

# SILLVR: Streaming Interlibrary Loan Video Resources

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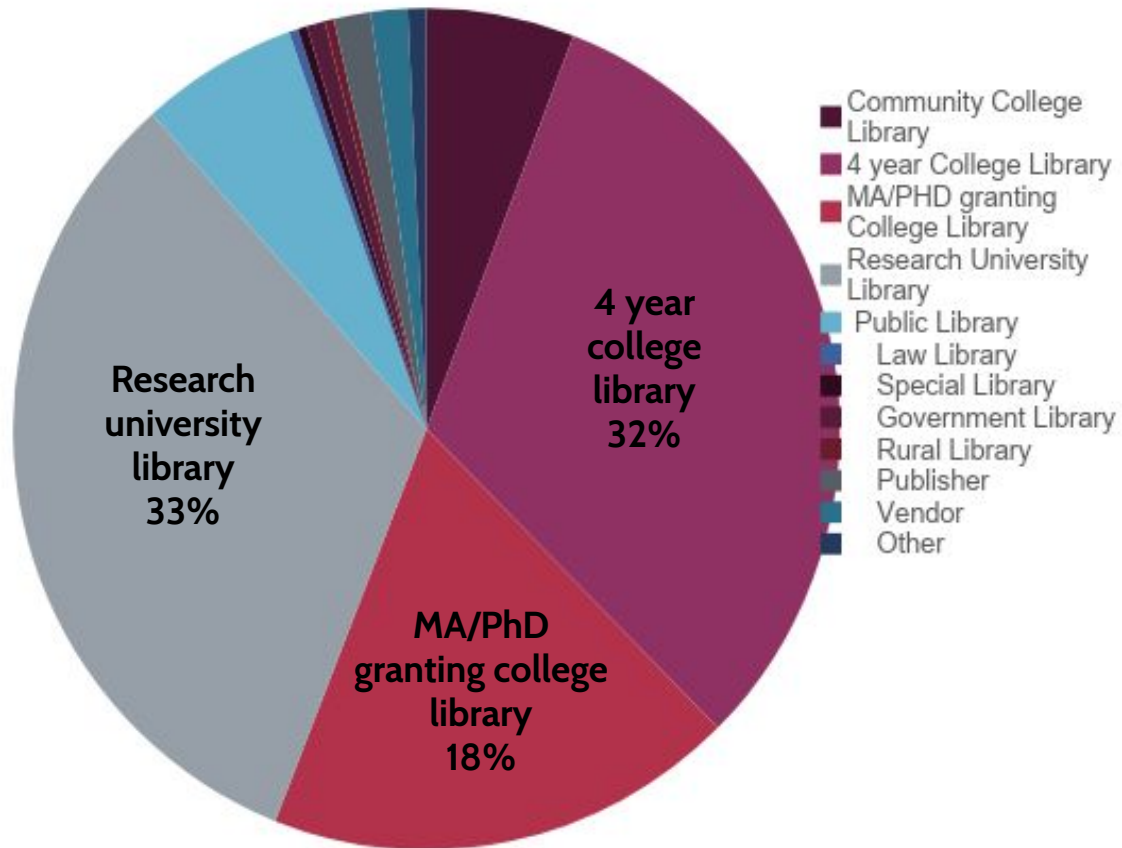
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# PRESENTATION OVERVIEW

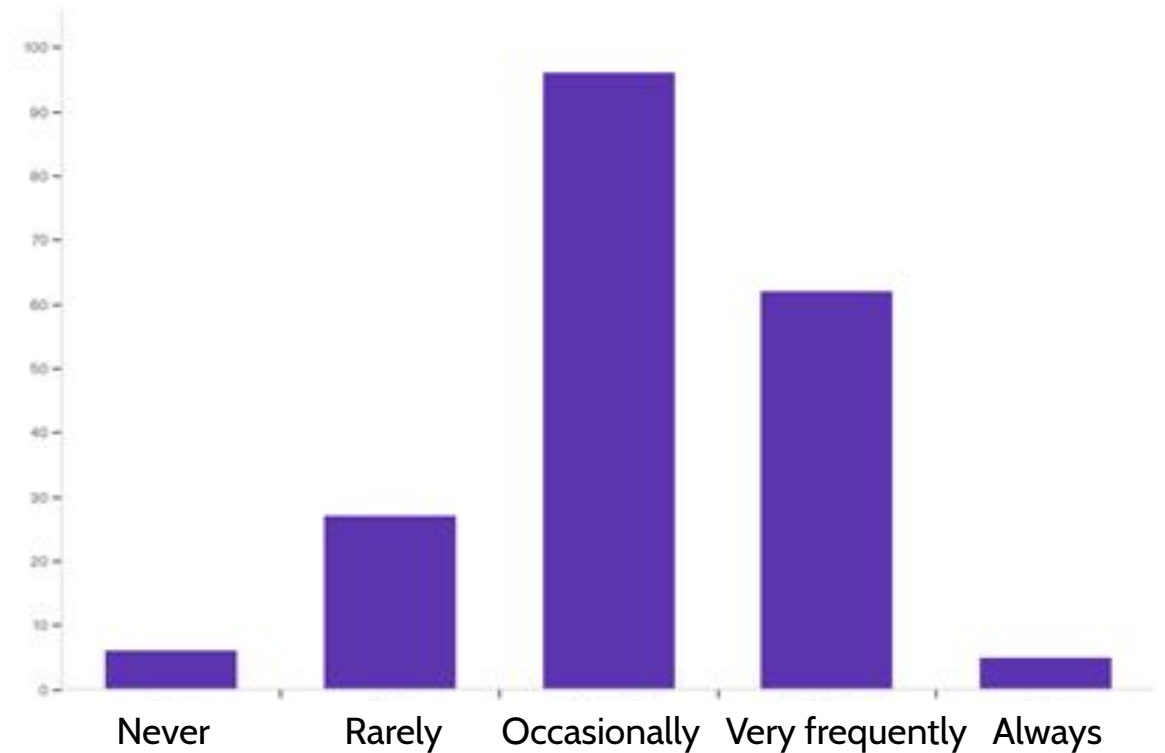
- Survey Results / Need
- Copyright & Licensing
- Discovery & Technology
- Pilot Details
- Breakout
- Next Steps



Which category best describes your institution? (check all that apply)



If your users could borrow streaming videos from other libraries via ILL how often do you think they would use this service?



# WHY DOES IT FOR STREAMING VIDEO MATTER?

New collection types should not mean loss of services

DVDs/VHS may become obsolete

28% of faculty are assigning videos for coursework

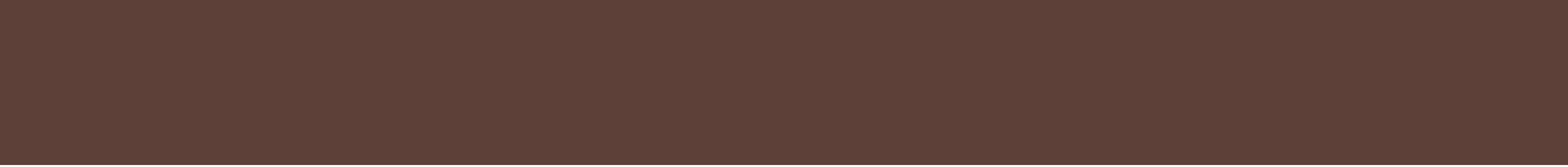
92% of students are using streaming video for classes

Aligns with national and professional goals of providing access and digital inclusion



# SOCIAL JUSTICE





“OCLC Interlibrary Loan, to me, as a Reference Librarian, means that our small rural library is enabled to better serve our community. It means we can reach out from within our own collection to help our customers procure those materials which they want and need. It means our users are not limited to that which our small budget can provide; that they need not travel to other libraries to fill their needs.”

Gretchen Hamlett , Delta Public Library, Delta, CO

“What the OCLC Interlibrary Loan Service means to me.” 20 year essay contest



# Vendor Partnerships

Allowing ILL results in more sales  
for vendors  
\$\$\$

Allowing ILL demonstrates vendors  
care about the  
library professions' value of  
increasing digital inclusion

"This conversation challenges the  
boundaries of how educational  
streaming video currently  
operates."  
- Alex Peterson, Marketing  
Coordinator, Media Education  
Foundation

"We're proud to serve the needs  
of schools, colleges, libraries, the  
medical community, and other  
institutions with the broadest and  
deepest range of content available."  
Films Media Group website



# UNITED STATES CODE (UCS)

## TITLE 17 USC § 102(A)

Copyright protection subsists, in accordance with this title, in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Works of authorship include the following categories:

- (1) literary works;
- (2) musical works, including any accompanying words;
- (3) dramatic works, including any accompanying music;
- (4) pantomimes and choreographic works;
- (5) pictorial, graphic, and sculptural works;
- (6) motion pictures and other audiovisual works;
- (7) sound recordings; and
- (8) architectural works.





# TITLE 17 USC § 109

## First Sale Doctrine

# TITLE 17

## USC § 108(I)

Limitations on exclusive rights:  
Reproduction by libraries and  
archives

The rights of reproduction and distribution under this section **do not apply** to a musical work, a pictorial, graphic or sculptural work, or a **motion picture or other audiovisual work other than an audiovisual work dealing with news**, except that no such limitation shall apply with respect to rights granted by subsections (b), (c), and (h), or with respect to pictorial or graphic works published as illustrations, diagrams, or similar adjuncts to works of which copies are reproduced or distributed in accordance with subsections (d) and (e).



# TITLE 17 § 107 - FAIR USE

1

Allows the limited use and reproduction of copyrighted material in certain circumstances without securing permission from copyright holder

2

- Purpose and character of the use
- Nature of the work
- Amount & substantiality used
- Effect of the use upon the potential market

3

Digital Millennium Copyright Act (DMCA) makes it illegal to go around technology like DRM even for lawful uses like first-sale or fair use.

4



# STANDARD LICENSE ILL CLAUSES

Licensee may fulfill requests from other libraries, a practice commonly called Interlibrary Loan. Licensee agrees to fulfill such requests in accordance with Sections 107 and 108 of the U.S. Copyright Act. Requests may be fulfilled using electronic, paper, or intermediated means.

<http://liblicense.crl.edu/wp-content/uploads/2015/05/modellicensenew2014revmay2015.pdf>

Interlibrary Loan. Using electronic, paper, or intermediated means, Licensee may fulfill occasional requests from other non-participating institutions, a practice commonly called Inter-Library Loan. Customer agrees to fulfill such requests in compliance with Section 108 of the United States Copyright Law (17 USC §108, "Limitations on exclusive rights: Reproduction by libraries and archives") and the Guidelines for the Proviso of Subsection 108(2g)(2) prepared by the National Commission on New Technological Uses of Copyrighted Works (CONTU).

<http://www.btaa.org/library/licensing/standardized-agreement-language>

Licensee may fulfill requests from other institutions, a practice commonly called Interlibrary Loan. Licensee agrees to fulfill such requests in compliance with Section 108 of the United States Copyright Law (17 USC §108, "Limitations on exclusive rights: Reproduction by libraries and archives").

<http://nerl.org/nerl-documents/nerl-model-license>



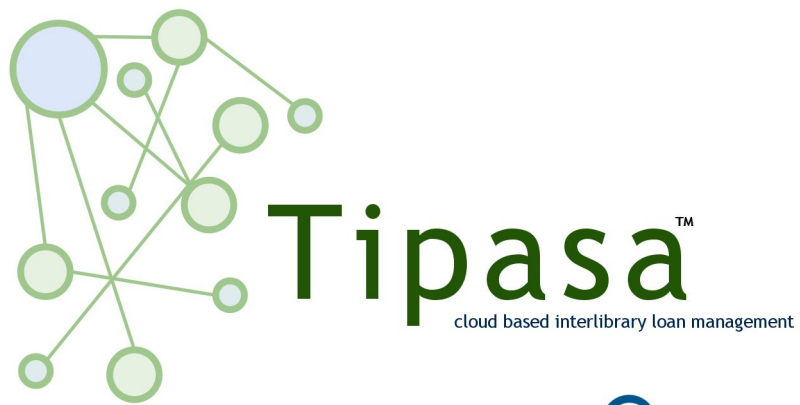
## STREAMING VIDEO ILL CLAUSE

"Licensee may fulfill requests from other libraries, a practice commonly called Interlibrary Loan, via a secure network."

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# COPYRIGHT & LICENSING RECAP

- 
- Copyright Law protects streaming videos.
  - Exceptions to copyright law for libraries currently do NOT work for streaming video ILL.
  - Libraries should keep flexing those Fair Use muscles, but Fair Use doesn't clear the way.
  - Work with your licensing colleagues to review licenses for ILL permissions.
  - Signed licenses can provide more permissions or take away rights.
  - Example of streaming video ILL clause for your streaming video licenses.



Project ReShare



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# Technology Considerations

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- Streaming video technology is unique and complicated
  - DRM is ubiquitous
  - Discovery is dependent on metadata
  - Maintaining holdings is laborious

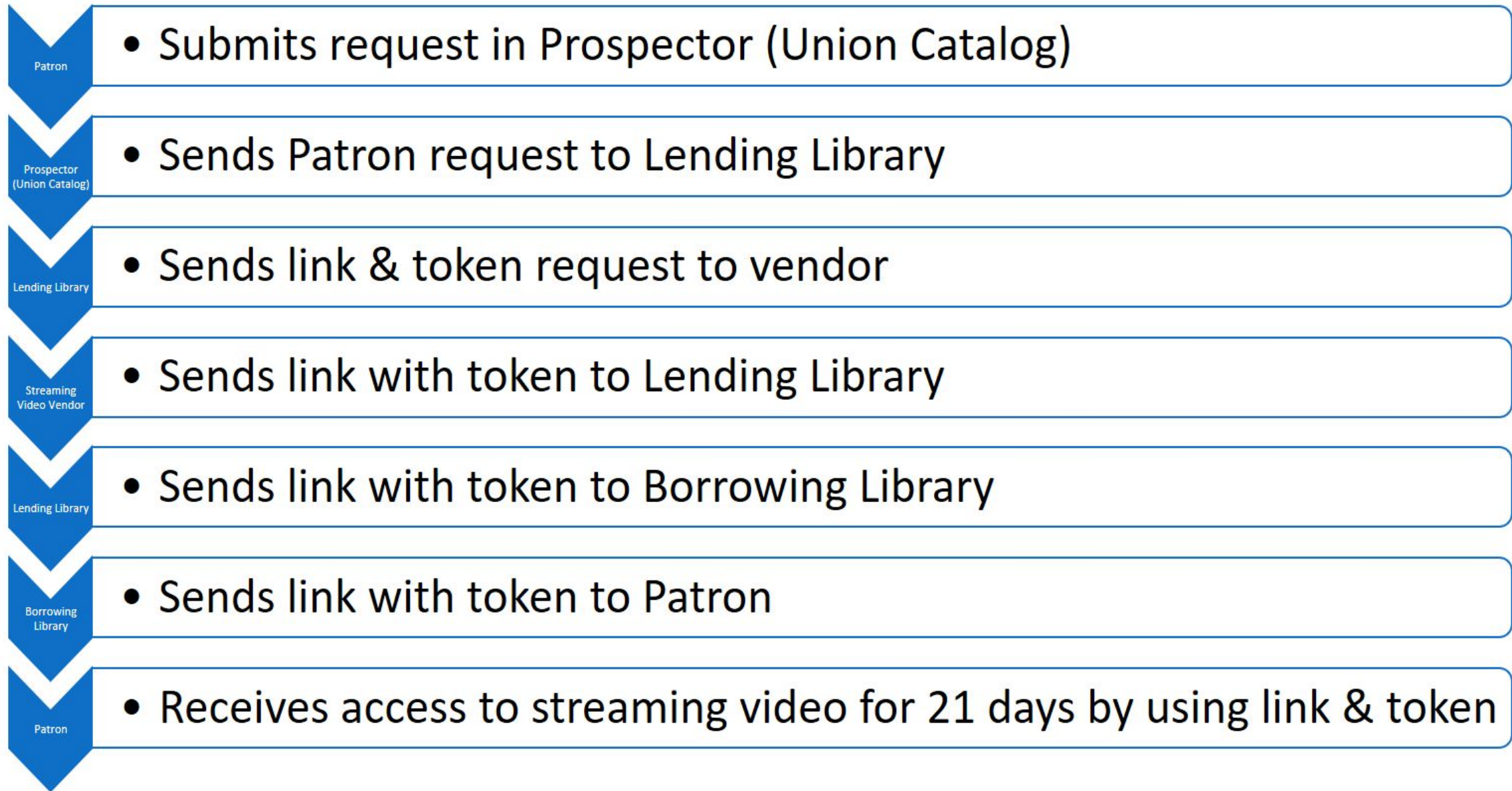


# SILLVR Pilot

- Between Colorado Alliance of Research Prospector Libraries
- Pilot will last one year
- 1-3 streaming video vendor partners
- May require a few new subscriptions for some libraries
- Libraries will upload streaming video MARC records to Prospector Union Catalog
- Patrons will request streaming videos via Prospector



# Potential SILLVR Workflow



# STATISTICS

## From Prospector (Union Catalog)

- Title
- Distributor
- Copyright Date
- Lending Library
- Borrowing Library
- Patron Type (i.e. Undergrad, Graduate, Faculty)

## From Streaming Video Vendors

- How many times video watched
- Date/time
- How long and which sections watched
- Subject areas
- Plays by device

# ILL Terms and Guidelines

- Lending length: 21 days. This follows the current checkout period for DVDs loaned through Prospector.
- Renewals: Renewals will not be granted. If a patron wants to video again, they would have to go through the entire requesting process.
- The Lending Library keeps access to the video during this process.





CCC, IFM,  
and Billing  
Manager

# BREAKOUT

Let us know what you're thinking!

- What do you think of SILLVR so far? How would you use it?
- What benefits might SILLVR bring to your users?
- Which vendors/distributors would you like to allow ILL for streaming video?
- Do you think this could work in ILLiad/Tipasa to expand access nationwide?  
If yes, how could we make this happen?
- What other challenges do you foresee, and how can they be overcome?





# SILLVR

## Next steps:

- Finalize pilot details (determine streaming video vendor partners and sign contracts with them)
- Share details via presentations
- Analyze program
- Expand SILLVR out to other consortia or ILLiad/Tipasa for national sharing

**We want to hear from you!**

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# REFERENCES

- Anderson, Porter. (2019, January 18). "Authors Guild and Society of Authors Allege Copyright Infringement by the Internet Archive." Publishing Perspectives. Retrieved from: <https://publishingperspectives.com/2019/01/copyright-battle-internet-archives-open-library-authors-guild-society-of-authors/>
- Association of College and Research Libraries. (2017). Retrieved from <https://www.acrlmetrics.com/pireports/report.php?rkey=bbf22a0bc1d9fa6d901d60517c7697f0&rid=62908>
- Association of College and Research Libraries. (2017). Retrieved from <https://www.acrlmetrics.com/pireports/report.php?rkey=7564fb3a287bf467d6a0674b9a21dfff&rid=62918>
- Association of College and Research Libraries. (2017). Retrieved from <https://www.acrlmetrics.com/pireports/report.php?rkey=5b758aa928dc7d30ab684aa52668355b&rid=62936>
- Baildon, M., Hamlin, D., Jankowski, C., Kauffman, R., Lanigan, J., et al. (2017) Creating a Social Justice Mindset: Diversity, Inclusion, and Social Justice in the Collections Directorate of the MIT Libraries. *MIT Libraries*. <http://hdl.handle.net/1721.1/108771>
- Colorado Public Library Statistics and Profiles. Retrieved from <https://www.lrs.org/data-tools/public-libraries/annual-statistics/>
- Cross, W. "More than a House of Cards: Developing a Firm Foundation for Streaming Media and Consumer-Licensed Content in the Library." *Journal of Copyright in Education & Librarianship*, vol. 1, no. 1, 2016.
- Diehl, E., (2012). *Securing Digital Video*. Berlin: Springer-Verlag.
- Dixon, Jennifer A. "The Academic Mainstream: Streaming Video is Becoming a Mainstay on College Campuses, but Discovery and Walled-Off Content Create their Own Challenges." *Library Journal*, vol. 142, no. 14, 2017, pp. 42.
- Hansen, David R., and Kyle K. Courtney. "A White Paper on Controlled Digital Lending of Library Books." LawArXiv, 24 Sept. 2018. Retrieved from: <https://controldigitallending.org/whitepaper>
- Hawkins, D. (June 2018). The 13th Electronic Resources & Libraries Conference (ER&L). *Against the Grain*. 30(3), 72.
- Imamoto, B., Mackinder, L. "Neither Beg, Borrow, nor Steal: Purchasing Interlibrary Loan Requests at an Academic Library." *Technical Services Quarterly*, vol. 33, no. 4, 2016, pp. 371-385.
- OCLC. *What the OCLC Interlibrary Loan Service Means to Me: A Collection of Essays*. OCLC Online Computer Library Center, Dublin, Ohio, 1999.
- Seaman, J. & Seaman, J. (2018) Freeing the Textbook: Educational resources in higher education, 2018. Babson Survey Research Group. Retrieved from: <https://www.onlinelearningsurvey.com/reports/freeingthetextbook2018.pdf>

# QUESTIONS?

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