

# **Library-Related Principles<sup>1</sup> for the International Development Agenda of the World Intellectual Property Organization**

## **Goal 1: A robust and growing public domain to provide new opportunities for creativity, research, and scholarship.**

- 1.1. All works created by governmental authorities should be in the public domain.
- 1.2. Published works resulting from government-funded research should be publicly available at no charge within a reasonable time frame.
- 1.3. Facts and other public domain materials, and works lacking in creativity, should not be subject to copyright or copyright-like protections.
- 1.4. Consistent with the Berne Convention, the term of copyright should be the life of the author plus 50 years. The term of copyright should not be extended retroactively.

## **Goal 2: Effective library programs and services as a means of advancing knowledge.**

- 2.1. A library may make copies of published and unpublished works in its collection for purposes of preservation or to migrate content to a new format.
- 2.2. A work that has been lawfully acquired by a library may be lent to others without further transaction fees to be paid by the library.
- 2.3. A work that has been lawfully acquired by a library or other educational institution may be made available over a network in support of classroom teaching or distance education in a manner that does not unreasonably prejudice the rights holder.
- 2.4. Subject to appropriate limitations, a library or educational institution may make copies of a work for classroom use.
- 2.5. A library may convert material from one format to another to make it accessible to persons with disabilities.
- 2.6. In support of preservation, education or research, libraries and educational institutions may make copies of works still in copyright but not currently the subject of commercial exploitation.

## **Goal 3: High levels of creativity and technological progress resulting from individual research and study.**

- 3.1. Copyright laws should not inhibit the development of technology where the technology in question has substantial non-infringing uses.
- 3.2. Copying of individual items for or by individual users should be permitted for personal research and study.
- 3.3. It should be permissible to circumvent a technological protection measure for the purpose of making a non-infringing use of a work.

## **Goal 4: Harmonization of copyright.**

- 4.1 The goals and policies set out in this document should not be over-ridden by other bi-lateral or multi-lateral agreements.
- 4.2 The goals and policies set out in this document are important statements of national and international principle and should not be varied by contract.

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<sup>1</sup> The foregoing principles were developed in December 2004 and have been endorsed by the following library associations: American Association of Law Libraries, American Library Association, Association of Research Libraries, Medical Library Association, and the Special Libraries Association. These principles were prepared for use in discussions at the World Intellectual Property Organization concerning the impact of intellectual property protection on economic development and the significance of copyright exceptions for libraries, educational institutions, and the disabled. These principles are not intended to serve as statutory language and thus do not reflect limitations and qualifications that would appear in such language.