

Indian Institute of Astrophysics Archives

Managing the Contents of Indian Institute of Astrophysics (IIA) Archives – Copyright Issues

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1. Introduction to Archives
2. IIA Archives – Contents and Rights
3. Digitization
4. Challenges and Restrictions
5. Recommendations

Introduction

- Archives - Definition
- IIA Archives
 - Setting up
 - Period Covered
 - Items included

IIA Archives – Contents and Rights

- Contents
 - Published
 - Unpublished
 - Anonymous Work
- Copyright Issues
 - Published Material
 - Unpublished Material
 - Copyright with IIA
 - Ownership & Copyright transfer to IIA

Digitization

- Digitization

- Selection Criteria

- Contents for which IIA Archives holds the copyright
 - The original contents are donated to the archives by the family members transferring both ownership rights and copyrights to the archives.
 - The contents for which ownership is transferred and not the copyright.

- Archives Access Policy

Challenges and Restrictions

- Ownership rights alone transferred to the Archives
- Contents out of Copyright
 - Use permitted only for research purpose
- Permission granted to re-publish in a book/journal sold commercially?
- Sensitive contents digitized but withheld for uploading due to security reasons.
- Contents in physical/print form in fragile condition?

Recommendations

Copyright Act of other countries like USA, UK, Australia have special clauses to cover the access to archival contents from the archives in both print and digital form.

Indian copyright Act (1957) does not include neither section nor clause for access and use of these archival contents.

- Indian copyright act should include the term “Archive” wherever appropriate in addition to Libraries and Museums. (Section 52)
- As archival contents are unique and not available in multiple copies
 - The provision should be made in our copyright act to include the access to these contents under “fair use” for free download.
 - A distinction to be made between published and unpublished works especially if they are to be digitized. Access to unpublished work should be facilitated as the published work used for scholarly purpose.
- Also special efforts should be made to digitize the unpublished work in the archives to facilitate easy access to physically challenged and those in the rural areas who would otherwise find it difficult to approach the archives due to financial reasons.
- Give permission for students enrolled in distance education related to Archives study, to use information freely.
- Copyright act should be amended to facilitate the use of archival material without awarding unprecedented control over copyrighted material in all forms under the fair dealing clause.