



International Copyright:

Issues of Access, Regulation &
Management of Intellectual Property
in the Pharmaceutical Industry

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Copyright Clearance Center

- Largest organization in the world for licensing the use of text-based works
- Mission:
 - to act as an agent for domestic/foreign authors and publishers by providing them with the efficiencies of collective services through equitable collection and distribution of royalties for photocopying and electronic uses of their copyrighted works;
 - to provide all types of users with an efficient single source for licensed access to as broad a repertory of copyrighted works as possible; and
 - to continue development of collective licensing systems that meet the challenges of emerging information technologies.
- **Reproduction Rights Organization (RRO)**
 - Similar to other RROs
 - Different than other RROs



Reproduction Rights Organizations

- Licensing Regimes
 - Legal licenses
 - Blanket Mandates
 - Voluntary Licensing
- Licensees –
 - Education
 - Government
 - Business
- Licensing Methods
 - Blanket
 - Levy
 - Repertory
 - Transactional
- Uses
 - Photocopy
 - Digital



Copyright

**To promote the Progress of
Science and useful Arts, by
securing for limited Times to
Authors and Inventors the
exclusive Right to their
respective Writings and
Discoveries – *Constitution of the United
States of America***



International Copyright Management in the 21st Century

- Drivers
 - Technology
 - Laws
 - Government
 - Commerce
- Opportunities & Solutions



Technological Challenges

- The Digital Dilemma
- Complexity
- Expectations



The Digital Dilemma

- Technologically
 - Perfect digital reproduction - An "nth generation" copy is as good as the original
 - Global distribution without cost - Distribution costs no longer limit proliferation
- Financially
 - No economies of scale for large printings
 - Transitioning from print to digital

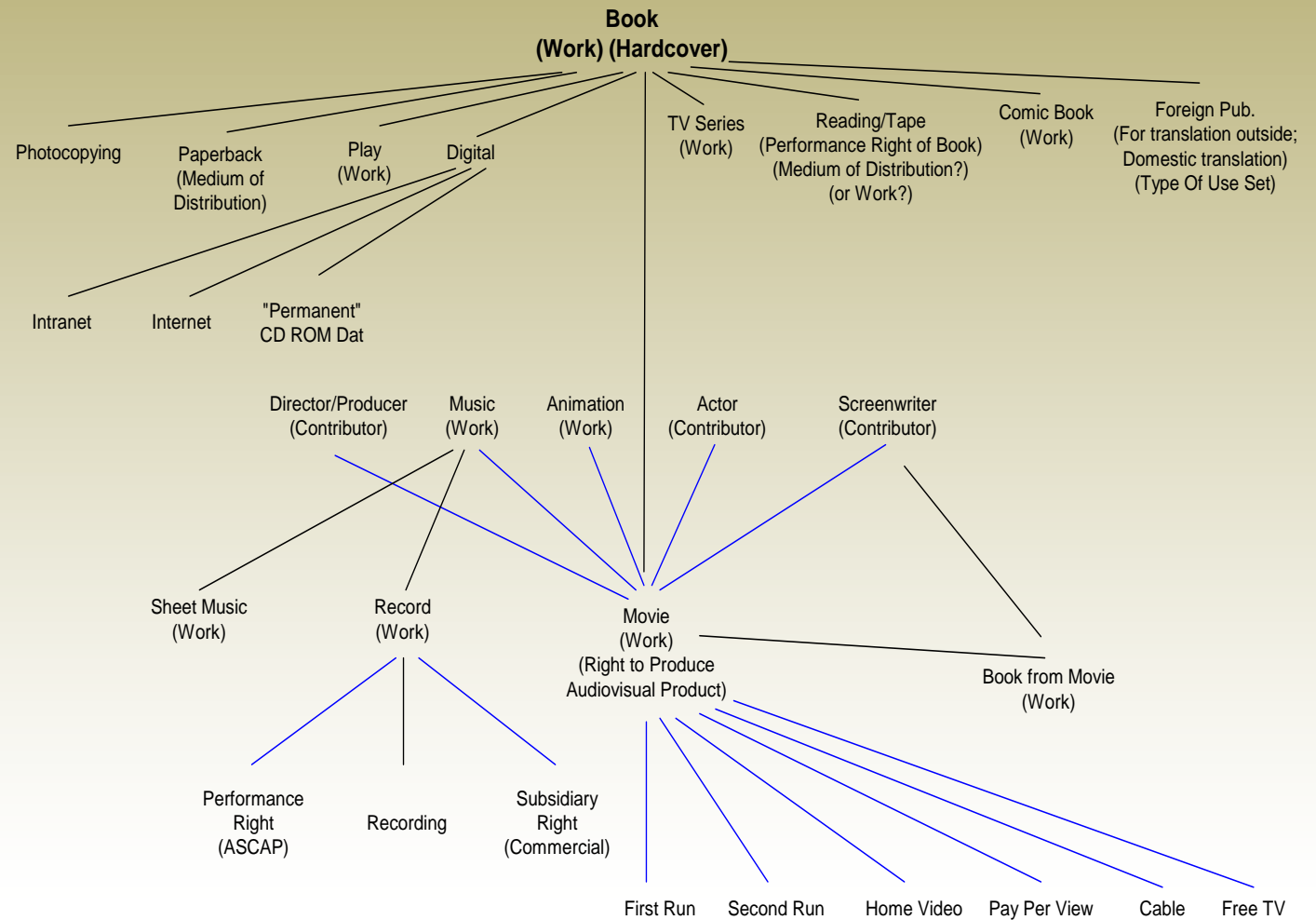


Complexity of Rights...

- Individual Works May Have Many Underlying Rights



Individual Works May Have Underlying Rights



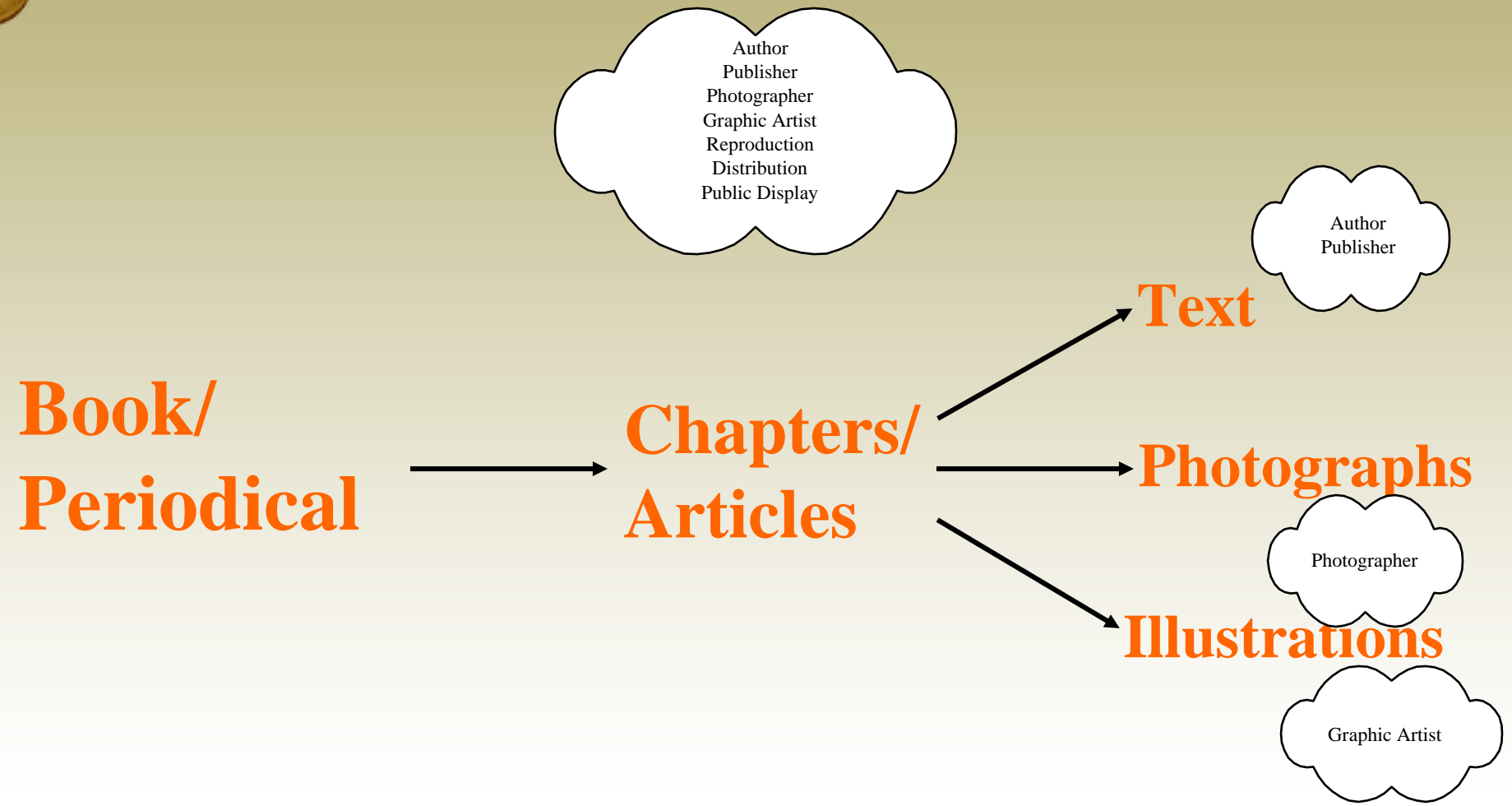


Complexity of Rights...

- Individual Works May Have Many Underlying Rights
- Works May Be Comprised Of Many Granular Works



Works May Be Comprised Of Many Granular Works





Complexity of Rights...

- Individual Works May Have Many Underlying Rights
- Works May Be Comprised Of Many Granular Works
- Changes In Ownership Over Time
- Uses Not Anticipated At Time Of Creation May Be Required



Expectations of the Digital World

- **Speed**
- **Access**



Access

- Internet as Public Library
- Internet as Communications Tool
- Internet as Democratizing Agent
- Internet as Source of Wealth



Legal Challenges

- Ownership
- Use
- Laws and Directives
- Statutory vs Voluntary



Laws of Commerce

- The Law Of Inverse Pricing
- The Law of Plentitude
- The Law of Devolution
- The Law of Churn



Opportunities

- Access
- International collaboration
- Internet time
- Ease of use
- Decrease costs



The Hurdles

- Rationalization of access
- Developing infrastructure to exploit opportunities
- Minimizing disruption to business
- Technology investment



Traditional Approaches

- Give it away
- Build Unique Structure
- Lock it up
- Ostrich
- Collective Copyright Management



Solutions premises

- Remove barriers
- Create systems to meet customer needs
- Go to the user
- Trust the user



Digital Rights Management Solutions

- Licensing at the source
- Licensing on the content
- Licensing by the users
- Licensing via 3rd parties
 - Reproduction Rights Organizations (RROs)
 - Aggregators
 - Document Delivers



Unique Pharmaceutical Requirements

- Collaboration that is not distinguished by artificial analog/digital boundaries
- Collaboration that is not distinguished by internal vs external boundaries
- Collaboration across national boundaries
 - Multi-national corporations require multi-national solutions
- Tracking direct and indirect licensing
- Confidentiality
- A global, virtual, “one-stop shop” for copyright permission, payment, policies and education, covering:
 - Internal and external use
 - Digital and photocopy
 - US- and non-US based employees



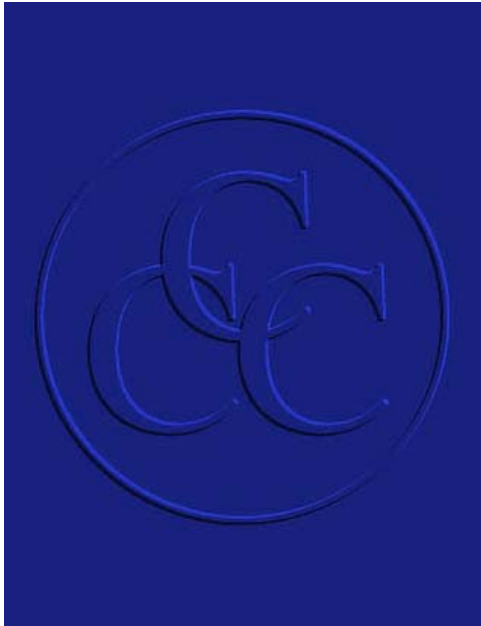
A History of Solutions

- Internal Photocopying → Transactional Licensing
- Internal Photocopying ~~→~~ Repertory Licensing
- External Photocopying ~~→~~ Transactional Licensing
- E-mail/Posting ~~→~~ Digital Repertory Licensing
- External Digital → Transactional Licensing
- Multinational Uses ~~→~~ Multinational Licensing
- All Internal Uses → Repertory Copyright Licensing



Future Solutions

- External Uses → Repertory Licensing
- Developing Countries → “Hinari” Solutions
- External Research → On-the-article Licensing
- Articles by Reference → DOI/Cross-Ref Multiple Res
- International Doc Del → Global IDD Licensing
- User/Researcher → Global Desktop Solutions



Thank You!

www.copyright.com

www.ifrro.org