

RESOLUTION ON DATA NEEDED FOR THE COPYRIGHT FIVE-YEAR REVIEW

WHEREAS section 108(i) of the Copyright Act of 1976 mandates a five-year review to determine to what degree the Act has balanced the rights of users to access with the rights of proprietors of copyrighted material, and

WHEREAS the National Commission on New Technological Uses of Copyrighted Works noted in its Final Report of July 31, 1978, that: "Many assertions were made concerning the economic impact of photocopying on journal publishing during the debates in the twenty-year effort of Congress to revise the copyright law, but little statistical or other factual evidence to substantiate these assertions was presented," and

WHEREAS only statistical data can measure economic impact, and

WHEREAS the American Library Association, in a resolution adopted by its Council on June 29, 1978, offered "its support to the Register of Copyrights including advice, resources, and research capability in developing some of the data needed for the five-year review," and will do so in matters relative to user access to copyrighted material, and

WHEREAS statistical data describing the economic impact of photocopying on journal publishing can be provided only by copyright proprietors;

THEREFORE BE IT RESOLVED that the American Library Association urge the Copyright Office to request that copyright proprietors provide statistical data describing the economic impact on authors and proprietors of the library reproduction provisions of the Copyright Act of 1976.

Adopted by the Council of the
American Library Association
January 24, 1980