

ALA American Library Association

RESOLUTION IN SUPPORT OF THE VITALITY OF FAIR USE IN THE DIGITAL AGE

- Whereas,** the Congress of the United States is now actively debating legislation intended to implement intellectual property treaties negotiated in December of 1996 under the auspices of the World Intellectual Property Organization (WIPO); and
- Whereas,** the Preamble of such treaties makes clear that they are intended both to protect intellectual property and respect "the larger public interest, including access to information;" and
- Whereas,** such treaties expressly permit all signatory nations both to extend existing limitations on and exceptions to the rights of information proprietors into the digital environment, and to create such new exceptions and limitations not inconsistent with existing international law as may be deemed appropriate; and
- Whereas,** libraries' respect for the rights of copyright holders is strongly evidenced, in part, by their purchase of more than \$2 billion of copyrighted materials annually; and
- Whereas,** libraries are equally committed to the continued ability of their patrons to make "fair use" of such material, and of the public at large to make "fair" and other lawful use of copyrighted works; and
- Whereas,** the American Library Association has previously endorsed modification of the nation's Copyright Act in a manner which reaffirms the balance now existing in statute between protecting information and affording access to it so that owners, creators, and users of information alike may benefit fully from the opportunities of the digital environment; now, therefore, be it
- Resolved,** that the American Library Association remain committed to working closely and cooperatively with Members of Congress and their staffs, and representatives of all affected industries and constituencies, in pursuit of WIPO treaty implementation legislation which, in equal measure, protects copyrighted information and permits its continued fair and other lawful use in the digital environment to no less an extent than that permitted under current law.

Adopted by the Council of the
American Library Association
Washington, DC
July 1, 1998
(Council Document 20.6)