

Academic Libraries Video Trust

Crowdsourcing Copyright, Digitization, and Access

Academic Libraries Video Trust



A Project of Video Trust

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What is ALVT?

- a **cooperative** organization leveraging § 108 for VHS preservation
- clearinghouse for documentation of availability of VHS content in new formats
- repository of digital versions of selected AV works, generally works currently available only in the obsolete VHS format
- collaborative effort of member libraries built on contributions of title search data, digitized video files, and captions or transcripts



Reviewing the situation

When VHS content can be replaced with a DVD, (or in the not-too-distant future another usable, non-obsolete, non-deteriorating, format), everything is cool (at least in terms of copyright).

What can a library do when that VHS content is unavailable for replacement in the commercial marketplace?

Example from Hofstra: VHS title with highest usage over past 10 years: “Anthropology on Trial” with 70 circs since 2007. It was acquired in 1989 ... How many uses did it have between then and 2006?



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17 U.S. Code § 108

Limitations on exclusive rights: Reproduction by libraries and archives

(c) The right of reproduction under this section applies to three copies of a published work duplicated solely for the purpose of replacement of a copy that is damaged, deteriorating, lost, or stolen, or if the existing format in which the work is stored has become obsolete, if—

(1) the library or archives has, after a reasonable effort, determined that an unused replacement cannot be obtained at a fair price; and

(2) any such copy that is reproduced in digital format is not made available to the public in that format outside the premises of the library or archives in lawful possession of such copy.



Interpreting the code



- Lost, damaged, stolen ... it's pretty clear what those terms mean.
- Deteriorating: studies show that analog, magnetic VHS tape starts to deteriorate almost immediately after manufacture
- Obsolete: “For purposes of this subsection, a format shall be considered obsolete if the machine or device necessary to render perceptible a work stored in that format is no longer manufactured or is no longer reasonably available in the commercial marketplace.” (last VCR manufactured July 2016)
- The public: not defined in the statute
- Premises of library: not defined in the statute

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Why ALVT?

- Most academic libraries have VHS content they cannot replace
- Some academic libraries have already undertaken digitization of VHS content and are willing to share
- Not all academic libraries have a copyright expert on staff
- Many academic librarians who handle video are not confident about applying § 108
- Not all academic libraries have expertise and equipment for digitization
- Once created, a digital file is easily shared

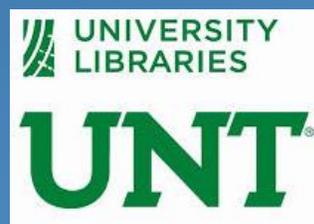


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Founding Benefactor Institutions



Consortial Members



Virginia's Academic Library Consortium



- ALVT is a service provided by the Video Trust, a nonprofit organization.
- The Video Trust Board of Directors oversees ALVT
- An advisory board meets regularly to evaluate the service and make recommendations for changes and improvements.
- Current board members: Kyle Courtney (Harvard), Dave Hansen (Duke), Chris Lewis (American), Meghann Matwichuk (U of Delaware), Sarah McCleskey (Hofstra), Danette Pachtner (Duke), Gisele Tanasse (Berkeley)
- Counsel to National Media Market: Kenneth Crews — Gipson Hoffman & Pancione

Administrative structure



**The Advocate for
Libraries & Film**

Who is responsible for copyright compliance?

- ALVT does not change responsibilities under copyright.
- Each member library that makes a digital copy of a work for ALVT is responsible for making it in a manner consistent with Section 108(c).
- Similarly, each library that downloads a copy from ALVT is responsible for confirming that it may under the law receive a replacement copy.
- Each participating library will represent and warrant to Video Trust that it complies with copyright law.
- Video Trust cannot give legal advice, but VT has secured legal advice to help guide the planning and implementing the ALVT service.

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How can member libraries use ALVT content?

- Each member must decide how to interpret Section 108 at the institutional level
- How will you define the “premises” of your library for access?
 - Brick and mortar library building
 - Your entire institution
 - Your online presence
- How will you define “the public”?
 - Institutional affiliates (students/faculty/staff)
 - Residents of your state

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Institutions

[American University \(Owner\)](#)
[Hofstra University](#)

Video Downloads

[Download Video](#)

78 m

Uploaded by:

[Hofstra University](#)

[Upload a video file](#)

America works when America works

[View](#)

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Bibliographic Information

Title: America works when America works

Distributor: NBC News

Publication Date: 1981

Format: vhs

Local Identifier: VHS 5510

[My institution does not own this](#)

[Add new WorldCat search](#)

[Add new web search](#)

[Add new Distributor search](#)

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Updated distribution information? [Tell us!](#)

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Future directions

- Conversion of database to open-source, library specific platform for automated entries, greater accessibility
- Membership dollars and grants are used to secure caption files for ALVT content
- Membership dollars and grants are used to assist member libraries with outsourced digitization of VHS content
- When DVD content inevitably goes out of distribution and cannot be replaced, ALVT is in place to facilitate preservation
- Automatic membership in Video Trust, with access to Professional Development webinars, published research, reviews, member-specific content, live events

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Two membership levels for consortia:

- **Founding Benefactor** — life of project, unlimited downloads, one-time payment of \$6,000 (regularly \$10,000)
- **Basic Member** — 100 downloads per institution per year, annual fee of \$250 (regularly \$500)

ALVT Contact: Jeff Tamblyn chair@videotrust.org

Resources

- Besser, Howard. [Video at risk: strategies for preserving commercial video collections in libraries.](#) New York University Libraries, 2012.
- Forsberg, Walter. A Declaration of VHS Independence. <https://mediapreservation.wordpress.com/2013/02/22/a-declaration-of-vhs-independence/>
- Forsberg, Walter, and Erik Piil. "Tune In, Turn On, Drop Out." *Annual Review of Cultural Heritage Informatics*: 2012-2013 (2014): 213.
- Lewis, C., & Hubbs, M. DIY VHS Preservation: Planning for Video Digitization at the American University Library. *Computers in Libraries*, 36/9 (2016) 28.
- McCleskey, Sarah E. "Copyright and Video Content in Libraries" (June, 2016). CHEER repository. https://tigerprints.clemson.edu/cheer/library/all_crlibrary/17

For more information

Academic Libraries Video Trust

alvt.videotrust.org

Video Trust: The Advocate For Libraries And Film

videotrust.org

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Questions?