The top challenges for compliance are educating the users on what requires copyright permission, and then offering them solutions that fit into their workflows and make it easy. Copyright is confusing and there are complexities to it. This isn't what the user cares about. What the user cares about is what can I do, or how can I get the rights to do what I want, and how can you make it easy for me.”

When asked whether CCC had any plans to work with aggregator channels such as LexisNexis, Ovid, or others, Kaufman said, “I tend to think of content like water. It's going to flow within a system. Maybe you dam it up and release it here and there, and as it flows through this system, it might go where it is supposed to go, a perfectly legal license, or to places where it's not supposed to go. Either way, it is going to places where it is valued and where people are seeing it and reading it. CCC is currently exploring a solution with Ovid and HighWire called RightsLink Resolver that applies a link that resides on a specific article that enables users to license the rights to share, post or copy the content at the point of discovery.”

As its new products and services illustrate, promoting simplicity of compliance is the organization's mantra. “CCC wants to help people find their way to what they need and with its URL real estate, [www.copyright.com](http://www.copyright.com), simply typing copyright into Google or another search engine will list CCC in the top results,” says Kaufman. As for the main challenges faced in the copyright arena today, Kaufman says that “for CCC it's more about compliance than enforcement. It's about educating people on the one side as to what means consensus for the rightsholder, and making it easy to get it.”

Corilee Christou is president of C2 Consulting, a firm that specializes in leveraging and licensing digital content of all types to traditional and internet-based companies using new and innovative business models. Send your comments about this article to [itletters@infotoday.com](mailto:itletters@infotoday.com).