

2018

If Rumors Were Horses

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Against the Grain

“Linking Publishers, Vendors and Librarians”

ISSN: 1043-2094

Library Platforms

by **Trey Shelton** (Chair, Acquisitions & Collections Services, George A. Smathers Libraries, University of Florida) <tshelton@uflib.ufl.edu>

This issue of *Against the Grain* focuses on library platforms. When I first began soliciting contributions for this issue, the authors-to-be often asked what exactly the term library platforms encompassed. The term is intentionally broad, and includes any tool libraries use to offer services and/or content, either homegrown or otherwise acquired. Most library platforms are generally back-end or behind-the-scenes tools designed to assist in the operations of the library. However, many, if not most, also feature some version of a public interface. These systems may focus on a particular function, such as an Institutional Repositories (IR) or an Electronic Resource Management System (ERMS) or may aim to provide solutions for multiple areas of a library, such as an Integrated Library System (ILS). For the purposes of this issue, library platforms are *not* designed and hosted by publishers or content aggregators for their own content and/or services, a theme *Against the Grain* will address in an upcoming issue.

The plethora of inadequate legacy systems and cobbled-together processes with which many libraries continue to operate make migrating to a new or upgraded system enticing. At the same time, these older systems and processes also make such a migration more daunting and complex (unfortunately, libraries do not usually have the luxury of simply scrapping everything and starting anew). Once a library identifies a need for a new system the wide range of library platforms available, the varied applications thereof, and the rapid pace of mergers and consolidations in this sector of the market are overwhelming. Resources such as **Breeding's** Library Systems Report 2017¹ provide an excellent overview of developments in the library platform realm, but, generally speaking, libraries often find it difficult to locate timely, unbiased, and practical information. This issue aims to provide useful information on a variety of library platforms from authors with varied backgrounds and experiences.



The introduction of Library Services Platforms² (LSPs), also frequently referred to as Next Generation Integrated Library Systems (Next-Gen ILSes), offer significant promise in terms of streamlined workflows and automated processes. The vision this product segment represents is grand, and LSP providers are working fiercely to keep up with competitors and meet librarian expectations. **Peter McCracken**, co-founder of Serials Solutions and currently E-Resources Librarian at **Cornell University's Olin Library**, kindly agreed to share his perspective with *ATG* readers on the latest development in the

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If Rumors Were Horses

Happy days! *ATG* is using a new platform that allows a better reading experience for the full print issue! You can flip pages, zoom, click links, and download to PDF. Check it out and let us know what you think! And feel free to share with others — the



Maddie welcomes a new friend to the farm: Buckley the potbellied pig. **Maddie** is the daughter of **Leah Hinds** (Executive Director, Charleston Conference).

Dec/Jan print issue is available open access for two weeks as a trial. Here is the link <http://www.against-the-grain.com/v29-6-full-issue/>

Saw that the hard-working **Joe Esposito** of **Processed Media** has merged forces with the diligent **Michael Clarke** to form **Clarke & Esposito**. **Clarke & Esposito** will concentrate principally on strategic consulting services related to professional and academic publishing and information services. **Joe Esposito**, **Processed Media's** principal, is Senior Partner in the new firm. **Clarke & Company's** **Michael Clarke** is the new firm's Managing Partner. Also joining the combined firm as Partner is **Pam Harley**, who has been working with **Clarke & Company**. "We have been working together for three years now, and it made sense to formalize the relationship," **Joe Esposito** said. "Working together we

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From Your (apologizing) Editor:

Charleston has had to deal with some rough weather over the past several months. We at Sullivan's had a lot of snow for us (5 inches!) and it didn't melt quickly like it was supposed to. We have a column in this issue by **Corey Seeman** about how our colleagues in Michigan deal with the snow with snowplows, etc. But we in Charleston are inexperienced and without equipment. The Dec/Jan issue of *ATG* was for **ALA Midwinter** and we made it all right. But we must do our subscription renewals before working on the February print issue of *ATG* and with **ALA Midwinter** occurring later than usual this year we now find ourselves a bit behind and running much too slow with getting the February issue out. In fact we may have set a record and for that we do apologize!

Still, this special issue focuses on **library platforms** and is excellent. It is guest edited



by the amazing **Trey Shelton** (who runs the Charleston Premiers during the Charleston Conference) and includes articles by **Peter McCracken** (LSPs and FOLIO), **Elizabeth Siler** (homegrown platforms), **Rachel Walton** (IR platforms), **Heather Wilson** (Octopus and ERMS development), **Athena Hoepfner** (beyond bibliographic discovery), and **Justin Clarke** (vendor platforms). Our **OpEd** is by managing editor for open research **Tim Britton** to kick off **Love Data Week**. The glorious book-loving **Jim O'Donnell** talks about keeping our books in the competition for attention.

Our Special Report spotlights the first **Charleston Future Lab 2017** initiative about the future of the industry led by the dynamic **Mark Sandler** and the energetic **Heather Staines**. It is our intention to continue this in **Charleston 2018**. **Anthony Watkinson** (who never seems to rest!) has

reported on the **Academic Publishing in Europe (APE)** conference (see *And They Were There* which begins on p.47). Our interview is with the enterprising **Pat Sabosik** who is also becoming a master gardener in her spare time!

The awesome **Lolly Gasaway** answers many legal questions and answers, **Biz of Acq** is about planning, **Being Earnest** is about withdrawal of short term loans, **Corey Seeman** (who loves squirrels) starts a new business-focused column about snow plows in Charleston this time (see above), **library analytics** is about demonstrating value and there is much, much more!

I am supposed to get the February issue to the printer today, finally! So gotta run!

Thanks for your patience! Love, Yr. Ed. 🌱

Letters to the Editor

Send letters to <kstrauch@comcast.net>, phone or fax 843-723-3536, or snail mail: **Against the Grain**, Post Office Box 799, Sullivan's Island, SC 29482. You can also send a letter to the editor from the **ATG Homepage** at <http://www.against-the-grain.com>.

Dear Editor:

Many thanks for this message. I've appreciated having the subscription over the years I've attended the **Charleston Conference**. I will retire at the end of March and would like to transfer the subscription to a colleague? Is this possible?

Priscilla Treadwell

(Director of Digital Sales at Princeton University Press, Princeton University Press) <Priscilla_Treadwell@press.princeton.edu>



Dear Priscilla: Of course! Thanks! **Katina**, Yr. Ed. 🌱

AGAINST THE GRAIN DEADLINES VOLUME 30 — 2018-2019

2018 Events	Issue	Ad Reservation	Camera-Ready
MLA, SLA, Book Expo	April 2018	02/15/18	03/08/18
ALA Annual	June 2018	04/05/18	04/26/18
Reference Publishing	September 2018	06/14/18	07/05/18
Charleston Conference	November 2018	08/16/18	09/06/18
ALA Midwinter	Dec. 2018-Jan. 2019	11/08/18	11/26/18

FOR MORE INFORMATION CONTACT

Toni Nix <justwrite@lowcountry.com>; Phone: 843-835-8604; Fax: 843-835-5892; USPS Address: P.O. Box 412, Cottageville, SC 29435; FedEx/UPS ship to: 398 Crab Apple Lane, Ridgeville, SC 29472. 🌱

Rumors from page 1

are able to provide a deeper level of expertise and insight to our clients." The client list for the predecessor organizations ranges across many of the most renowned and innovative organizations working in science, medicine, technology, and education, including both for-profit and not-for-profit organizations. **Clarke & Esposito** is a sister company to **STM Advisers** (<http://www.stmadvisers.com>), which focuses on mergers and acquisitions in scientific, technical, medical, and academic publishing. Recently **STM Advisers** represented the **Mathematical Association of America** in the sale of its book program to the **American Mathematical Society**. "We are perhaps a minority in the professional and academic environment in that, rather than gloom and doom, we see opportunities for smart management teams willing to make shrewd investments in the future," said **Michael Clarke**.

<http://www.ce-strategy.co>

Have you noticed that **Tom Gilson** who adapts to and notices everything has started a special publisher job bank section on the **ATG NewsChannel**? I noticed that **Clarke & Esposito** just published a job postinga there.

<http://www.against-the-grain.com/?s=job+bank+publishers&submit=Search>

We have been posting **Rumors** to the **ATG NewsChannel** over the past several weeks and we will continue to do this as Rumors emerge! Did you see that **Skip Pritchard's** book has reached the **Publisher's Weekly bestseller list**? **The Book of Mistakes: 9 Secrets to Creating a Successful Future**, debuted at number 19 on the non-fiction bestseller list. The book is described as an inspiring business fable and a motivational tool. Visit <https://thebookofmistakes.com>! And how about the **Rumor** about my granddaughter, **Porter's first birthday** on February 17! Or **Rolf Janke's** new position

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Rumors

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at **Rowman & Littlefield**? Or how about **ISI** resurfacing on **Clarivate Analytics**? We do our best to keep you informed! Thanks!

<http://www.against-the-grain.com/category/rumors/>

Just published a brand new **Rumor** today about the wonderfully capable **Kristen Antelman** who will become University Librarian at **UC Santa Barbara** beginning April 1, 2018.

I hope also that y'all have been paying attention to **Charleston Conference's FAST PITCH**. We had our second session in Charleston on Wednesday, November 8, 2017. Most of us have ideas that can be expanded to help the profession and the industry. We shouldn't hold back! How can faculty and students get better use of information? We want your ideas! How can discovery be more innovative? We are going to open fast pitch ideas up in a few months so we can brainstorm together!

It was great having the innovator **Kent Anderson** as one of the judges at **Fast Pitch** this past November! **Kent** started the wonderful **Scholarly Kitchen** for **SSP** ten years ago. They are conducting a survey to get opinions about the new **SSP** directions. The survey is

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Library Platforms

from page 1

LSP market, namely **FOLIO**, an open-source LSP currently in development.

While LSPs have some librarians envisioning (or, perhaps, living in) a world where their ERMS is integrated with traditional ILS functions, there are still many ERMS alternatives, some integrated with discovery/access functionality and others completely standalone. One such standalone system is **CORAL**, which also happens to be open-source. In this issue, **Heather Wilson**, the Acquisitions and Electronic Resources Librarian at **Caltech** and a member of the **CORAL** Steering Committee, provides readers with an extremely relatable overview of the complications of e-resource management, discusses how **CORAL's** flexibility addresses some of those complications, and points to continued development of **CORAL** to ensure its relevancy and usefulness.

Most of the library platforms covered in this issue are not primarily intended to host and serve content, but that, of course, is the primary intended use of IRs. **Rachel Walton**, Digital Archivist and Records Management Coordinator at **Rollins College**, delves into IR usability criteria for both public-user interfaces and back-end administrative interfaces. Not surprisingly, at least for those familiar with IR systems, the two sets of criteria have very little overlap and bring to

light the challenges those who develop these types of systems face. I challenge readers to apply the criteria Rachel discusses to their own IR to see how it stacks up.

Discovery has been a hot topic in libraries for many years now. Interestingly, none of the authors in this issue chose to focus their articles on what I would call "traditional" **WebScale Discovery** (WSD) products, such as **Summon** or **EBSCO Discovery Service**. However, two authors in this issue do write about discovery issues and from different perspectives. **Elizabeth Siler**, Collection Development Librarian at **UNC Charlotte**, discusses homegrown library platforms, including custom **Bento Box** search results, and format specific search interfaces for streaming video, e-textbooks, and **Open Educational Resources (OERs)**. In contrast, **Athena Hoepfner**, Discovery Services Librarian at the **University of Central Florida**, writes about **Yewno** and **Knowtro**, both cleverly named third-party WSD services that take a different approach to discovery.

One type of library platform that receives too little attention are vendors' ordering platforms. Though these tools have been around for some time, **Application Programming Interfaces (APIs)** have allowed book and serial vendors to start integrate their ordering systems into LSPs and further streamline complicated acquisitions workflows. **Justin Clarke**, Director of Sales and Marketing North America at **HARRASSOWITZ**, describes how these

ordering systems developed over the years, the complications vendors face in developing and maintaining these systems, and discusses how APIs are changing how vendors interact with their customers.

Of course, there is not enough room in any single issue of **ATG** to cover the broad diversity that exists in the library platform market. I hope you find the platforms covered in this issue interesting. I know I do! I would like to thank all of the wonderful contributing authors who graciously offered their time and talent. I would also like to thank **Katina Strauch** and **Tom Gilson** for inviting me to guest edit, as well as my colleague **David Van Kleeck**, Interim Chair of Cataloging Services at the **University of Florida**, for allowing me to pick his brain regarding cataloging terminology. 🍷

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help promote these resources, libraries have come up with some unique ways to display and market this content by creating local search results and databases. This article lists just a list a few examples, but there are many more out there including local database lists, research guides, and search interfaces. It will be exciting to see what libraries come up with next!

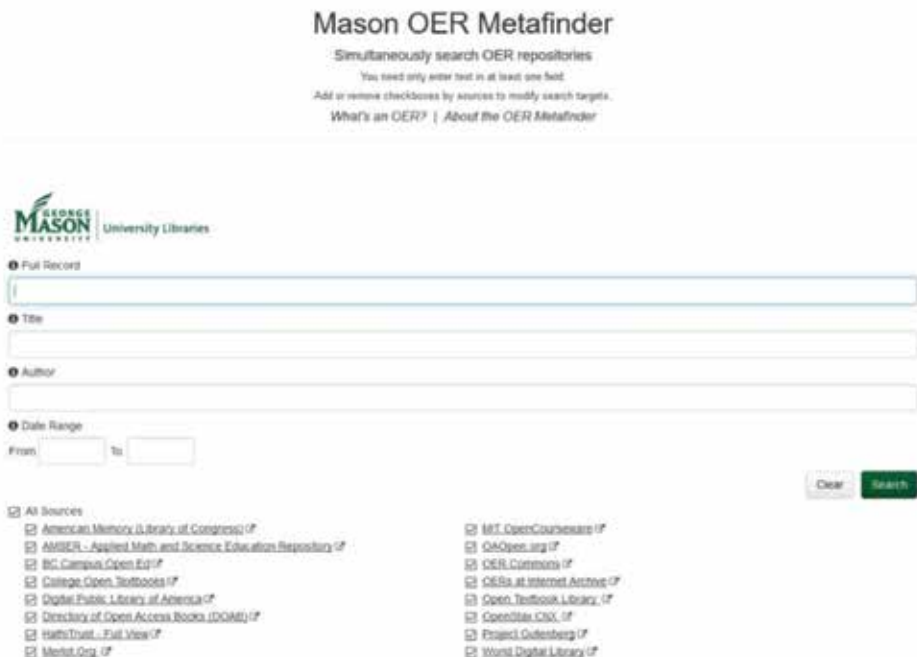


Figure 4: George Mason — Mason Metafinder

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14. **Singley and Natches,** 81.

open through March 30. <https://scholarlykitchen.sspnet.org/2018/03/02/scholarly-kitchen-10th-anniversary-survey/?informz=1>

ATGMedia is doing some surveys of our own. You may have heard from **John Lavender** about ATGMedia and the **Charleston Conference**. **John** works with **Maverick Publishing** and has his own consulting business. He and **Jackie Ricords** of **IGI Global** organized a preconference (publishers are not the enemy) for **Charleston 2017** on November 7th reviewing practical examples of publishers and librarians working together on joint projects in areas such as evidence-based acquisitions models, encouraging patron usage, textbook issues and libraries, open access books, etc.

Related, the on-top-of-it-all **Maggie Farrell** (UNLV), with **Rick Branham**, and **Barbara Kawecki** is guest editing the April 2018 issue of **ATG** on transforming library vendor relations. Looking forward to it!

The **ATG Quirky** for March 2 is about Growing up in a Library. **How Living In A Library Gave One Man "The Thirst Of Learning"** is a great post from NPR's STORYCORPS that tells the story of **Ronald Clark** and his family. **Ronald's** dad, **Raymond**, was a **New York Public Library**

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And a publisher noted that a walk through a modern research library leaves no doubt that collecting is being de-emphasized in preference to staffing up with a “proliferation of Ph.D.s working directly with faculty in research and instructional roles.” A second publisher also noted that.

“Libraries and librarians have a unique opportunity to engage with scholars to offer venues for promotion of their scholarly outputs. These types of researchers have unique information needs that librarians can address. They also have unique preservation issues for their outputs that librarians can solve through inclusion in local institutional repositories or national ones targeted for innovation such as e-channel (<https://library.med.utah.edu/e-channel/>). Library space can also be repurposed to house innovative teams and personnel to facilitate intellectual collaborations and incorporation of knowledge into design and product development.”

Some Further Insights

As with all things, the most prevalent observations are not always the most correct, insightful, or interesting. There were some contributions by *CFL* attendees that didn't rise to top vote-getters but were nonetheless important (in the judgment of the facilitators and authors). More than a few participants noted the meteoric increases in open access content and the likely impact this would have on libraries (not good?), commercial publishers (not good?) and **Google** (very good?).

A couple of other contributors noted the need for libraries to better align their vision and activities with the priorities of their hosting institutions. While some hastened to add that they didn't dismiss their obligations to serve constituencies beyond their funding institutions, they urged a serious review of how library activities and resources are prioritized.

Two participants noted the movement away from long-form reading and wondered how libraries and traditional scholarly publishers might adapt to such a cultural shift. And finally, just one participant asked us to think about how our work in libraries and publishing ameliorates real world problems like violence, poverty, hunger and environmental stewardship. Increasingly, we see successful organizations marketing their products and services as connected to societal benefits. Young workers seem attracted to “meaningful” work, and if those in the scholarly communication space hope to attract the best talent, it would behoove them to consider how their work advances the social good beyond profit, growth, careerism, and institutional prestige.

As one expects with this kind of exercise, most contributors offered positive comments at the end of the onsite session or in subsequent emails. One comment that sticks with us, however, is from a partic-

ipant who expressed disappointment that the group failed to take the opportunity to discuss longer-horizon trends and issues. This participant averred — and maybe some readers of this summary will agree — that most of the concerns discussed were really present concerns — not even those of the near-future. There certainly seems to be some truth in this helpful insight.

And while the authors have tried here to summarize major takeaways from the *CFL* meeting, it might be worth noting — because some readers have surely been thinking it — some issues that were not discussed. For one, it's hard to imagine a discussion of coming changes in academe that doesn't acknowledge changing demographics of the student body and younger faculty. Do we think that the changing face of the academy won't affect user needs, learning styles, or research agendas? Also scarcely considered was the role the tech sector will play in academe. What inroads might **Apple**, **Google**, **Facebook** and **Amazon** make in influencing or transforming higher education by 2025? As often occurs at such visioning sessions, the majority of *CFL* participants seemed so focused on the next tactical moves of their organizations that they had difficulty seeing beyond the near future to account for the much larger societal forces that will inevitably shape — perhaps disrupt — their institutional futures.

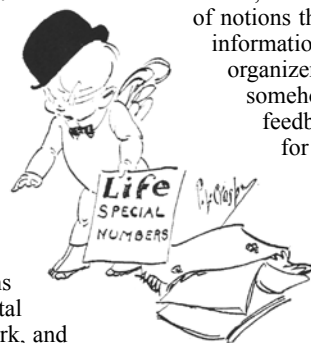
Next Steps:

The consensus for this experimental gathering was: interesting exercise, but not enough time was allotted to develop the many themes or adequately hash out the potential consequences. Duly noted. Another takeaway for organizers was a lack of early career attendees, who may well have had entirely different perspectives, and a U.S.-centric view focused largely on issues around English-language content. Point taken.

Later on, during the main conference, organizers also caught whiff of notions that a secret cabal had met without explanation or information to the wider attendee base or even the conference organizers. Not our intention. Experiments have to start somehow. But we acknowledge the concern and helpful feedback as we digest this year's *CFL* input and plan for possible sessions in upcoming years.

As next steps, we'd love to hear your thoughts on the topics identified above and, of course, other subjects. Hopefully, these added contributions by the larger *CLC* community can be incorporated into a future **Conference** presentation or *ATG* article. As consideration of a follow-up 2018 meeting kicks off, we welcome your input on how this event might be adapted for future

Charleston Conferences to encourage broader, real-time participation. Readers are encouraged to share their ideas about how these future discussions can best be structured to optimize participation and dissemination. 🐼



Rumors

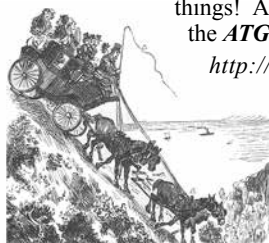
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custodian, who along with **Ronald** and the rest of the family, lived “on the top floor of the Washington Heights branch in upper Manhattan.” They moved there in 1949, when **Ronald** was 15 years old. Following in the family tradition, **Ronald** also raised his daughter **Jamilah** in the same apartment until she was five. To this day, **Ronald** believes that living in a library gave him “the thirst of learning — and this just never left me.” **Katina** here. “My son, **Raymond Walser**, also grew up in the **College of Charleston Library!** And he is a great bibliophile! There is not a book that you can name that **Raymond** doesn't know the author or the plot. He was in the Army

and now works for the Army Corps of Engineers so he moves a lot but he is always moving his book collections! Libraries have always been great learning places!”

<http://www.against-the-grain.com/2018/03/atg-quirkies-growing-up-in-a-library/>

Hope that you have had a chance to read the **Up and Comer profiles** that were in the print Dec/Jan *ATG!* We are printing the twentieth one here. It is of **Katie Mika**. **Katie** was changing jobs and her profile was lost in the transition! She is Data Services Librarian at the **University of Colorado in Boulder**. **Katie** likes skiing, trail running, playing golf, cooking and reading among other



things! All the profiles have been loaded on the **ATG News Channel**.

http://www.against-the-grain.com/atg_profiles_v29-6/

We are planning once again to have the **Charleston Conference Gala Reception at the South Carolina Aquarium** which is a favorite venue! And we have just learned that the

SC Aquarium has been named as a finalist for the **National Medal for Museum and Library Service**. The **National Medal** is the nation's highest honor given to museums and libraries for service to their communities. For 24 years, the award has celebrated institutions that demonstrate extraordinary and innovative

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With higher education outcomes under increased scrutiny from the public and politicians alike, this core collection of evidence-based texts is of value to any college or university and should not be overlooked by institutions simply because they do not support a student affairs program. The research about what helps college students develop and succeed is of interest to administrators, faculty, librarians, and even curious students. Indeed, today's higher education practitioners have unprecedented access to information about best practices and an open invitation to contribute to transformative student experiences. 🐼

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Editor's note: An asterisk () denotes a title selected for *Resources for College Libraries*.

Booklover — Japanese Art

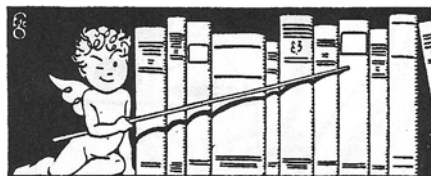
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Kazuo Ishiguro was awarded the 2017 Nobel Prize in literature. **Ishiguro**, “who, in novels of great emotional force, has uncovered the abyss beneath our illusory sense of connection with the world,” was already somewhat familiar to the American reader. His 1989 novel *Remains of the Day* was transformed into the 1993 movie by the same name starring **Anthony Hopkins**.

Prior to choosing a novel to delve into, I read the press around this announcement. An opinion piece by **Garrison Keillor** provided a curious perspective in typical **Keillor** humor: “Once again the humorless Swedes have chosen a writer of migraines for the Nobel Prize in literature, an author of twilight meditations on time and memory and mortality and cold toast by loners looking at bad wallpaper.” ... “Of course all the book critics applauded the choice of **Kazuo Ishiguro**: Praising the dull and deadly is a time-tested way to demonstrate intellectual superiority. It’s like taking a ski vacation in North Dakota: It sets you apart from the crowd. And comedy is so utterly adolescent.”

Well, this set up my reading adventure quite differently, off to the library to check out *An Artist of the Floating World*.

Ishiguro was born in Nagasaki, Japan. His family moved to the United Kingdom when he was a young boy. He graduated in English and Philosophy at the **University of Kent**, and continued with Creative Writing at the **University of East Anglia**. Once



I learned of his biography, I found the title of the novel I chose intriguing and somewhat reflective of this author/artist. It is written in English about an artist who made some creative decisions during World War II that set the course for his professional career. The cadence of the writing settles you into the Japanese cultural experience. I floated pleasantly between subtleties of Japanese culture, conversational innuendo and post war angst; and the English language by which all this was delivered.

Masuji Ono, the story’s central figure, begins his career in the art of *ukiyo-e* (“pictures of the floating world”). The definition being given as “an art closely connected with the pleasures of theatres, restaurants, teahouses, geisha and courtesans in the even then very large city.” **Ono** struggles reflectively with his career choice to pursue a more pragmatic path with his artistic talent. He expresses his difficult decision to **Mori-san**, his **Sensei**: “I have learnt many things over these past years. I have learnt much in contemplating the world of pleasure, and recognizing its fragile beauty. But I now feel it is time for me to progress to other things. **Sensei**, it is my belief that in such troubled times as these, artists must learn to value something more tangible than those pleasurable things that disappear with the morning light. It is not necessary that artists always occupy a decadent and enclosed world. My conscience, **Sensei**, tells me I cannot remain forever an artist of the floating world.” 🐼

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approaches to public service and are making a difference for individuals, families and communities. The **SC Aquarium** was nominated for the **National Medal** by **Robert Macdonald**, Director Emeritus of the **Museum of the City of New York** and Director Emeritus of the **South Carolina Aquarium** board of directors. **Macdonald**’s unique perspective on museums and the critical role they play in the economic health and cultural fabric of the community was instrumental in helping shape the **Aquarium**’s identity as a community gathering place, convenor, and valuable resource in South Carolina. The **Charleston Conference** is proud to allow **Charleston Conference** accompanying family members to attend the Gala Reception!

A parting **Rumor** just received — **Digital Science** and **Katalysis** are pleased to announce the launch of a pilot project to test

blockchain technologies to support the peer review process. They are joined in this pilot project by founding partner **Springer Nature**. The initiative is an important step towards a fairer and more transparent ecosystem for peer review and explores the utility of decentralized data stores in supporting trusted assertions that connect researchers to their activities. As research volumes increase each year, the problems of research reproducibility, recognition of reviewers and the rising burden of the review process, have led to a challenging landscape for scholarly communications. In its initial phase, this initiative aims to look at practical solutions that leverage the distributed registry and smart contract elements of blockchain technologies. Later phases aim to establish a consortium of organisations committed to working together to solve scholarly communications challenges that center around peer review. **Digital Science** will manage the project and looks forward to coordinating with further partners

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not consider taking a case if the amount in controversy is less than \$30,000. Thus, copyright infringement often goes unchallenged and many creators and small businesses feel disenfranchised by the copyright system.

This is especially acute for creators such as photographers, graphic artists, authors, songwriters, bloggers and YouTubers because the individual value of their work is often too low for warrant the expense of litigation. The *CASE Act* is an attempt to rectify this and give creators a small claims process to address infringement through a hearing before a three-judge board within the U.S. Copyright Office. The process would be voluntary for both parties. It limits an alleged infringers' liability to \$15,000 per work and \$30,000 total and insulates them from awards of attorney fees unless they act in bad faith. This is in contrast to litigation where statutory damages range from \$30,000 per act of infringement up to \$150,000 if the infringement is found to be willful (and courts often finds willfulness).

Moreover, the board can hear claims by both creators and by users. The act dictates that the Librarian of Congress appoint board members who must have experience representing the interests of both users and creators. They will be required to follow legal precedence in deciding cases. A similar act in the United Kingdom resulted in more settlements rather than more litigation.

The bill is a bipartisan one and appears to be good for both the creators of copyrighted works and users, but there is no way to predict what Congress will do with it.

QUESTION: *A school librarian asks the best way to provide student access to online tutorials that teach software skills.*

ANSWER: It depends on the copyright status of the online tutorial. For example, if the work is copyrighted, as are most commercially produced tutorials, one must read the copyright notice and seek permission to reproduce the tutorial unless the notice specifies otherwise. If the tutorial is published online with a **Creative Commons** license, then the terms of that license apply. If the author of the tutorial indicates that it may be freely used with no restriction, then the tutorial may be reproduced for students either in print or on a copyright management system. An alternative is to provide students with links to the tutorials rather than reproducing them.

QUESTION: *A city's public library has a large collection of published sheet music. A*

librarian asks whether it is copyright infringement to provide a digital copy of copyrighted sheet music to an individual patron upon request.

ANSWER: The *U.S. Copyright Act*, section 108(d) permits libraries to make single copies of portions of works for a user upon request. There are exclusions from this section of the Act, however. Section 108(i) states that exceptions provided in section 108 "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 the news." A musical work may be embodied in sheet music, a musical recording, etc., so libraries do not have permission to reproduce sheet music even in response to a user request.

Certainly, fair use applies, but fair use most often applies to a portion of works not to the full work. Sheet music for an entire song is an entire copyrighted work. Today, there are many cost effective online sources for digital copies of sheet music to which a user can be referred.

QUESTION: *A university librarian asks whether the recent WikiLeaks posting of Michael Wolff's new book on President Trump, Fire and Fury, constitutes copyright infringement.*

ANSWER: The press has reported that WikiLeaks tweeted what appeared to be a full-text PDF copy of the work right after the book reached the bestseller list. Typically, one who posts an infringing copy of a work online is liable for direct copyright infringement. A harder question is posed when person "A" posts the work and person "B" distributes a link to the infringing content. Liability for sharing the link is less likely to be infringement. However, when person "C" downloads the infringing content, he or she has also infringed the copyright.

In this instance, WikiLeaks says that "someone" leaked the content online and it simply tweeted the link to where the content could be found. Thus, the question is whether WikiLeaks is liable for inducing or contributing to infringement. After the tweet, Google removed the PDF file as soon as it became aware of it. Therefore, in reality, this may be more of a hypothetical question than one of actual liability.

QUESTION: *A public librarian reports reading something about the late night talk*

show host, Conan O'Brien, and the infringement of copyrighted jokes. She asks whether jokes are copyrightable.

ANSWER: For years, social norms have dictated that comedians not steal the jokes of other comedians. Anyone who takes another's joke is more or less shamed by other comedians. The copyright question though is an interesting one, however, and a recent case may have further confused the matter.

Jokes, like other literary works, qualify for copyright protection if they possess at least a minimal amount of originality and contain enough expression, more than a short phrase. A freelance comedy writer, **Robert Kaseberg**, claims to have posted four jokes on Twitter, which **Conan** used on his show in an altered form. At issue is whether the jokes were or should have registered for copyright and, if so, whether **Conan** infringed the jokes. The federal district court for the Southern District of California ruled in

May 2017 that the case would not be decided on summary judgment but would go forward to trial. In her ruling, the judge held that jokes qualify only for thin copyright protection. According to the court, most jokes begin with a factual sentence and are followed by a second sentence punch line. The underlying idea of the joke, as well as the facts in the first sentence of a joke, are not copyrightable. Further, a joke does not have to be identical to a copyrighted one to infringe. Jokes have a limited number of variations in protectable expression which gives them only thin protection because they must be (1) humorous; (2) as applied to the facts articulated in the joke's first sentence; and (3) provide mass appeal.

The trial was originally to be held in August 2017, but further disputes have arisen over whether some of the jokes should have been registered and whether the plaintiff's lawyer committed fraud before the Copyright Office in the documentation submitted for registration of one of the jokes. In November, **Conan's** lawyers filed a complaint with the original judge on these matters.

When the case goes forward on its merits, it should provide some clarity on copyright infringement of jokes. Regardless of the outcome, whether it will have any effect on the social norms among comedians is not known. 🐼



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who wish to become involved; **Katalysis** will use its market-leading expertise in blockchain technologies to implement the test platform;

Springer Nature will participate with a selection of its journals and give key input around publisher and peer review workflows; **ORCID** will provide insights and knowhow around personal identifiers and authentication. Blockchain is a technology for decentralized, self-regulating data. We would like a panel

at the **2018 Charleston Conference** on the blockchain technology. Are you interested? The call for papers has just been posted. Visit www.charlestonlibraryconference.com.

Meanwhile — **Happy Daylight Savings time. Spring is coming!** — Yr. Ed. 🐼