

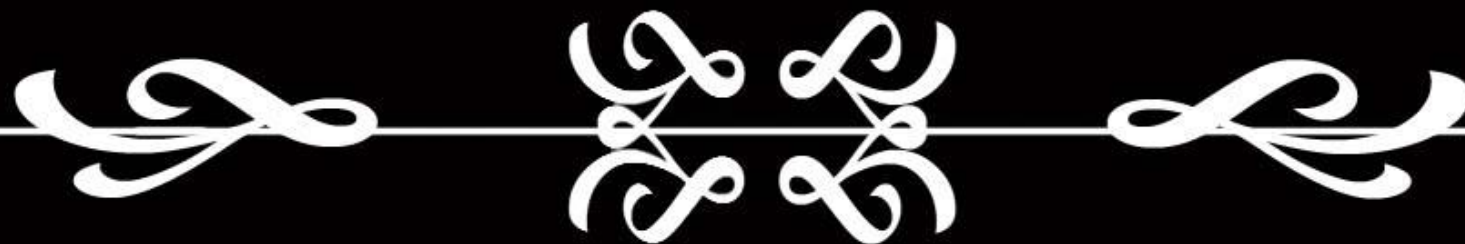
# COPYRIGHT and ORPHAN WORKS

Prof Ronan Deazley  
Queen's University Belfast





ORPHAN WORKS  
in CONTEXT



# ORPHAN WORKS

A work is an orphan work if the copyright owner(s) cannot be identified or located by someone seeking permission to use the work.

Works become orphaned for various reasons:

- Copyright arises at the point of creation and is not contingent on any formalities [so, no registration is required]
- The length of the copyright term [life + 70 years, or longer]: tracking a chain of title over a long period of time can be incredibly complicated
- Organisations become bankrupt or simply cease to exist
- Poor record keeping and information management

# STATUTORY PRESUMPTIONS

## **Section 139(4) of 2000 Act (Ireland) :**

Where a name purporting to be the author or the owner appears on copies of a work ... that is admissible unless the contrary is proved

A person shall be presumed not to have made work during the course of employment

If the name is of the person who first lawfully made the work available, that person shall be presumed to be the author

# CLARIFY TERM DURATION (NO PERPETUAL COPYRIGHT)

## Copyright Bill 2018 (s.7) :

The copyright in a literary, dramatic, musical or artistic work, or an original database, shall expire 70 years after the death of the author irrespective of -

- (a) The date (if any) on which the work is first lawfully made available to the public, or
- (b) Whether the work is ever lawfully made available to the public

# EU ORPHAN WORKS DIRECTIVE

The Orphan Works Directive required Member States to introduce a copyright exception to enable certain types of use with certain types of orphan works

- **BENEFICIARIES:** publicly accessible libraries, educational establishments and museums, archives, film or audio heritage institutions and public-service broadcasting organisations
- **SCOPE:** books, journals, newspapers, magazines and other writings, as well as phonograms, cinematographic and audiovisual works
- **CRITERION:** a **diligent search** must be carried out for *each work* prior to the use of that work

# EU ORPHAN WORKS DIRECTIVE

Once a work has been designated as an orphan, beneficiary organisations are permitted to make use of the work in various ways:

- Copying the work for the purposes of digitisation, indexing, cataloguing, preservation and restoration
- Communicating the work to the public, including making it available online

All use must be directed towards the institution's public interest mission, and commercial use is not authorised under the Directive

# ORPHAN WORKS in IRELAND

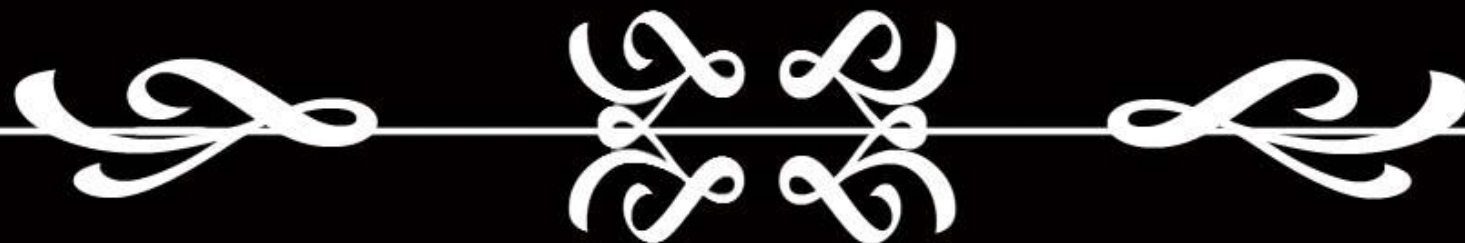
Regulation S.I. No. 490/2014 - European Union  
(Certain Permitted Uses of Orphan Works)

The law was enacted on the 29th of October 2014  
and published on 31st of October 2014, **closely  
following the text of the OWD**





ORPHAN WORKS  
in PRACTICE



# ORPHAN WORKS in PRACTICE



*Promoting and supporting intellectual property value*



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[News & events](#)

[Home](#) > [Intellectual property for...](#) > [IP for Education and Culture](#) > Orphan Works Database

## Orphan Works Database

**Orphan works** are works that are still protected by copyright, but whose authors or other right holders are not known or cannot be located. Music, books, newspaper and magazine articles and films can be orphan.

Orphan works are part of the collections currently held by European libraries, museums, archives, film and audio heritage institutions, and public service broadcasting organisations. The lack of data on their ownership has often constituted an obstacle to their digitisation and making them available online.

Directive 2012/28/EU of the European Parliament and of the Council of 25 October 2012 on certain permitted uses of orphan works sets out common rules to make digitisation and online display of orphan works legally possible. Under Article 3(6) of the Directive 2012/28/EU, EUIPO is responsible for the establishment and management of a single publicly accessible online database on orphan works.

More information on orphan works is provided on the European Commission's website.

# ORPHAN WORKS in PRACTICE

10 records per page Columns							
File number	Title of work	Description	Category of work	Organisation	Right holder	Contains embedded	Actions
36_EB SP53_21	Az első vas...	Részletek a ...	Audiovisual work	Magyar Ne...	Name not known	✗	ⓘ ▶
39_Add. 48966-48975_23 embedded with this search	Koteliansky ...	Koteliansky ...	Literary work	The British ...		✓	ⓘ ▶
39_Add. 48966-48975-1_24 embedded with this search		Koteliansky ...	Literary work	The British ...		✓	ⓘ ▶
39_Add. 48966-48975-1_24 embedded with this search							
39_Add. 48966-48975-1_24 embedded with this search							
39_Add. 48966-48975-1_24 embedded with this search							
39_001634696_31 embedded with this search	Hedin,...	Hedin,...	Illustration	The B...	Name no...	✓	ⓘ ▶ ...
Showing 1 to 10 of 5,634 entries (5,634 main works and 6,938 embedded or incorporated works)							◀◀ 1 2 3 4 5 ▶▶

# ORPHAN WORKS in IRELAND

Orphan Works DB

https://euiipo.europa.eu/orphanworks/#search/advanced

Quick Search

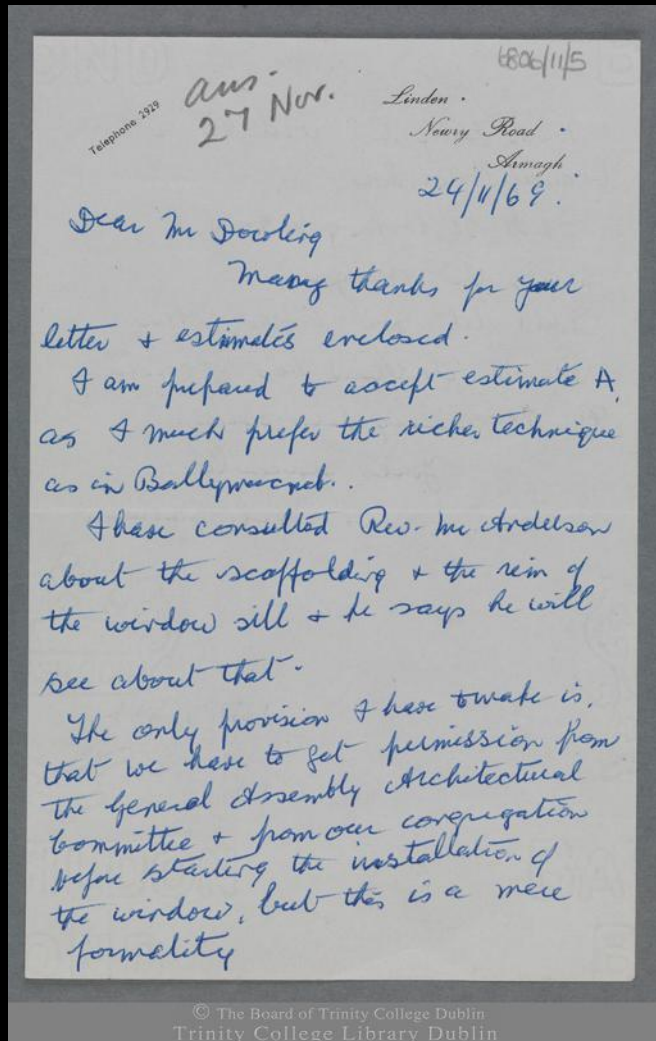
10 records per page Columns

File number	Title of work	Description	Category of work	Organisation	Right holder	Contains embedded	Actions
521_2052	Belfast, Co. ...	Letter from ...	letters	Trinity Colle...	Graham, Carson ...	×	ⓘ ▶
601_FCCA/SM/F/001_2201	Let`s Get it ...	A 2-minute i...	Cinematographic...	Fingal Coun...		×	ⓘ ▶
521_IE TCD MS 6086/11/1_2513	Armagh, Th...	Letter from ...	Correspondence	Trinity Colle...	Graham, Annie N...	×	ⓘ ▶
521_IE TCD MS 6086/11/3_2561	Armagh, Th...	Letter from ...	Correspondence	Trinity Colle...	Graham, Annie N...	×	ⓘ ▶
521_IE TCD MS 6086/11/16_2562	Armagh, Th...		Correspondence	Trinity Colle...	Name not known	×	ⓘ ▶
521_IE TCD MS 6086/11/4_2563	Armagh, Th...	Letter from ...	Correspondence	Trinity Colle...	Graham, Annie N...	×	ⓘ ▶
521_IE TCD MS 6086/11/7_2564	Armagh, Th...		Correspondence	Trinity Colle...	Graham, Annie N...	×	ⓘ ▶
521_IE TCD MS 6086/11/8_2565	Armagh, Th...		Correspondence	Trinity Colle...	Graham, Annie N...	×	ⓘ ▶
521_IE TCD MS 6086/11/10_2566	Armagh, Th...		Correspondence	Trinity Colle...	Graham, Annie N...	×	ⓘ ▶

Showing 1 to 9 of 9 entries (9 main works and 0 embedded or incorporated works)

1

# TCD: DIGITAL COLLECTIONS



## TRINITY COLLEGE DUBLIN

### Clarke Stained Glass Studios Collection

#### Clarke Studios: Correspondence

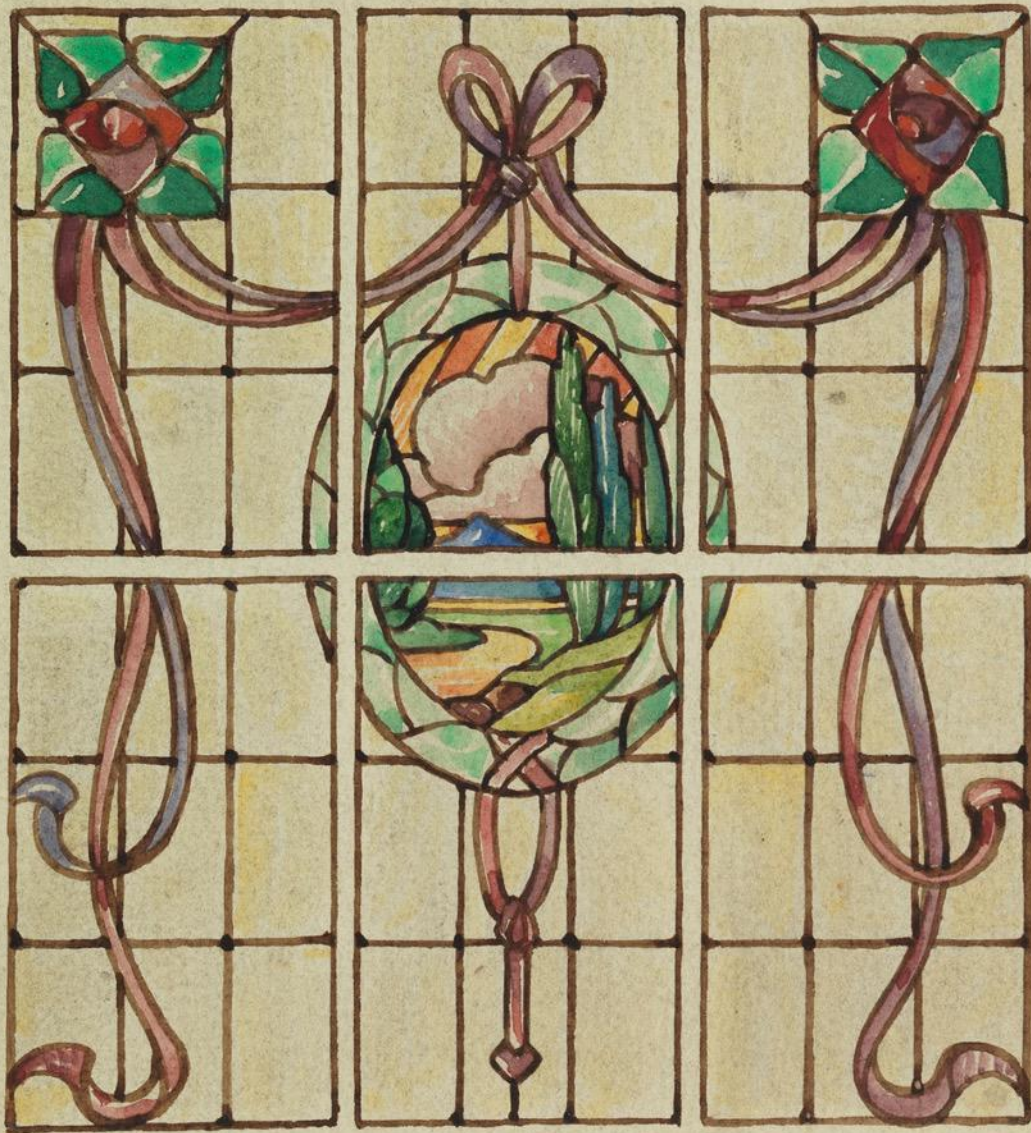
Scotch Presbyterian Church, The  
Mall, Armagh: Letter from Miss  
A. N. Graham to William Dowling

Item: IE TCD MS 6086/11/1-61

Digital No: MS6086-11-5\_1



C 11182/956



J. Clarke & Sons

N<sup>th</sup> Frederick St Dublin

# ORPHAN WORKS in IRELAND

Orphan Works DB

https://euiipo.europa.eu/orphanworks/#search/advanced

Quick Search

10 records per page Columns

File number	Title of work	Description	Category of work	Organisation	Right holder	Contains embedded	Actions
521_2052	Belfast, Co. ...	Letter from ...	letters	Trinity Colle...	Graham, Carson ...	x	ⓘ ▶
601_FCCA/SM/F/001_2201	Let`s Get it ...	A 2-minute i...	Cinematographic...	Fingal Coun...		x	ⓘ ▶
521_IE TCD MS 6086/11/1_2513	Armagh, Th...	Letter from ...	Correspondence	Trinity Colle...	Graham, Annie N...	x	ⓘ ▶
521_IE TCD MS 6086/11/3_2561	Armagh, Th...	Letter from ...	Correspondence	Trinity Colle...	Graham, Annie N...	x	ⓘ ▶
521_IE TCD MS 6086/11/16_2562	Armagh, Th...		Correspondence	Trinity Colle...	Name not known	x	ⓘ ▶
521_IE TCD MS 6086/11/4_2563	Armagh, Th...	Letter from ...	Correspondence	Trinity Colle...	Graham, Annie N...	x	ⓘ ▶
521_IE TCD MS 6086/11/7_2564	Armagh, Th...		Corre				
521_IE TCD MS 6086/11/8_2565	Armagh, Th...		Corre				
521_IE TCD MS 6086/11/10_2566	Armagh, Th...		Corre				

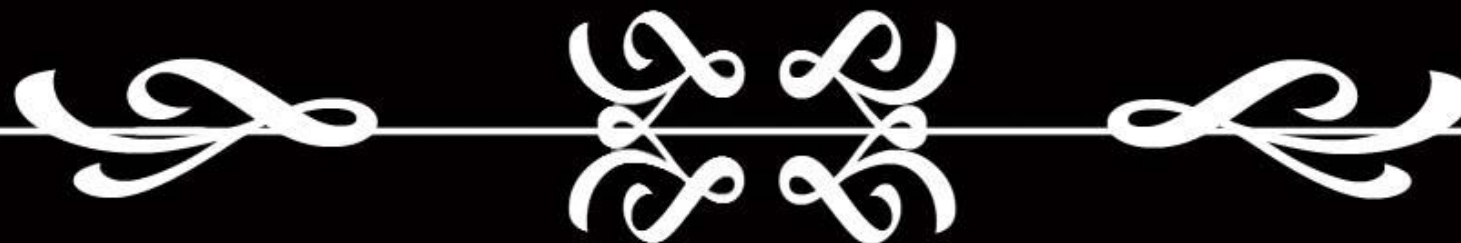
Showing 1 to 9 of 9 entries

Showing 1 to 9 of 9 entries (9 main works and 0 embedded or incorporated works)

1



**WE NEED to TALK  
about ORPHAN WORKS**





# LIMITATIONS

## of the OW DIRECTIVE

The Directive applies **only** to the use of books, journals, newspapers, magazines and other writings, as well as phonograms, cinematographic and audiovisual works

So: **free-standing artistic works** do not fall within remit of the Directive (although embedded works are allowed)

# **LIMITATIONS**

## **of the OW DIRECTIVE**

For unpublished material, the Directive should only apply when the work **'has been made publicly accessible ... with the consent of the rightholder'** (A.1(3))

- Deposit of third party material?
- Correspondence, and so on?
- Anonymous works?

# LIMITATIONS

## of the OW DIRECTIVE

Unpublished material can only be used  
'provided that it is reasonable to assume  
that the rightsholders would not oppose the  
uses referred to in Article 6' (A.1(3))

- When will it be reasonable to assume there would be no opposition?
- Case by case basis?
- Evidence from other digitisation initiatives?

# LIMITATIONS

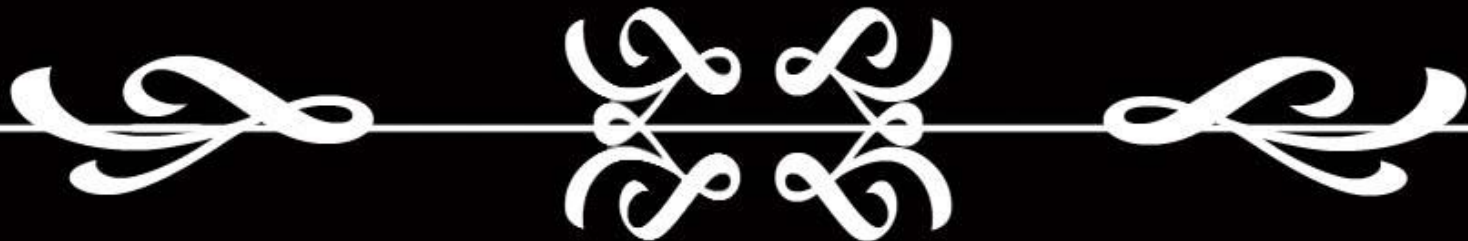
## of the OW DIRECTIVE

If a rightsholder reappears, and puts an end to the orphan work status of their work, the Directive requires that Member States ensure they are provided with **fair compensation** for the use that has been made of their work

- Will the prospect of possible future costs deter reliance on the OW exception?
- What constitutes 'fair compensation'?
- Can 'no compensation' be considered to be 'fair compensation'?



LET' S TALK  
about OWLS



# UK ORPHAN WORKS LICENSING SCHEME

At the same time as the Directive was implemented in the UK, the government implemented the **Orphan Works Licensing Scheme (OWLS)**

- applies to all types of copyright work
- anyone can apply for a licence
- enables commercial and non-commercial use
- non-exclusive licence granted by the IPO for seven years
- contingent on paying an application fee and a licence fee

# UK ORPHAN WORKS LICENSING SCHEME



View the orphan works register

**BETA:** This is a new service - your [feedback](#) will help us to improve it. [Find out more about the beta phase.](#)



## Category:

863 results

### All

[Moving images](#)

[Music notation](#)

[Script and choreography](#)

[Sound recordings](#)

[Still visual art](#)

[Written works](#)

### Window display designed by Pilkington Jackson at Jenn...

Known creators or right holders: J Campbell Harper , Anne Campbell nee Harper

Known identifiers: None

Category: Still visual art

Licensee name: [Serpentine Galleries](#)

Status: Application Received (OWLS000148-1)



### Head of a classical goddess, probably Demeter

Known creators or right holders: Minnie Hardman (née Shubbrook) (1862-1952)

Known identifiers: None

Category: Still visual art

Licensee name: [The University of Reading](#)

Status: Licence Granted (OWLS000147-8)



# UK ORPHAN WORKS LICENSING SCHEME



View the orphan works register

**BETA:** This is a new service - your [feedback](#) will help us to improve it. [Find out more about the beta phase.](#)



## Category:

629 results in category still visual art

[All](#)

[Moving images](#)

[Music notation](#)

[Script and choreography](#)

[Sound recordings](#)

**[Still visual art](#)**

[Written works](#)

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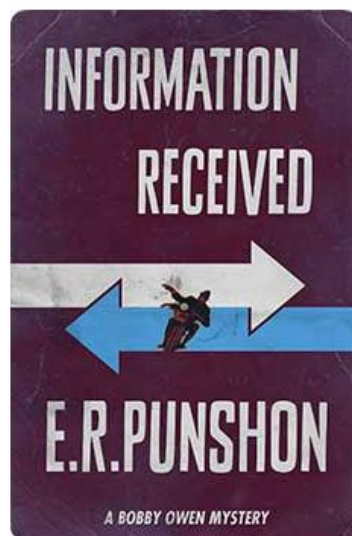
# UK ORPHAN WORKS LICENSING SCHEME

TYPE OF WORK	TOTAL	%	WITHDRAWN
STILL VISUAL	629	73	[tbc]
WRITTEN	203	23.5	30
SOUND RECORDING	18	–	4
MOVING IMAGE	6	–	2
MUSIC NOTATION	6	–	3
SCRIPT AND CHOREOGRAPHY	1	–	1

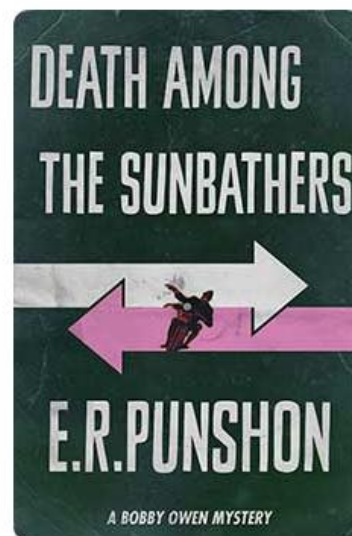


**DEAN STREET  
PRESS**

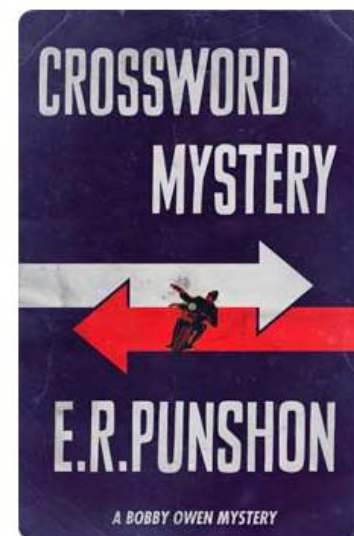
**64 LICENCES  
for early to  
mid-20<sup>th</sup>  
CRIME NOVELS  
COMMERCIAL  
USE**



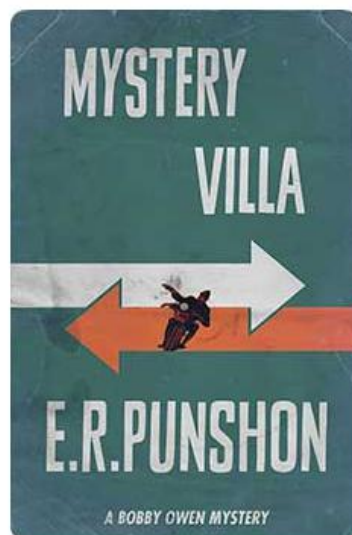
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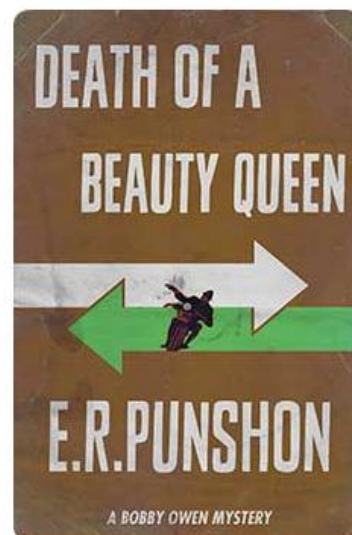
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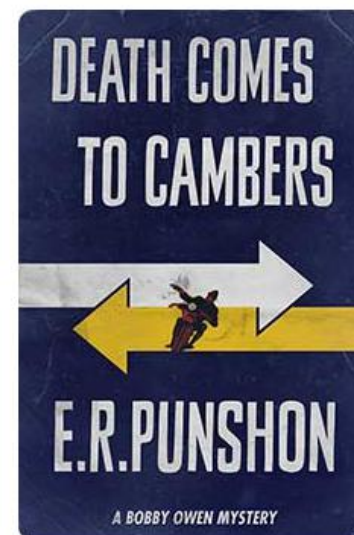
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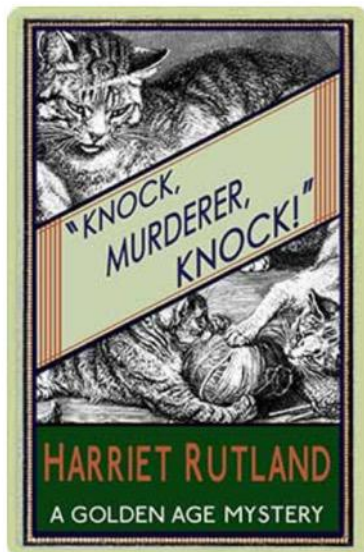
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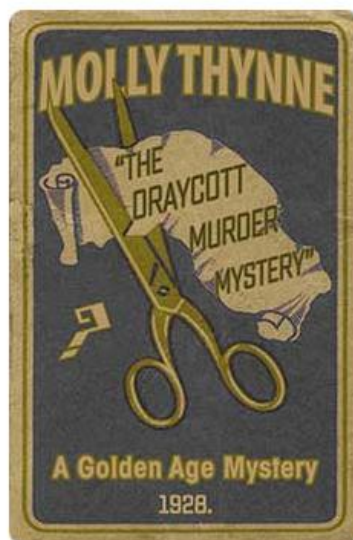
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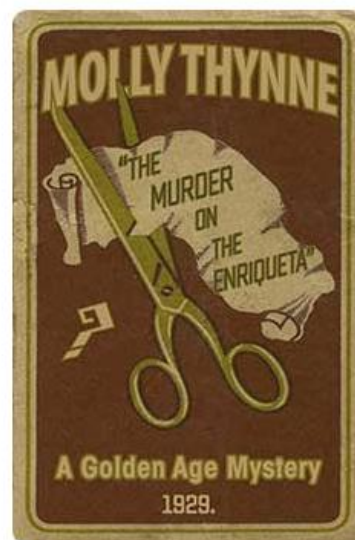
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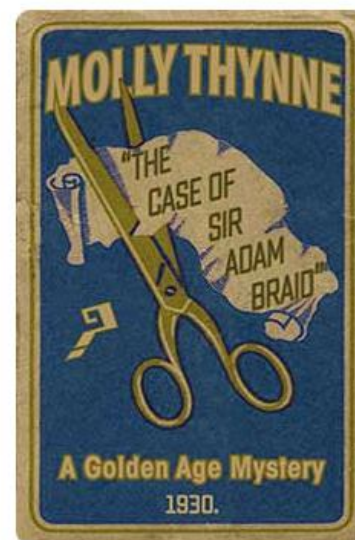
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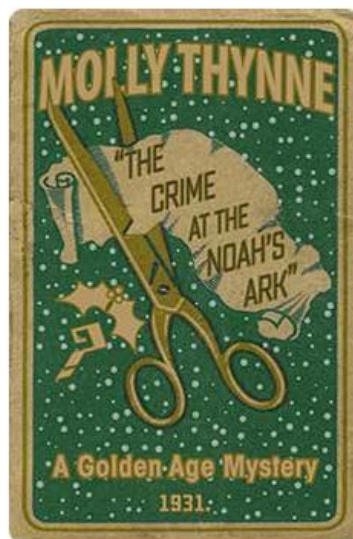
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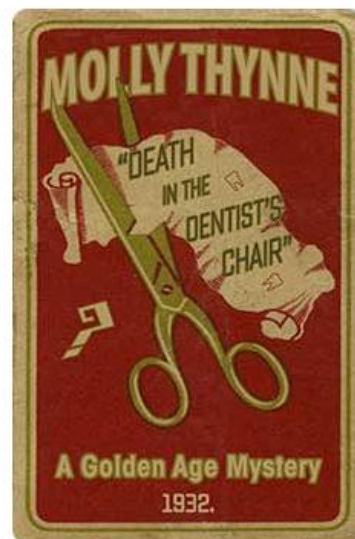
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# DIVIDED SOCIETY

Northern Ireland 1990 - 1998

## About Divided Society

'Divided Society' is a unique and important resource that explores a critical time in Northern Ireland's history. Over 500 journal titles relating to the conflict and peace process have been made available to search and consult. These are publications that were published between 1990-1998 in the UK, Ireland and further afield, and documented the issues that affected Northern Ireland during that period.

FERMANAGH/MONAGHAN COMMUNITY ASSOCIATION

# IRELAND'S BERLIN WALL



# MARCH AND RALLY

## AT LACKEY BRIDGE

CLONES, COUNTY MONAGHAN

MON, 18th MARCH

ASSEMBLE: 2pm, THE DIAMOND, CLONES

**SPEAKERS:** BERNADETTE MCALISKEY  
ROBERT BALLAGH  
OWEN CARRON  
FR JOE McVEIGH



SPONSORED BY INC

## STOP BRUTALITY IN CRUMLIN ROAD JAIL



# END FORCED INTEGRATION

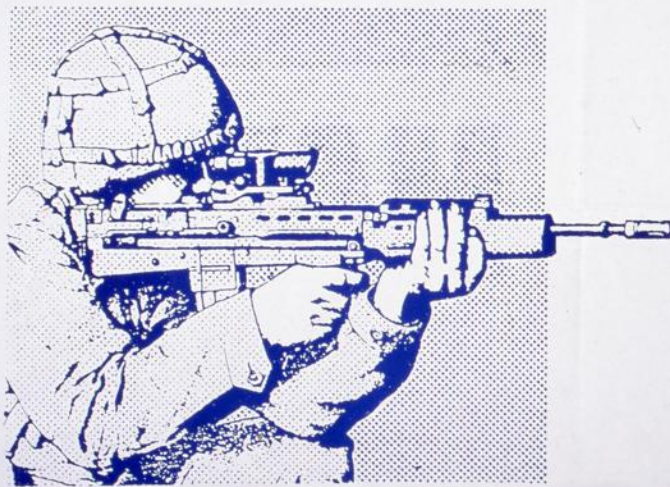
PUBLISHED BY THE RELATIVES ACTION COMMITTEE

## WHAT COUNTRY IN EUROPE HAS 700 POLITICAL PRISONERS



# IRELAND

## ULSTER DEFENCE REGIMENT



# DEFENDING FREEDOM



# ULSTERdawn



25p

## independence for ulster

## News Around Ulster

### Power, Wealth And Arms In The Hands Of The People!

In recent years we have witnessed the withdrawal of the multi-national corporations which previously provided labour for thousands of Ulster workers. This exodus has resulted in mass-unemployment and an economic waste land, particularly in the more densely populated areas of our country. Thatcherite economic policies are no longer able to entice the foreign industrialists to Ulster, no longer is Thatcher willing to give massive subsidies to the multi-national "businessmen" who's concern is not for the worker, but for the chance of a quick profit at the expense and misery of an expendable workforce.

Whilst the departure of these economic vultures and capitalist con-merchants is to be welcomed, Thatcher's NIO puppets have failed to take into account the resultant unemployment. Nothing has been done to provide alternative labour for the dispossessed and redundant worker. Mass complexes stand idle while the capitalist seeks new and more profitable areas to exploit.

What alternative do we then propose? As Ulster National Revolutionaries we advocate a system of guilds, small businesses and family farms. These ventures would offer the worker a chance to gain economic freedom from capitalism and exploitation, and would provide a genuine and workable solution to the misery of unemployment. We

advocate land and property to be re-distributed to the people as opposed to these assets being held by just a few capitalist fat-cats, who view such necessities of the people as their personal ticket to wealth and fortune at the expense of everyone else.

Land and wealth, like power and arms are not the property and right of a privileged few, but belong to the Nation and its people. True National Freedom and Social Justice can only come about when the people achieve these assets and exercise control of their lives. Money too is not the tool of the merchant banker or wealthy businessman, but is a servant of the people. Rising debt has crippled thousands of Ulster folk struggling to make ends meet in the current economic nightmare. Our proposals for interest free loans through an Ulster Investment Bank will end another avenue of financial slavery for our countrymen and women.

Through an all embracing Ulster National Revolution we will end the debt and all forms of economic exploitation and monetary oppression. Workers' co-operatives along with a nationalised investment banking system will ensure financial freedom for the Ulster Nation and its people. In essence, the workers will own - the owners will work!

Power, Wealth and Arms to the people of Ulster!



### ANIMAL LIBERATION FRONT

In April the Animal Liberation Front warned that they had put paint stripper in some L'Oreal products. They had hit Stewarts, Crazy Prices, and Boots in Lisburn and Belfast.

A spokesman for the ALF told a local paper, "that until companies stopped testing on animals they could expect more of the same".

So why did the ALF pick on L'Oreal? The answer to that is simple. It is because L'Oreal kill a large number of animals needlessly. Shops like "The Body Shop" never test on animals and Avon have now stopped their testing.

But L'Oreal are not happy just killing the animals. They enjoy torturing them for days, sometimes weeks, making sure that they die a slow and painful death.

So next time you're out shopping for shampoo or the like, remember to boycott the brand name L'Oreal. We've heard reports of people going into shops and taking a few L'Oreal products up to the till and after they've been rung up, saying "I don't want these as they have been tested on animals". This is not illegal.



**ALF  
Group**

To help ALF prisoners and to get information on animal abuse send a donation to: ALF Supporters' Group, BCM 1160, London, WC1N 3XX.

### Arkangel

Arkangel is a 52 page magazine which will help you understand ALF actions and the animal rights movement as a whole. Send £1.50 to: Arkangel, BCM 9240, London, WC1N 3XX.

# the Shining Path

*STOP THE SELL-OUT IN ULSTER  
SACK THE LICKSPITTLE BROOKE*

THE SHINING PATH is a special paper produced by the Conservative Friends of Northern Ireland for distribution at the February 1990 Young Conservatives Conference.

For more information on the political situation in Northern Ireland please write to:-

CONSERVATIVE FRIENDS OF  
NORTHERN IRELAND, PO BOX 343,  
GLASGOW, G13 2RL

For extra copies of the UDR poster please  
send a £1 donation.

No.2

NORTHERN IRELAND  
POLITICAL COLLECTION

March 1990 20p

## The University Marxist

Paper of the Marxist-Leninists of the University of Ulster Labour Club

### WHERE NOW? : THE REPUBLICANS

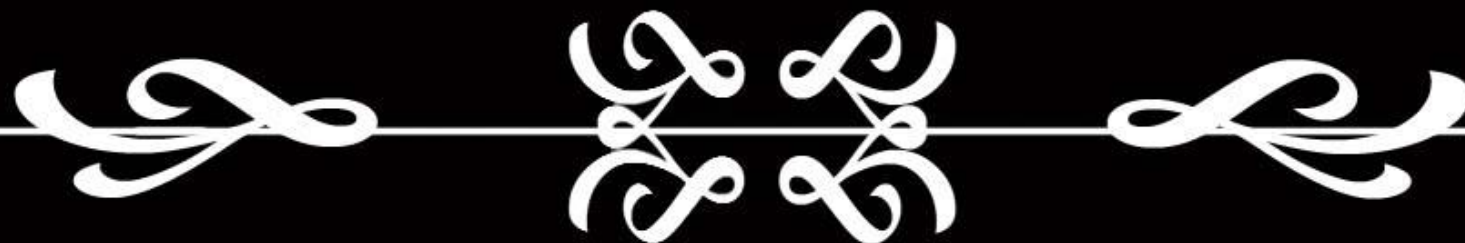
**As the Broad Front debate on the left grinds on UM looks at the players and the politics in this game, and argues that unity must first be found elsewhere.**

ing regions, Sinn Fein welcomes support for the individual campaigns in which it involves itself from whichever quarter it comes. Believing that it is necessary to broaden the base of the struggle, broad front umbrella groups such are established. Broad fronts like the '68 Committee, Forum

rump of Sinn Fein, objecting to the dominion status of the Free State integral to the Anglo-Irish Treaty, staying out. By 1934 Fianna Fail had control of the Dail and by 1940 De Valera was wiping out all republican opposition. The political forces engaging each other in this short



THE ELEPHANT  
in the ROOM





# DILIGENT SEARCH

Both the EU-wide orphan works exception and OWLS are contingent on conducting a **DILIGENT SEARCH** for the owner(s) of every work to be used

**Orphan Works Regulations (Ireland):** 'a relevant body shall ... ensure that a **diligent search** is carried out in good faith in respect of the relevant work'

**OWLS Regulations (UK):** 'a diligent search must comprise a **reasonable search** of the relevant sources to identify and locate the right holders'



# DILIGENT SEARCH

## RELEVANT SOURCES (OWD)

The sources that are appropriate ... shall include at least the relevant sources listed in the Annex (A.3(2)) :

TYPE OF WORK	RELEVANT SOURCES
PUBLISHED BOOKS	Legal deposit, library catalogues, CMOs, existing databases and registries, WATCH, VIAF, ARROW, etc
NEWSPAPERS, MAGAZINES, JOURNALS and PERIODICALS	ISSN, library catalogues, legal deposit, databases of relevant CMOs
VISUALS WORKS ... in BOOKS, ETC	Sources above, databases of relevant CMOs and picture agencies
AUDIOVISUAL WORKS and PHONOGRAMS	Legal deposit, producers' associations, library databases, CMOs, etc

# DILIGENT SEARCH

## RELEVANT SOURCES (IRELAND)

Schedule to the 2014 Regulations:

TYPE OF WORK	RELEVANT SOURCES
PUBLISHED BOOKS	Legal deposit, library catalogues, CMOs, existing databases and registries, WATCH, VIAF, ARROW, etc
NEWSPAPERS, MAGAZINES, JOURNALS and PERIODICALS	ISSN, library catalogues, legal deposit, databases of relevant CMOs
VISUALS WORKS ... in BOOKS, ETC	Sources above, databases of relevant CMOs and picture agencies
AUDIOVISUAL WORKS and PHONOGRAMS	Legal deposit, producers' associations, library databases, CMOs, etc
NOT PUBLISHED OR BROADCAST	Those sources listed above that are relevant

# DILIGENT SEARCH RELEVANT SOURCES (IRELAND)

Schedule to the 2014 Regulations:

TYPE OF WORK	RELEVANT SOURCES
PUBLISHED BOOKS	<b>THE SAME as the ORPHAN WORKS DIRECTIVE</b>
NEWSPAPERS, MAGAZINES, JOURNALS and PERIODICALS	
VISUALS WORKS ... in BOOKS, ETC	
AUDIOVISUAL WORKS and PHONOGRAMS	
NOT PUBLISHED OR BROADCAST	<b>RELEVANT SOURCES from those LISTED ABOVE</b>

## Number of Sources per Country

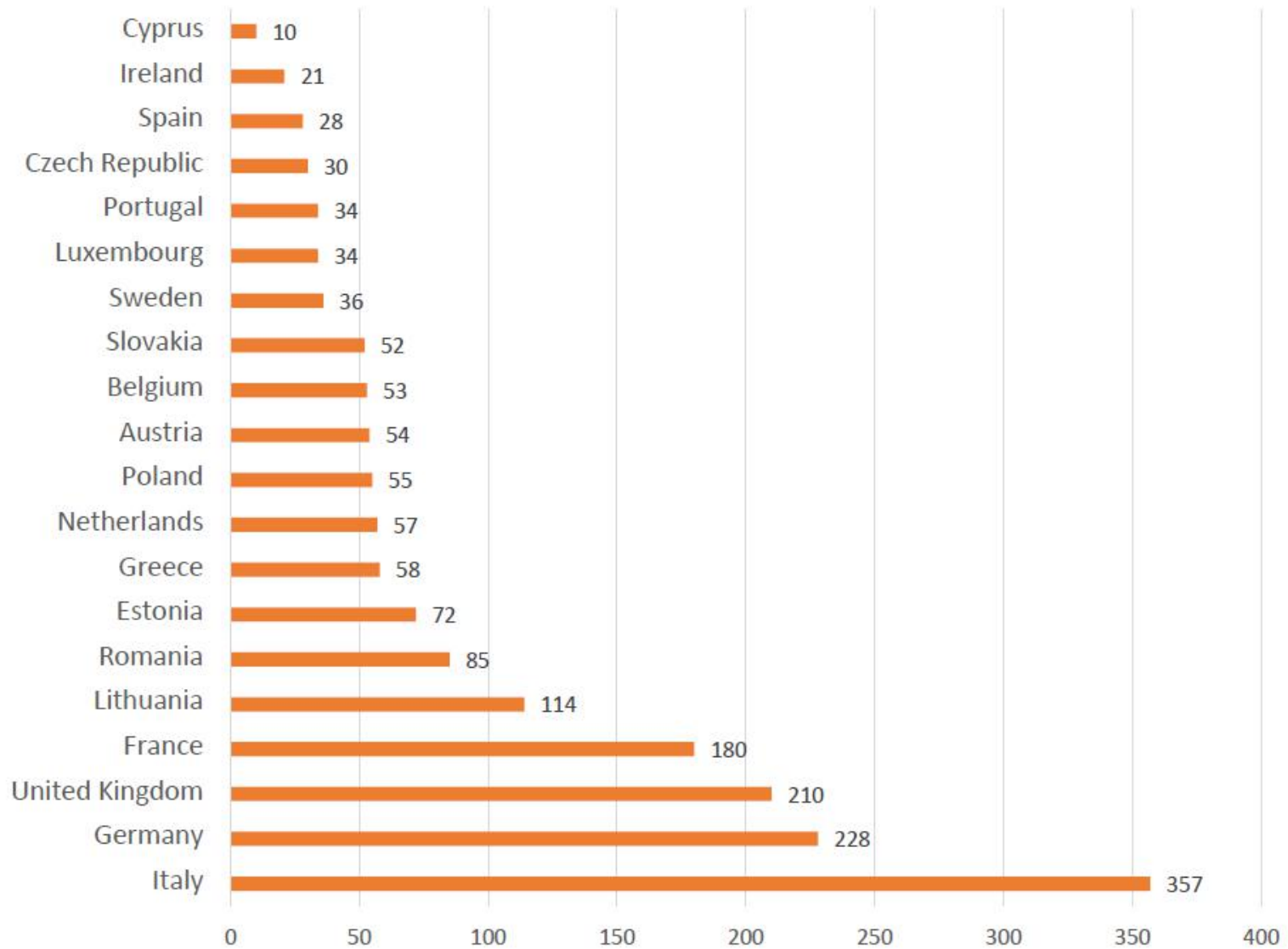


Figure 1: Number of sources by Country

## Accessibility by country

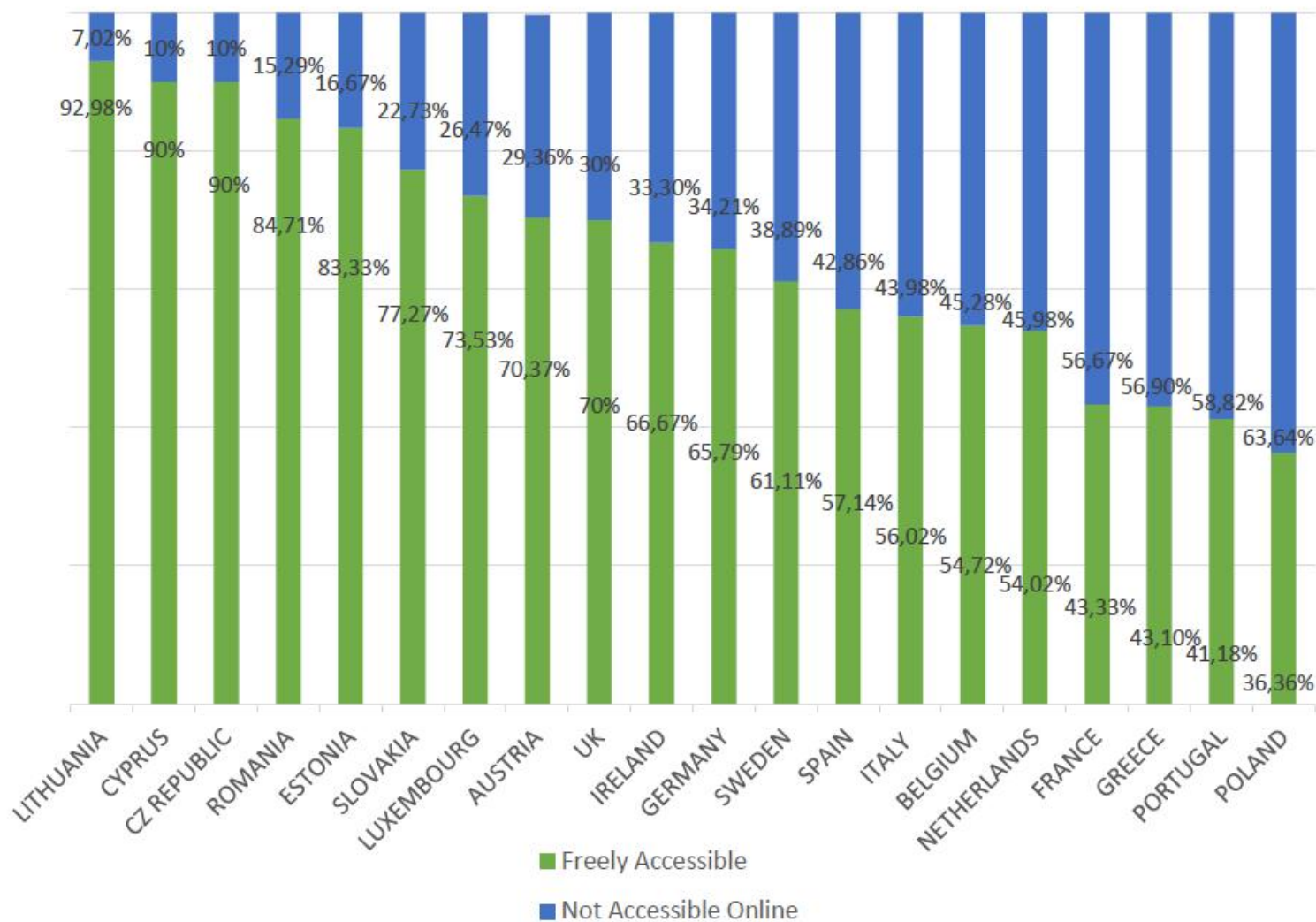
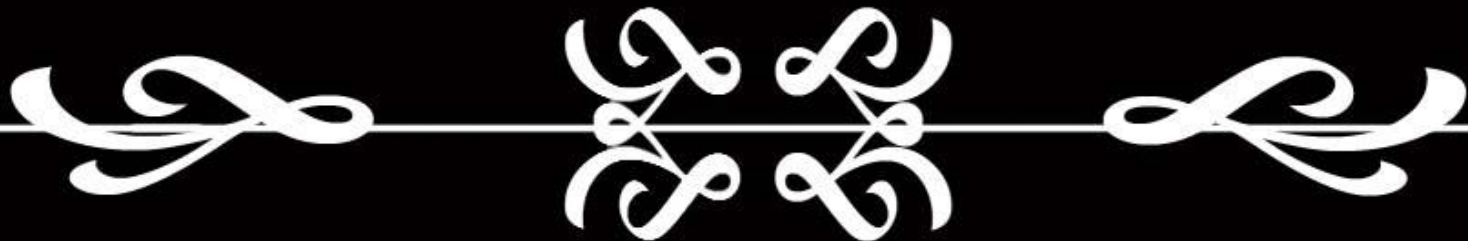


Figure 2: Accessibility by Country

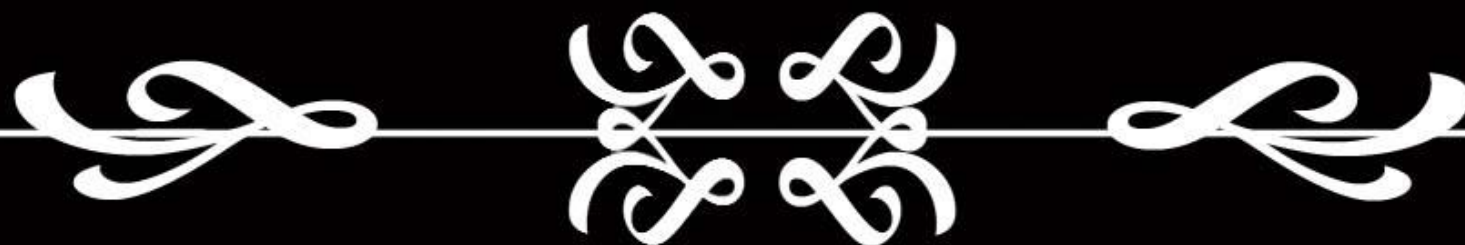


BUT WHAT DOES  
any of this MEAN?





**DILIGENT SEARCH and  
MASS DIGITISATION**





Chicago  
University Library



MS Morgan

C 440 112

# SCRAPBOOK N° 12



PAGES 2240 - 2559



1954 - 1960



The reader must be aware that there exist an  
advice of numerous engineers in space that  
allowing to take (transmit) and another industry of  
space (transmit) in time but in different  
directions of space (transmit) in which all  
possible (transmit) (transmit) under the  
condition (transmit) (transmit) are in fact





## The Grave of Prometheus

No one comes here now, neither god nor man.  
For long the animals have kept away,  
Scared by immortal cries and the scream of vultures;  
Now by this silence. The heavenly thief who stole  
Heaven's dangerous treasure turned to common earth  
When that great company forsook Olympus.  
The fire was out, and he became his barrow.  
Ten yards long there he lay outstretched, and grass  
Grew over him: all else in a breath forgotten.  
Yet there you still may see a tongue of stone  
Shaped like a calloused hand where no hand should be  
Extended from the ward as if for alms,  
Its palm all lichen and blackened as with fire.  
A mineral change made cool his fiery bed,  
And made his burning body a mound of earth,  
And his great face a vacant ring of daisies.

Homer's Myth

"Great care must always be  
exercised in tethering horses to  
trees, as they are apt to bark and  
thrusting the trees."—Army  
Order.

DR. KINSEY'S collection of  
five and a half million wings  
has been donated by his widow  
to the American Museum of  
Natural History. 1967



Between Yesterday and Doomsday



A bomb is equal to the power of 5 million tons of TNT raised the deadly cloud (above) that spread over Eniwetok, Nov. 1, 1952. First of the H-bomb explosions, it was 100 times more powerful than the A-bomb set off by the Marshall Islands the year before, and 250 times more powerful than the A-bomb that killed some 80,000 human beings in Hiroshima, Aug. 6, 1945, and leveled an area larger than that of Newport News, Va. Since the 1952 bomb, two other American H-bombs have been tested, on March 1 and March 26 of this year. The force of the March 1 blast equaled that of 12 to 14 million tons of TNT. Some time this month the U.S. will set off another hydrogen blast. That one is expected to equal 40 million tons of TNT, eight times more than the force expended in the explosion shown here, and 2,000 times as devastating as the terrible weapon that world first saw at Hiroshima, less than two years ago.



AURORA'S LOOK (FROM 12,000 FT.) AT IVY CLOUD



CONFIDENTIAL  
ATOM BOMB

Jockey's Good Prospects

"Snooshinet"  
"Haba haba" "Parquet"

- Edwin Morgan (1920-2010), the first Scots Makar (National Poet of Scotland)
- 16 Scrapbooks, created between 1930s-1960s
- 3,600 pages full of third-party copyright material
- 30 page sample from Book 12 (10% sample), 1954-1960
- 380 individual cuttings, with 432 literary or artistic works (some cuttings contained multiple works)
- 52% of the cuttings were orphan works
- diligent search = 8 years and approximately £180K

# DILIGENT SEARCH and MASS DIGITISATION

## **Digitising the Edwin Morgan Scrapbooks:**

The costs and challenges of rights clearance activity are a significant barrier to the digitisation of cultural heritage collections. Existing literature evidences this reality, and our research – the first major UK study concerning the concept of diligent search since the introduction of the Directive and OWLS – confirms that diligent search and mass digitisation are fundamentally incompatible however light-touch the nature of the diligent search obligation.

# DILIGENT SEARCH and MASS DIGITISATION

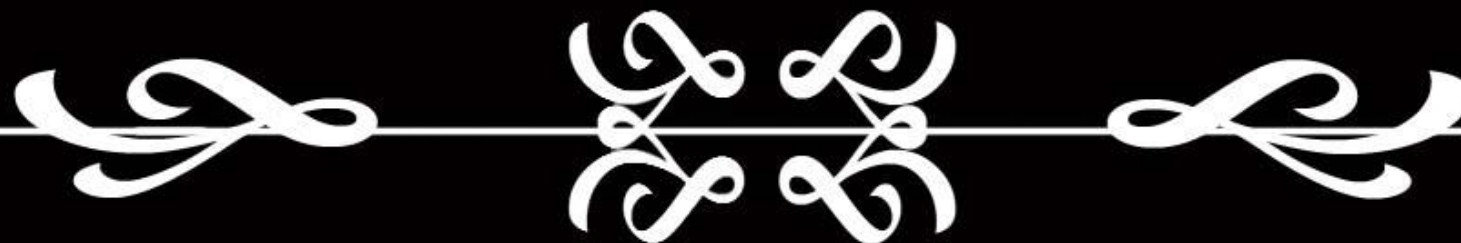
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**DILIGENT SEARCH and  
MASS DIGITISATION are  
FUNDAMENTALLY INCOMPATIBLE**



DILIGENT SEARCH  
and the CROWD



**EnDOW** ("Enhancing access through Distributed Orphan Works clearance"): facilitating rights clearance based on crowd-sourcing certain phases of the diligent search process ...



## DILIGENT SEARCH

Helping cultural institutions digitise collections

[HOME](#)[DO A DILIGENT SEARCH](#)[RESOURCES](#)[ABOUT ▼](#)

### EnDOW Diligent Search Tool

The **EnDOW Diligent Search Tool** enables users with no specialized legal knowledge to carry out diligent searches on behalf of cultural heritage institutions. The tool is available for searches in 20 jurisdiction in the European Union.

[Go to the Diligent Search Tool](#)

#### ENDOW

EnDOW ("Enhancing access to 20th Century cultural heritage through Distributed Orphan Works Clearance") is a collaborative project funded under Heritage Plus, a programme launched by agencies of 18 European countries and the European Commission as part of the Joint Programming Initiative in Cultural Heritage and Global Change.

#### NEWS

Conference – Diligent search in the EU: Challenges and opportunities

Dealing with Orphan Works: a study on best practices of Cultural Heritage Institutions



Annesley House  
7/12/15

So sorry to decline  
but I have a heavy  
cold & don't feel up  
to going out at night  
I could scarcely get  
through my lecture on  
Friday. I was so  
hoarse, the weather  
was wretched, & audience  
very small. I hope  
Miss Hayden will  
have a good crowd  
tonight.  
I H.

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C.K.

Letter to Hanna Sheehy Skeffington, December 1915

[letters1916.maynoothuniversity.ie/explore/letters/3309](http://letters1916.maynoothuniversity.ie/explore/letters/3309)

[Reset search](#)[Export search to PDF](#)[Save search](#)

## Diligent search

Select the jurisdiction you want to determine an orphan work in:

Ireland

Language :

English

Of what type of work do you want to determine the orphan work status?

Written Works

## Questions

Please fill answer the questions below.

Has the work been published?

No

Is the name of the author known?

No

Is the name of the editor known?

No

Does the work contain images or art work?

No

## Result

Your diligent search is completed. The work can be registered in the EUIPO Orphan Works Database <https://euipo.europa.eu/orphanworks/>.

## General information

Please fill in the information below to identify the work you are researching:

Name of the work:

Letter to Hanna Sheehy Skeffington, 7 December 1915

General remarks:

Anonymous author identified as: C.K.

Other sources used:

None considered relevant

Description:



# DILIGENT SEARCH

Helping cultural institutions digitise collections

The diligent search below has been carried out with the Diligent Search Tool engineered by the EnDOW project. The Diligent Search Tool enables users with no specialized legal knowledge to carry out diligent searches on behalf of cultural heritage institutions.

EnDOW ("Enhancing access to 20th Century cultural heritage through Distributed Orphan Works clearance") is a collaborative project funded under Heritage Plus, a programme launched by agencies of 18 European countries and the European Commission as part of the Joint Programming Initiative in Cultural Heritage and Global Change.

More information can be found on [diligentsearch.eu](http://diligentsearch.eu)

PDF generated on: 13/9/2018 at 20:21:38

## Diligent search

### General information

Name of the work:

Letter to Hanna Sheehy Skeffington, 7 December 1915

General remarks:

Anonymous author identified as: C.K.

Other sources used:

None considered relevant

### Sources

- ☒ National Library of Ireland Catalogue
- ☒ Orphan Works Database
- ☐ The Irish Copyright Licensing Agency

### Newspapers, Journals, Magazines and Periodicals

- ☐ ISSN
- ☐ Magazines Ireland

### Published Books

- ☐ ARROW
- ☐ Irish Writers' Union
- ☐ ISBN
- ☐ Publishing Ireland
- ☐ VIAF
- ☐ WATCH

Has the work been published?

No

Is the name of the author known?

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Is the name of the editor known?

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Does the work contain images or art work?

No

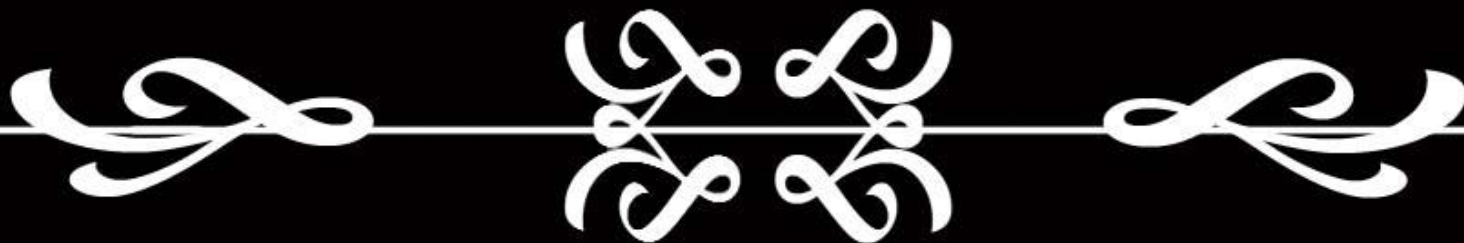
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DILIGENT SEARCH  
on the GROUND



# DILIGENT SEARCH in PRACTICE



Intellectual  
Property  
Office

## Orphan Works Licence

Issued under UK orphan licensing scheme

Licence number: OWLS000057

Licensee: The University of Glasgow

Date of issue: 09/06/2016

The Licensee agrees to be bound by and comply with the Terms and Conditions of this licence agreement.

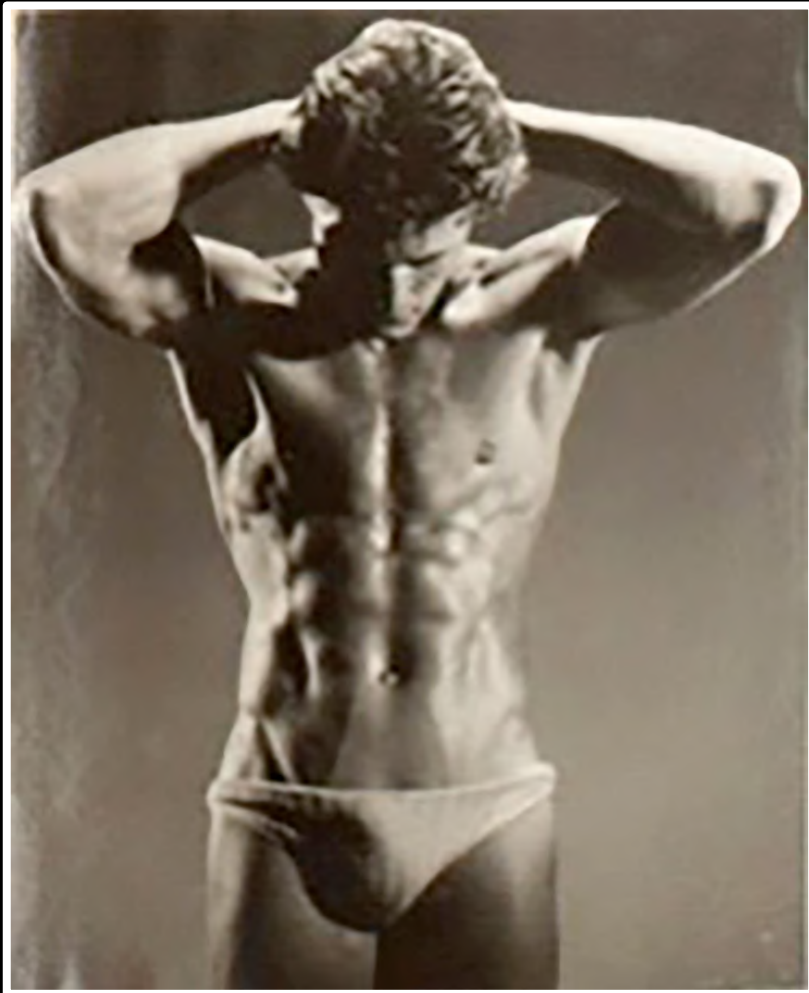
### A. Grant of licence

Subject to the terms and conditions of this Licence, the Licensor hereby grants a non-exclusive Licence to the Licensee, The University of Glasgow, Glasgow.

This Licence Agreement allows the Licensee to use the Licensed Material in the following ways:

OWLS000057-1	Single frame cartoon with cartoonist named as Paton. Showing two men in a canoe with an explosion mushroom cloud in the distance. Caption: 'We must be approaching civilisation'	Non commercial	Non commercial	£0.10
OWLS000057-3	Cartoon of Max the Hamster by Giovannetti	Non commercial	Non commercial	£0.10
OWLS000057-4	Extract from Doubt Magazine	Non commercial	Non commercial	£0.10
OWLS000057-5	Black and white photograph of unknown man, with hands behind head	Non commercial	Non commercial	£0.10
OWLS000057-2	The Responsibility	Non commercial	Non commercial	£0.10

# DILIGENT SEARCH in PRACTICE



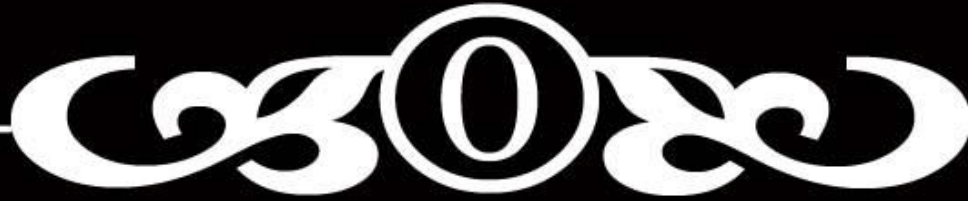
Intellectual  
Property  
Office

## Orphan Works Licence

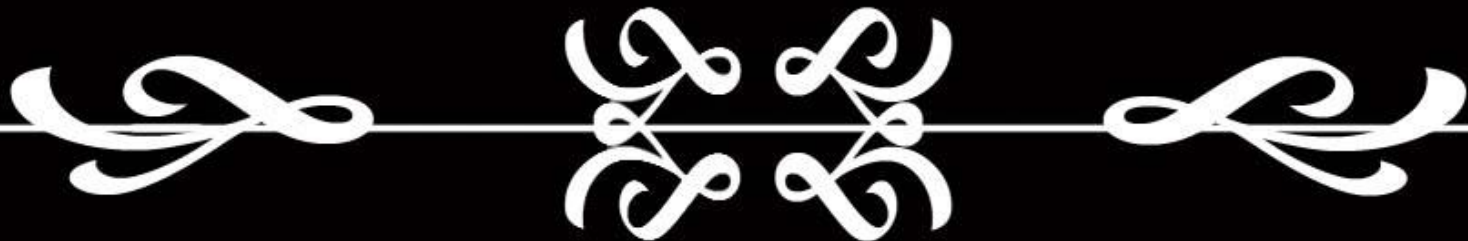
Issued under UK orphan licensing scheme

### Diligent Search activity:

- The Orphan Works Register
- Internet-based reverse image searches (Google, PicScout and Tineye)
- Association of Photographers
- British Association of Picture Libraries and Agencies
- British Institute of Professional Photographers
- 25 minutes, in one day



**TAKING  
REASONABLE RISKS**





## The Grave of Prometheus

No one comes here now, neither god nor man.  
For long the animals have kept away,  
Scared by immortal cries and the scream of vultures;  
Now by this silence. The heavenly thief who stole  
Heaven's dangerous treasure turned to common earth  
When that great company forsook Olympus.  
The fire was out, and he became his name.  
Ten yards long there he lay unwatched, and grass  
Grew over him: all else in a breath forgotten.  
Yet there you still may see a tongue of stone  
Shaped like a calloused hand where no hand should be  
Extended from the sword as if for alive.  
Its palm all licked and blackened as with fire.  
A mineral change made cool his fiery bed,  
And made his burning body a mound of earth,  
And his great face a vacant ring of daisies.

DR. KINNEY'S collection of  
five and a half million wraps  
has been donated by his widow  
to the American Museum of  
Natural History. 1947

"Great care must always be  
exercised in gathering human  
bones, as they are apt to break, and  
sharply destroy the truth."—A. J. C. Kinney.



Between Yesterday and Doomsday



A. J. C. KINNEY'S (FROM 1,000 FT.) AT EYE CLONE



CONFIDENCE  
ATOM BOMB

Jockey's Good Prospects

"Someday!"  
"Haha haha! Pamp!"

- Works that we deemed to be insubstantial and so did not require permission (84 works in total)
- For only 10 of the 226 identified orphans did we make use of the Directive or OWLS (five each)
- 19 works for which permission was offered subject to a fee, from £15 to \$2000 (no fees paid)
- No response from five copyright owners (we were confident of contact details for only two of these five)





2249

**A 25-YEAR-OLD R.A.F. Corporal from Glasgow yesterday alleged that offences were committed at an all-male drinking and dancing party in a beach hut on the estate of Lord Montagu of Beaulieu.**

He was one of the principal Crown witnesses who gave evidence when Lord Montagu, Peter Wildeblood, a 30-year-old journalist, and Michael Pitt-Rivers, aged 36, appeared at Lymington on 19 charges alleging serious offences with two men.

It took the clerk seven minutes to read out the charges. The corporal, who was questioned for three and a half hours by defence counsel and Mr. C. D. Roberts, Q.C., who prosecuted, was Edward McNally, stationed at the R.A.F. Hospital at Ely, Cambridgeshire.

Witnesses at the trial included Lord Montagu, Peter Wildeblood, Michael Pitt-Rivers, and Mr. Harry Myers, for Wildeblood.

A 200 away were dispossessed, McNally, for Lord Montagu, Mr. J. Peter Henderson, Q.C., for Pitt-Rivers, and Mr. Harry Myers, for Wildeblood.

Lord Montagu said that he had a private dinner with McNally and McNally struck up an acquaintance in a wayward manner. McNally, who was a private in the R.A.F. at the time, was a member of the R.A.F. band.

The three accused sat in the dock of the court. Lord Montagu, Peter Wildeblood, and Michael Pitt-Rivers were all charged with the same offence, namely, having committed a party in a beach hut on the estate of Lord Montagu of Beaulieu.

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**FESTIVAL HALL DRAIN.** A series of concrete at the Royal Festival Hall in March and...  
The Festival Hall is a large, ornate building with a tall spire and many windows. It is surrounded by trees and other structures. The building is located in London, England.

Do I conduct Cook, writing in the British...  
The Festival Hall is a large, ornate building with a tall spire and many windows. It is surrounded by trees and other structures. The building is located in London, England.

Electricity showed some...  
The Festival Hall is a large, ornate building with a tall spire and many windows. It is surrounded by trees and other structures. The building is located in London, England.

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## Boy Victim of 1945 A-Blast?

By the late 1940s...

...the boy was...  
The boy was a victim of the 1945 A-Blast. He was a young boy who was living in the area of the blast. He was a victim of the blast and he was a young boy.

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This type of silk-weaving starts with the warp threads being fastened to the loom, while the weft threads of different colours are woven in with a small shuttle and cut off as needed in the design. To bring out fine shading and gradations of colour by means of the thin silken threads is a very delicate art. In the finest fabrics, an area of eleven square centimetres may contain 140 warp threads, while the weft threads may number up to 300. In ancient times, artists skilled in this sort of weaving used to take as long as a year or two to complete a piece of silk half a square metre in size.

On these pages we reproduce examples of figured silk fabrics which are now preserved in the Northeast Museum in Shensi (Mukden).

**Li Po Feasting in the Peach and Pear Orchard on a Spring Night**  
Based on a literary piece dealing with the same subject by Li Po (701-762 A.D.), the great poet of the Tang dynasty, this silk design depicts the gaiety of the feast. Made in the Chien Lung Period (1735-1795 A.D.) of the Ching dynasty, this silk by 98 centimetres



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## Apology For My TV

By MARGHERITA LAZZI

WELL, actually yes, but only because...  
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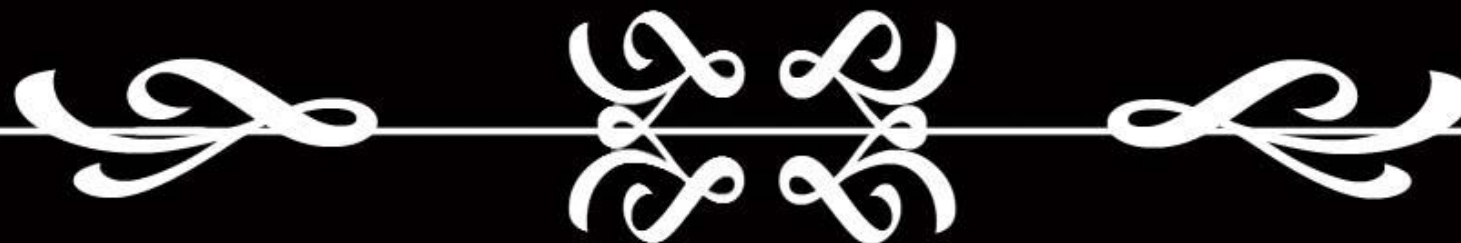
...the boy was...  
The boy was a victim of the 1945 A-Blast. He was a young boy who was living in the area of the blast. He was a victim of the blast and he was a young boy.

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PAYING it  
FORWARD





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Dear Mr Bowring  
Many thanks  
letter + estimates enclosed  
I am prepared to accept  
as I much prefer the result  
as in Ballymacnab.  
I have consulted Rev.  
about the scaffolding &  
the window sill & he says  
see about that.  
The only provision I have  
that we have to get from  
the General Assembly &  
committee & from our  
before starting the work  
the window, but this is a  
formality.

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Type of work: letters (correspondence)

Dimensions: x cm

Materials: paper (fiber product)  
pens (drawing and writing)  
ink

Subjects: • Armagh (Northern Ireland : County)  
• Stained glass windows

Publisher:

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THANK YOU  
FOR LISTENING



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