

ARCHIVIA 14

ONLINE-ARCHIVE FÜR KULTURELLE VIELFALT IN EUROPA!

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Dr. Steff van Gompel is senior researcher at the Institute for Information Law (IViR) of the University of Amsterdam. He is also secretary of the Dutch Copyright Committee that advises the Minister of Justice of the Netherlands on copyright-related matters, a member of the editorial board of the Dutch copyright journal AMI (Tijdschrift voor Auteurs-, Media- & Informatierecht) and chairman of the Study group on the history of copyright of the Dutch copyright organisation Vereniging voor Auteursrecht. He is specialized in intellectual property law and, in particular, in national, European and international copyright law. He has written extensively on European harmonization in the field of copyright law, the (re)introduction of registration and other formalities in copyright law, orphan works, collective rights management and various other copyright-related topics.

Mass-digitization and (extended) collective licensing: the way forward?

This presentation will discuss licensing problems associated with mass-digitization projects and how (extended) collective licensing mechanisms can provide a solution to the most pressing issues that archives, libraries and museums face when they aim to make their collections available online. While (extended) collective licensing is the most obvious and perhaps best possible solution for any large-scale rights clearance operation, especially where right owners are unknown or very difficult (if not impossible) to find, it also comes with a number of disadvantages. These include the dominant position of collective rights management organizations, their uncertain licensing mandate, and the fact that the collected royalties may not always be distributable to the relevant right owners. Nevertheless, it will be concluded that some of the disadvantages might be legally overcome and others may need to be accepted if we wish to make Europe's cultural heritage available online.