



Recordation Reengineering Roundtables

UCLA / Stanford / Columbia

March 25, 26, and 28, 2014

Agenda

9:00 a.m.-9:45 a.m.

Introduction and Initial Presentations

- Welcome Remarks by Robert Brauneis
- Introduction of Participants
- Presentation by Zarifa Madyun: “Document Recordation: The Current System”
- Presentation by Robert Brauneis: “Recorded Documents 1978-2009: A Statistical Introduction”

9:45 a.m.-11:15 a.m.

Electronic Recordation Models

- Introduction by Robert Brauneis: “Electronic Recordation Models”
- Discussion by participants addressing such questions as:
 - ***The Guided Remitter Responsibility Model.*** Are document remitters willing to submit their own cataloguing information?
 - Are remitters willing to have constructive notice rest on submitted cataloguing information rather than the contents of the remitted document?
 - Should remitters be able to later correct inadvertent errors, e.g., through a password-protected system that would preserve a record of the original error and log the date and time of the change? Should there be an additional charge for correction of some or all types of errors? Should some errors – for example, identifying the wrong works implicated by a transaction – be correctible only by the recordation of an additional document?
 - ***Structured Electronic Documents.*** How likely would remitters be to begin to use structured electronic documents in their own negotiation and drafting processes? If the Copyright Office provided data standards, would private companies be likely to build document software using those standards?
 - ***Examination.*** How important is the current Copyright Office process of examination for legibility and completeness?
 - ***Electronic Signatures.*** Are remitters familiar with the variety of electronic signatures available, and are they comfortable with the replacement of ink signatures by electronic signatures?

- **Material Returned to Remitter.** What would remitters like to receive back from the Copyright Office if they have submitted documents electronically? Can a recordation certificate with a hash value calculated from the remitted document file replace stickers on each page of a paper document?
- **Availability of Recorded Documents on the Internet.** Should entire recorded documents be made available on the Internet, in addition to catalog entries for those documents? Is there information in those documents, such as signatures and contact information, which remitters believe could pose security risks? Is there a distinction to be drawn between making documents available retrospectively and prospectively?
- **Notice of Recordation to Others.** Should the Copyright Office provide e-mail notice of recordations to third parties – for example, anyone who has requested notification of transactions involving particular titles or registration numbers?
- **Interim Steps.** Assuming that full implementation of electronic recording would likely take several years, are there interim steps that would be useful to take? How useful would it be for the Copyright Office to accept electronic submission of information about works in multiwork documents, such as titles and registration numbers?
- Session will include a coffee break at approximately 10:15 – 10:30 a.m.

11:15 a.m.-11:45 a.m.

Linking Recordation and Registration Records

- Introduction by Robert Brauneis: “Registration Numbers in Document Records”
- Discussion by participants addressing such questions as:
 - How helpful would it be link recordation to registration records so that, for example, a search result for a registered work would include all documents recorded in connection with that work?
 - Should there be incentives for including registration numbers of works in documents that pertain to registered works?
 - Are there other good strategies for organizing records or constructing search software so that a search for a work will return both registration and document records relating to that work?
 - *Changes of Contact Information and of Licensing Agents.* When the owner of a registered work has not changed, but his or her contact information or licensing agent has changed, the Copyright Office currently recommends that the owner either record a document to that effect or file a supplementary registration. Is there a need for another process to allow updating of this information?

11:45 a.m.-12:45 a.m.

Lunch

12:45 p.m.-2:00 p.m.

Standard Identifiers and Metadata Standards

- Introduction by Robert Brauneis: “Standard Identifiers in the Copyright Office Catalog”
- Discussion by participants addressing such questions as:
 - Should use of standard work identifiers be encouraged in document records as well as registration records?
 - Is there a role for standard party identifiers, such as International Standard Name Identifiers (ISNIs), Open Research Contributor IDs (ORCID) and Interested Party Identifiers (IPIs -- used in connection with musical works), or for name authority files such as the Library of Congress Authorities?
 - What kinds of interoperability and linkage between the Copyright Office Catalog and other copyright databases are practically possible, and what might be their advantages?
 - Should the Copyright Office play a role in formulating core metadata standards for information about copyright in works?
 - Is there a specialized role for the Copyright Office Catalog to play that is different from the roles that privately maintained databases play?
 - Does the Copyright Office have a core field of expertise that should guide its role in collecting and providing copyright information about works? How can it best interact with others who have different core fields of expertise?

2:00 p.m.-3:00 p.m.

Additional Incentives to Record Documents

- Introduction by Robert Brauneis: “Additional Incentives for Recording: Some Proposals”
- Discussion by participants addressing such questions as:
 - Are there large numbers of significant copyright transactions that are not being recorded? Are there research methods and sources of information that would give us a better idea of percentages of unrecorded transactions?
 - Would a decrease in the price of recording, and improvements in the ease of recording, result in significant increases in recording?
 - Should third parties be able to record documents?
 - Would some incentives likely work better than others?
 - Do the benefits of any proposed incentives outweigh the drawbacks?
 - Are any of the proposed incentives inconsistent with treaty obligations?