

Fair Use and Digital Collections

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<https://poynterdean.wordpress.com/2012/10/11/fair-use-and-digital-collections/>

Note from March 2021: Some links in this posting may no longer function. To search for digital content previously available in the USFSP Digital Archive, visit the new repository at: <https://digital.stpetersburg.usf.edu/>. Search the [USFSP Library](#) and [USFSP](#) web sites, as well other secondary sites, if you encounter other links that no longer work.

Academic libraries have for some time been in the forefront of the struggle to provide more open access to research and scholarly output. We do this by:

- establishing and promoting open access repositories, such as the USFSP Digital Archive <http://dspace.nelson.usf.edu/xmlui>, created by the Nelson Poynter Memorial Library
- helping faculty and students understand their rights and responsibilities under national and international copyright
- working with faculty and students to negotiate their rights with publishers and third party vendors
- partnering with other libraries, public interest groups, and others to support or oppose new state and federal legislation, as needed
- creating new digital collections based on existing print materials that are in the public domain or for which we own the copyright

There are frequently court cases that establish the boundaries of copyright, open access, and fair use. A recent court case helped broaden the understanding of “Fair Use” within the United States. An October 11 article from *Inside Higher Ed* describes a federal judge’s decision regarding fair use and book digitization efforts noting that:

“Much of the work of the HathiTrust (a consortium of universities) to make books in university collections more easily searchable and accessible to people with disabilities is protected by “fair use” and is not subject to [a copyright suit](#) brought by authors’ groups, a federal judge has ruled.”

Read more: <http://www.insidehighered.com/quicktakes/2012/10/11/fair-use-applies-book-digitizing-work-judge-rules#ixzz290fieURk>

Inside Higher Ed