

MDLC Policy on Digital Rights and Ownership

How contributors share content with the Minnesota Digital Library Coalition

The Minnesota Digital Library Coalition (MDLC) will be built through the collaboration of many parties, by digitizing images from Minnesota libraries and cultural heritage institutions. The MDLC will provide access to digital collections for non-commercial, personal, or research use only. Any transmission or reproduction of protected items beyond what is allowed by fair use will require the written permission of copyright owners.

The ownership of any content contributed to the MDLC is retained by the contributor.

When an institution seeks to provide content for inclusion, the MDLC seeks a worldwide, non-exclusive, perpetual, royalty-free license to incorporate that content into the repository, to aggregate it with other content, and to make this content available to all citizens of the world. The MDLC requires only nonexclusive usage rights because it wants to encourage the broadest use and application of digital technologies and images, and because it seeks to reduce duplication of efforts and unnecessary costs. The MDLC seeks a perpetual license because it is trying to create a reliable, ongoing, high-quality electronic resource. Users could not rely on content in the MDLC for teaching and scholarship should it be included for limited periods of time.

Users who seek to make commercial use of the images (such as including images in publications that have been traditionally produced by a press) will be required to seek permission from the appropriate rights holders, and - to the extent practicable - the MDLC will seek to facilitate those permissions by providing contact information for rights holders. The MDLC itself will not make commercial use of the content in the MDLC.

The MDLC believes that intellectual property rights holders and other content providers may well benefit significantly from the MDLC. The MDLC expects that its educational and scholarly mission will resonate with many rights holders. The MDLC also hopes that many content providers and rights holders will appreciate the increased visibility and recognition of their works. Moreover, rights holders may receive increased licensing fees should users of the MDLC subsequently seek licenses from those rights holders to make uses of images beyond those permitted by the MDLC.

Institutions with digital collections housed on the MDLC server or linked to the site provide copyright information as a service to the general public in determining the proper use of an item. However, users are ultimately responsible for determining copyright restrictions, for obtaining written permission, and for paying any fees necessary for the reproduction or proposed use of the materials. The MDLC will not be held responsible for any direct, indirect, consequential, or incidental damages arising out of or relating to the use of the information and materials linked to or found on this Web site.

The Minnesota Digital Library Coalition based this policy on those developed by ARTstor, a non-profit initiative by the Andrew W. Mellon Foundation, and by the Colorado Digitization Program. We are grateful for their work.

Adopted by the Minnesota Digital Library Coalition Steering Committee June 16, 2004