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Special Issue on Copyright

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There has been a significant amount of activity on copyright issues over the past year and a half—in US courts, in the US Congress, and at the international level. Many of these activities have major implications for the work of research libraries and higher education, especially in regard to the ability of these institutions to fulfill their missions.

In "Fair Use Rising: Full-Text Access and Repurposing in Recent Case Law," Brandon Butler, practitioner-in-residence at the American University Washington College of Law, reviews six recent fair use decisions that cut across many socially important and beneficial purposes. He highlights the trend of courts finding in favor of allowing "the broad redistribution of unaltered, full-text documents for new purposes." Butler explains how this trend presents new opportunities for research libraries to use and re-purpose the full text of copyrighted works in their collections.

Exploring the implications of one critically important case for research libraries, Jonathan Band, legal counsel to the Library Copyright Alliance (LCA), reviews key aspects of the decision in *Authors Guild v. HathiTrust*. Band notes, "The decision has implications for libraries that go far beyond the specific facts of the case. This paper offers some preliminary thoughts on what these implications may be." Band reviews several issues including mass digitization and storage, access to works, suggestions concerning other forms of access, and associational standing. With the recent settlement of the *HathiTrust* case and the rulings by the district and appeals courts, libraries may now, with strong confidence, engage in mass digitization, provide access to digitized texts for the print-disabled, and more.

Finally, Krista Cox, director of public policy initiatives for ARL, reviews a range of international activity relating to copyright and what all of these activities mean for research libraries in "International Copyright Developments." These developments range from work at the World Intellectual Property Organization (WIPO) on the Marrakesh Treaty for the Blind, Visually Impaired, or Print Disabled, to WIPO discussions of exceptions and limitations for libraries and education, as well as international trade agreement negotiations that have been underway for quite some time. All of these international activities have long-term implications for how research libraries and higher education may engage in research, teaching, and learning.

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