

From: American Library Association, American Association of Law Libraries, Association of Research Libraries, Internet2, and EDUCAUSE

Topic: Digital Rights Management: Whose Rights Are Being Managed (Revisited)?

The unimpeded flow of information is fundamental to the mission and activities of both **higher education and libraries**, making Digital Rights Management (DRM) a complex and challenging activity in these domains. In the higher education and library arenas, DRM is interpreted broadly as encompassing much more than restricting access to content. It is recognized that a variety of DRM solutions are needed. These solutions need to implement intellectual property management in more comprehensive and sophisticated ways than current DRM implementations, including:

- Supporting libraries and the higher education community not just as users but also as creators and owners of copyright-protected content;
- Enabling the documentation and declaration of rights and permissions for both analog and digital resources;
- Supporting fair use, and other library and education exemptions, and not applying *ex ante* enforcements that disable use;
- Supporting rights and permissions throughout the life cycle of a resource;
- Accommodating the interactive and dynamic nature of much eLearning and digital content;
- Supporting the heterogeneous applications and uses of digital content in higher education – eLearning, digital libraries, online collaboration, and institutional repositories, for example; and
- Supporting the preservation and archival roles of libraries.

These functions need to be performed without compromising computer security while enabling institutions of higher education and libraries to protect the privacy of their users. A consortium of librarians, information technologists, copyright law experts and public interest groups is currently drafting principles that will provide the foundation for this broader application of DRM. This is the first important step in the development of a DRM model to satisfy the requirements of the research, education and public information sectors.

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