

PRINCIPLE:

It is fair use to create topically based collections of websites and other material from the Internet and to make them available for scholarly use.

LIMITATIONS:

- Captured material should be represented as it was captured, with appropriate information on mode of harvesting and date.
- To the extent reasonably possible, the legal proprietors of the sites in question should be identified according to the prevailing conventions of attribution.
- Libraries should provide copyright owners with a simple tool for registering objections to making items from such a collection available online, and respond to such objections promptly.

ENHANCEMENTS:

- Claims of fair use relating to material posted with “bot exclusion” headers to ward off automatic harvesting may be stronger when the institution has adopted and follows a consistent policy on this issue, taking into account the possible rationales for collecting Internet material and the nature of the material in question.
- The more comprehensive a collection of web impressions in a given topic area is, the more persuasively the inclusion of any given item can be characterized as fair use.

For more information, consult
arl.org/fairuse
centerforsocialmedia.org/libraries
pijp.wcl.edu/libraries

COORDINATING ORGANIZATIONS:

The Association of Research Libraries (ARL) is a nonprofit organization of 126 research libraries at comprehensive, research-extensive institutions in the U.S. and Canada that share similar research missions, aspirations, and achievements. The association's importance and distinction is born from its membership and the nature of the institutions represented. ARL member libraries make up a large portion of the academic and research library marketplace, spending more than \$1 billion every year on library materials.

The Program on Information Justice and Intellectual Property (PIJIP), co-founded by Prof. Peter Jaszi, promotes social justice in law governing information dissemination and intellectual property through research, scholarship, public events, advocacy, and provision of legal and consulting services. The program is a project of the Washington College of Law at American University in Washington, D.C.

The Center for Social Media (CSM), founded and led by Prof. Patricia Aufderheide, has run the Fair Use and Free Speech project in coordination with PIJIP and Prof. Jaszi since 2004. The center is a project of the School of Communication at American University in Washington, D.C.

CO-FACILITATORS:

Prudence S. Adler, Associate Executive Director, Federal Relations and Information Policy, Association of Research Libraries

Patricia Aufderheide, University Professor, American University School of Communication

Brandon Butler, Director of Public Policy Initiatives, Association of Research Libraries

Peter Jaszi, Professor of Law, American University Washington College of Law

ENDORSERS:

The American Library Association

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