

## Why ARROW matters to publishers

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- ARROW is Europe's answer to the proposed Book Rights Registry in the US. It can help enable legitimate access to out of print and orphan works.
- By engaging with ARROW at an early stage, publishers will be better able to overcome the complex rights management challenges they currently face, and take a major step toward identifying and retaining close links with their rights.
- By ignoring ARROW, management of and control over rights clearance may drift out of publishers' hands and give more control to collective licensing bodies.
- In a worst case scenario if ARROW does not prove effective it may compound the case politically for introducing a new exception to copyright for orphan works.
- If you work within publishing as a digital director, a rights director, a strategy director, or a chief technology officer, then ARROW is likely to have a major impact on your future work.

### **What's the barrier to making out of print and orphan works accessible?**

For libraries, publishers, and others wanting to make use of publications available in digital form, a two-step process needs to take place. First, they must perform a diligent search to identify the rights holder(s) or to determine that the work is orphaned. Second, they need to gain permission to use the work by obtaining a licence.

### **What is ARROW?**

The requirement for a diligent search can be met in different ways. The Book Rights Registry will operate a 'claims-based system' where publishers must claim their titles (and unclaimed titles are by default considered orphan). ARROW is a ground-breaking project that aims to enable the diligent search process by pulling together available rights information and allowing those seeking permission to quickly connect with the rightsholder to request it or can be informed, with acceptable certainty, that the work is orphaned.

ARROW is not a licensing body, nor is it a single database or registry of rights. It will not replace the need for potential users of copyright to do diligent searches for rights holders. It is a tool that helps rights owners and potential users by making it easier to do diligent searches and obtain legal permission to use a work.

ARROW is being delivered by an alliance of national libraries, authors' organisations, publishers' organisations, and collective management organisations around Europe and in the UK.

ARROW stands for Accessible Registries of Rights Information and Orphan Works. It is funded by the European Commission to enable the development of Europeana, a search platform to a collection of European digital libraries. Its initial purpose is to support the Commission's i2010 Digital Library Initiative by finding ways to clarify the rights status of works in a library's collection which the library wishes to digitise.

### **How does ARROW work?**

ARROW will facilitate diligent searches for rights holders by joining together existing databases of rights information. This rights information is currently held by a dispersed range of sources including publishers, authors, agents, collective management organisations, bibliographic services and libraries.

Individually, these sources of metadata are rarely exhaustive or complete, but linked together they create the most comprehensive picture of rights information possible.

## **What is the strategic significance of ARROW?**

ARROW aims, in due course, to provide a Europe-wide technical framework which will enable the UK to deliver an orphan works solution once legislation has been introduced to permit the introduction of extended collective licensing to cover orphan works. Significantly, ARROW is the only solution in development which will meet the diligent search criteria required before a work can be accurately identified as orphan.

## **What will ARROW mean for the publishing industry?**

Expectations and aspirations for ARROW are growing rapidly. The European Commission expects that ARROW will underpin due diligent searches, and licensing, of publications first by libraries but also to a wider group of potential copyright users. It also hopes that ARROW will enable access sooner than the Book Rights Registry does in the US, strengthening Europe's position as a leading digital economy. For publishers this means that there is enormous political interest in – even pressure to ensure - the successful outcome of the ARROW project, and its rapid and smooth scaling up from project to fully-fledged service.

RROs expect that ARROW will give them a continuing, and recognised, position in the 21<sup>st</sup> century rights clearance landscape. Whilst collective management organisations have proved vital in ensuring respect for copyright and an orderly marketplace, publishers will want to be proactive in managing how this potential new role develops.

ARROW is only as good as the metadata rights holders make available. To really be useful, ARROW must have access to rights ownership information held by publishers and authors and agents as well as collective management organisations. This presents a once-in-a-generation challenge for rights holders to embrace the opportunities of 21st century rights management. For publishers the challenge is to organise and present information about what rights are owned in which titles, and to move toward automated granting of permissions and licences. While it will never be possible to automate all rights transactions, a great many routine permissions could be done in a more modern way.

## **As a publisher, what should I be doing now?**

Publishers can take three steps towards making ARROW as effective as possible:

1. **Support** Books in Print services (i.e. Nielsen) – this is essential as it will be ARROW's first point of call to determine which books are in print, and who the publisher is.
2. **Provide** the Publishers Licensing Society with the details of all titles for which you hold the rights, including In Print, Out of Print and E-Books via its PLSe system. PLSe will be ready to hold this information from October 2010. Further details of requirements can be found at the following URL: <http://www.pls.org.uk/Pages/dataforarrow.aspx?PageView=Shared>
3. **Organise** your rights information so that your staff can quickly and easily communicate which titles you hold rights in (especially if these are out of print), and whether or not the rights have reverted or been sold (and, if possible, to whom).