TOOLKIT FOR LICENSING, INCLUDING MICRO LICENSING IN TEXT AND IMAGE WORKS

Introduction

This document has been developed within the framework of the European Commission initiative Licences for Europe (http://ec.europa.eu/licences-for-europe-dialogue/) in its Working Group on Small Scale Users (WG2). This dialogue provided an opportunity for authors and publishers of text and image works that directly licence access to and re-use of their copyright-protected works, together with RROs[1] and other collective management organisations (CMOs) and entities that facilitate licensing for uses of those works, to consolidate and share various licensing initiatives which exist in this field and to raise awareness of these.

This document brings together for the first time a range of licensing solutions, which were presented or explained in the context of the Licences for Europe framework. In so doing it demonstrates the innovation and investment that has taken place over the past years, and the ongoing commitment of the writers, visual artists, journalists and other authors, and publishers represented in the dialogue, as well as RROs, other CMOs and other similar entities to meet the needs of both users and right holders in promoting better legal access to and use of text and image works in the digital environment.

While there was a particular focus in WG2 on licensing for so-called small-scale users (or micro licences), the scope of the licensing initiatives presented in the course of the L4E initiative relating to the text and image sector and referred to in this document are flexible as regards their application. These initiatives can, on the one hand, benefit all authors, enabling them to exploit their works, whilst at the same time allowing users of all scales, to identify what they are able to do with a work and easily seek permission through streamlined licensing solutions.

A toolkit for licensing

The table set out in the Annex of this document brings together the following licensing solutions:

- Solutions for the identification of rights holders, their agents or other representatives (such as CMOs) from whom permission can be sought;
- Solutions to give users information about licensing and licensing conditions: how the licensing process works and what users can do with a work under a chosen licence;
- Streamlined one-click/click through/accessible and easy pay-per-use transactional systems that make the licensing process quicker and easier.

Next steps

Authors and publishers are constantly striving to increase lawful access to their works and believe that licensing solutions represent the best way of doing this. They also recognise that the licensing process must be as easy and simple to use as possible for the user community/would-be licensors. This statement is true for both small and large scale users.

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[1] Reproduction Rights Organisations

To this end, and in addition to the work that has already been done in these three areas as highlighted in the Annex, the organisations supporting this document will:

1. **Promote awareness** of the licensing toolkit, set out in Annex A, among their members.
2. Support continued dialogue **with users** to explore further ways in which their needs can be met via innovative licensing solutions, and which allow the opportunities presented by the digital environment to be realised.
3. **Support continued dialogue with the European Commission in order to inform and update it as regards ongoing licensing initiatives, including those set out in the toolkit, as well as** exploring possible pan-European dimensions to national initiatives, such as the UK's Copyright Hub.
4. Where feasible, support **the work of initiatives, which** aim to develop further internet based solutions for the provision of legal access to and use of text and image based works, **such as the** Linked Content Coalition (**LCC**)[2] initiative.

Brussels, 8 November 2013

European Federation of Journalists (EFJ)

European Publishers Council (EPC)

European Visual Artists (EVA)

European Writers' Council (EWC)

Federation of European Publishers (FEP)

International Association of Scientific,
Technical and Medical Publishers (STM)

International Federation of Reproduction
Rights Organisations (IFRRO)

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[2] *The initial LCC cross media collaboration (2011-2013) presented its final deliverable in April 2013 being the technical framework to support automated access to content rights and rights data across the internet, the Rights Reference Model (RRM). The RRM will be applied in the Rights Data Integration (RDI) project, a part-EC funded project which will demonstrate how rightsholders can manage and trade rights with rights users. The LCC is now successfully moving into a permanent structure set up by global standards bodies across the different content sectors. The original LCC industry partners who participated in the 2011-2013 collaboration will be invited to continue to support the work". www.linkedcontentcoalition.org*

ANNEX
Tools for licensing, including micro licensing, in the text and image sector

TOOL NAME	DEVELOPED BY	DEPLOYED IN	APPLICATION	WAY OF ACCESSING	OFFERS CLICK THROUGH?	DESCRIPTION
CLA Copyright icon	Copyright Licensing Agency (CLA)	UK	Identification and information on licensing and licensing conditions for re-use	Content website Publisher website	NO	The CLA-developed copyright icon answers the question "What can I do with this web site content" and communicates terms and conditions under standard licensing agreements. Users can look for the icon when browsing the web, and instantly recognise where to go to identify the required information, including availability of licences. It is a configurable industry standard supported by trade associations; comes free of charge to any content deliverer of text- and image-based work; can be created and installed on content websites from the CLA-hosted website; it displays any site's usage terms and conditions; informs of the reuse granted by the website owner; notifies whether copying from a site is covered under a CLA licence; communicates terms of use, including those available under CLA licence terms; and informs how to contact the copyright holder for other permissions than those listed. http://whatcanidowiththiscontent.com/
CLA App and API	Copyright Licensing Agency (CLA)	UK	Identification and information on licensing and licensing conditions for re-use	From user's mobile device, webpage or third-party service	NO	The CLA App has been developed for Apple and Android devices, and utilises the phone's inbuilt camera to scan the barcode on a printed work. CLA also provides a simple webpage interface and an API (Application Programming Interface). These tools enable a search of CLA's database of more than 4 million publications for a particular work, using the ISBN or the ISSN, either entered by typing it or scanning the barcode. The search instantly returns a response for the search term, listing the permissions available for the title under a particular CLA licence and usage type. Several organisations, for instance two major course pack providers in the UK, have embedded the API, which CLA offers for free, in their product services. This facilitates checking, for example by library staff or researchers, whether a particular work is included in the CLA repertoire under a specific licence. http://www.cla.co.uk/licences/titlesearch/mobileapp
Conlicencia	Centro Español de Derechos Repro-gráficos (CEDRO)	Globally	Pay-per-use transactional service (microlicensing)	From the RRO or conlincencia website Search engines	YES	Conlicencia.com is a website where a single RRO (CMO), CEDRO, has gathered all its licences options on a single platform accessible to users, in order to streamline licence options to user demands. It offers a powerful tool that provides useful information about licensing solutions repertoire available. The user may choose from a blanket or repertoire licence from a repertoire of more than 20 million works, with a flat rate and standardised conditions; and easy, accessible transactional case by case licences instantly obtained from a selection of more than 6 million individual works. The platform provides users with information and a click through option to facilitate the decision on the kind of licence that is required. http://conlicencia.com/.

BOLK	Kopinor	Norway	Licensing and providing content for digital course packs	From Kopinor web site	YES	Bolk is a service provided by Kopinor for rights clearance and content delivery for digital and print course packs used in Norwegian tertiary education institutions. It combines rights clearance under blanket licence terms and transasctional rights management. Using conventional and specialized metadata, and automized upload of content it offers authorized users access to excerpts from the world repertoire of books and journals. http://www.kopinor.no/en/rightsholders/publishers-coursepack-delivery/bolk-kopinors-coursepack-delivery-service
OnLineArt (OLA)	European Visual Artists (EVA)	Globally	Author Identification and information on licensing and licensing conditions for use and re-use	From OLA website Search engines	YES	OnLineArt (OLA) is a one-stop-shop which offers world-wide licences on works of fine art for online uses, including photographic art works and other images, obliging the users under the licensing terms also to protect the moral rights. It regroups the repertoires of artists represented by 14 visual creator CMOs on 3 continents so far with ongoing extension to further countries and continents. Any entity or individual person who wishes to include an art work on their website may obtain a licence online directly from OLA's members. The licensing is standardized which lowers administrational burden This includes common tariffs for mass uses which account for about 50% of the licensing, as well as specific tariffs for the use of small numbers of works, starting with one single work, and for individual private users. http://www.onlineart.info/
Patient-ACCESS	Publishers, Association of American Publishers/Professional Scholarly Publishing (AAP /PSP), International Association of Scientific, Technical and Medical publishers (STM) and Copyright Clearance Center (CCC)	U.S.A	Pay-per-use transactional service.		YES	patientACCESS is an initiative intended for the personal use of patients and their caregivers only. It is a collaborative project with selected medical scholarly publishers, the Professional/Scholarly Publishing (PSP) Division of the Association of American Publishers, the International Association of Scientific, Technical & Medical Publishers (STM), and the Copyright Clearance Center (CCC). When a patient or their caregiver finds a useful journal abstract in an included journal access to the full article is obtained via RightsLink. The patient or their caregiver registers and pays a processing fee plus any applicable local taxes rather than the normal article fee. The entire research paper is then emailed to the requestor. The patients and their caregivers can then print out the full article for their own use, or to bring to their health care professional. http://olabout.wiley.com/WileyCDA/Section/id-818473.html
Right-Sphere	Copyright Clearance Center (CCC)	Globally	Information on rights and permissions.	From browser	YES	RightSphere is a market-based solution that enables employees to find out instantly how they can use and share copyrighted content based on the licenses their companies have. RightSphere also allows employees to purchase transactional permissions for uses which are not covered by the licenses already acquired by their companies. It also allows information managers to organize in one place all of their company's licenses from multiple sources. http://www.copyright.com/rightsphere

RightsLink	Copyright Clearance Center (CCC)	Globally	Pay-per-use transactional service	From various websites	YES	Copyright Clearance Center's RightsLink point-of-content licensing service enables rightsholders to offer content users the possibility to purchase licenses from the rightsholders' websites or mobile apps, or at the sites of metadata/ content aggregators. "Point-of-content" means that the users find the licensing option right there where the content - or the metadata describing the content - exists. Users visiting a RightsLink-empowered website click on the RightsLink link and the licensing process launches, presenting to the user the various types of reuse that the rightsholder has chosen to offer. In a matter of seconds, users obtain a price estimate and can purchase the license online. http://www.copyright.com/rightslink
Rights Data Integration	See last column	Europe – global	Efficiently manage and trade intellectual property rights online for any and all types of usage, across any and all types of content, in any and all media	See last column	See last column	The RDI project is not an access point and a click through service in itself but it is a demonstration of how to efficiently manage and trade intellectual property rights online for any and all types of usage, across any and all types of content, in any and all media using the newly-developed Linked Content Coalition "Rights Reference Model." The project is co-funded by the EC within the CIP programme. Partners are age fotostock Spain SL, Album Archivo Fotografico S.L., Consolidated Independent Ltd, Consorzio Interuniversitario per il Calcolo Automatico dell'Italia Nord Orientale (CINECA), Coordination of European Picture Agencies Stock, Press and Heritage (CEPIC), Producentforeningen- Danish Producers Association, EDISER S.R.L, Europe Analytica Ltd, European Writers Council (EWC), Getty Images (UK) Ltd, Federation Internationaledes Organisations de Droits de Reproductions AISB (IFRRO), mEDRA S.R.L, Rightscom Ltd, RightsDirect BV. In addition, sample data will also be provided by other organisations.