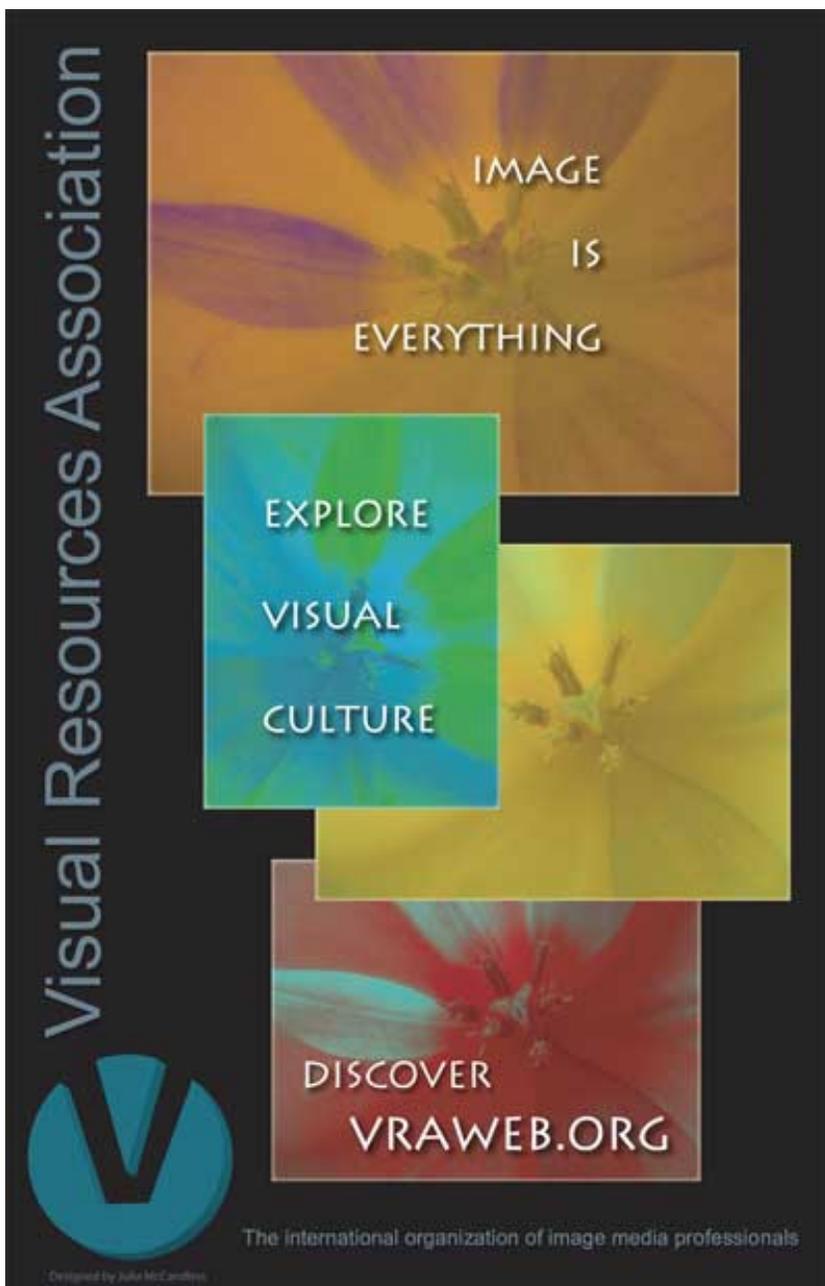April 1, 2005, vol. 2, no. 2

Editors: Marlene Gordon (University of Michigan-Dearborn) & Corey Schultz (Stanford University)

Winner of VRA Student Poster Competition
By Trudy Levy, Image Integration – VRA Membership Committee Chair

At the annual conference in Miami, the Membership Committee announced the winner of its competition for the design of a poster to inform students about VRA and visual resources. As you may remember, this competition was held last fall through solicitation on the VRA list. After careful electronic perusal of the submittals, the committee chose the simple and clear design from Julia McCandless of Davis Art Images. When the image was projected at the Annual Meeting, the rest of the membership joined the committee in expressing their appreciation of the design. (This expression mostly took the form of asking when they could have one to hang in their offices!) This was a new, but welcome thought. It is the goal to publish and distribute these posters this fall to more than 300 departments of art history, studio art, architecture, museum, and library studies. If you have a favorite institution, feel free to send an email to Trudy@DIG-mar.com to confirm that it is on the distribution list. The VRA will be printing more than these 300, but other distribution has not been decided at this time.

Any more ideas? Email Trudy!

Miami Conference Notes

The 23rd Annual VRA conference was held in Miami Beach and offered a variety of sessions, seminars, user groups, and workshops. Highlights, for the record number of almost 300 participants, included the Reception at the Old Spanish Monastery sponsored by Saskia Ltd., the VRAffle with Pina Colada and Daiquiri Tasting sponsored by Davis Art Images, the Luraine Tansey Education Fund-Raising Dinner, and the members' reception with the keynote address by Peter Jaszi. For those who were unable to attend, there is a link to the conference photos below. Last, but not least, a special thanks to the Executive Board, the Local Arrangements Committee, and the many volunteers for another great conference!

Conference photos can be viewed at:
http://www.vraweb.org/2005MiamiWebsite/Gallery/index.htm

Below is a sampling of web sites that were mentioned during the conference or posted to VRA-L. If you have additional links to add, please sent them to Marlene (mgordon@umich.edu) and they will be published in the next issue of Image Stuff.

Workshop 3 - Managing a Digitization Project, by Howard Brainen (Two Cat Digital) and Trudy Levy (Image Integration)
http://www.twocatdigital.com/VRA.html
http://www.dig-mar.com/worksem/vradigman.html

Session Links to Powerpoint Presentations:
http://www.vraweb.org/diag/resources.htm

Session 1 - Let's Get Together: Tools and Strategies for Sharing Data and Aggregating Collections

- Sarah Shreeves (University of Illinois at Urbana-Champaign). Opportunities for Sharing Metadata Using Open Archives Initiative Protocol for Metadata Harvesting (OAI-PMH) (Powerpoint Presentation).
- Gunter Waibel (RLG). Where the Rubber Hits the Road: Integrating Collections from Museums, and Archives Libraries, (Powerpoint Presentation)

Session 8 - Beyond the Slide Show: New Tools for Teaching and Learning with Images

- Kathleen Cohen (San Jose State University). Teamwork: Teaching What You Don't Know (Powerpoint Presentation), San Jose Special Exhibitions Gallery

Other useful links:

- Boston University, Finding Images on the Web - http://www.bu.edu/library/instruction/findimages/
- The Nuts and Bolts of a Digital Plan: From Outline to Final Form, by Lynn M. Lickteig (University of Colorado at Denver) - http://www.cudenver.edu/Academics/Colleges/ArchitecturePlanning/College+Facilities/Di

- Library of University of California Images (LUCI) - http://vrc.ucr.edu/luci/index.html

Cataloging Conundrums
By Jan Eklund (UC Berkeley)

Jan won the following little critter (Sam) at the raffle at the Miami Beach conference, created and donated by Eileen Fry (Indiana University).

Ever the uber-cataloger, Jan has catalogued Sam in VRA Core 4.0 from the following descriptive metadata:

Descriptive Metadata
Artist: Eileen Fry
Title: Sam
Date: 1999
Object type: beadwork snake
Measurements: 19 cm. (W) x 1 cm. (D)
Materials: glass seed beads on plastic snake
Technique: peyote stitch beadwork
Location: Eklund Collection (Berkeley, CA)
Culture: American
Subjects: snakes; Scarlet Kingsnake; Lampropeltis; triangulum elapsoides; beads
Description: Red, black, and yellow peyote stitch beadwork around a plastic snake core
Source: Jan Eklund
Image Rights: © Jan Eklund, 2005

VRA Adds Own Voice to Orphan Works Comments
By Jane Darcovich (University of Illinois/Chicago) - VRA Intellectual Property Rights Committee

The Visual Resources Association has filed comments with the U.S. Copyright Office in support of enacting legislative measures, which would result in expanding the use of orphan works.

A number of independently submitted comments, including those of the VRA and the College Art Association (1) endorse a legislative proposal put together by Professor Peter Jaszi and eight of his students at the Glushko-Samuelson Intellectual Property Law Clinic of American University's Washington College of Law. (2) This proposal calls for a defense against copyright infringement liability in cases where a "reasonable effort" is made to find the copyright owner.

The Glushko-Samuelson Clinic formed an initiative named the CCI (Copyright Clearance Initiative) to deal with the issue of orphan works. Formed in 2002, the CCI has worked since that time towards developing a proposal for a legislative solution to this issue that would allow greater public access to these works.

The orphan works comments submitted by the CCI include a concluding statement addressing concerns related to fair use. They write that often it is "gatekeepers" such as publishers,

broadcasters and university lawyers that make decisions against "fair use" uses of materials. Because of this situation, the CCI hopes that its proposal, which calls for clear limits, will provide the necessary assurance against the fear of excessive liability. The remedies suggested for orphan works, however, are not intended to limit users' reliance on fair use.

Below are selected examples of other orphan works comments. They all reiterate the idea that the liability for using an orphan work should be limited.

Duke Law School, Center for the Study of the Public Domain
Though the Duke Center supports the concept of a "reasonable effort" search as a means for a potential user of a work to attempt to locate a copyright owner, their proposal differs from that of the CCI in that they recommend (as does Stanford University law professor Lawrence Lessig (3)) maintaining an online, searchable directory "where it is easy for users to identify proposed uses and for authors to search for uses of their works."(4) They write: "An entity such as a library, which needs to use thousands of apparently orphan works in order to create a viable digital depository, should be able to use an extremely low cost, streamlined procedure, relying largely on notice." (5) (Full text of the Duke Center's comments is available at:
http://www.law.duke.edu/cspd/pdf/cspdproposal.pdf)

Public Knowledge
Public Knowledge is a Washington, D.C.- based advocacy group supporting a vibrant information commons. Their orphan works comments endorse most of the CCI proposal, but they propose that, as part of a "reasonable effort search", authors and other creators should be encouraged to file a public statement of intent to use a work on the Copyright Office website or some other website. (6) They also propose that potential users be encouraged to file a sworn statement, along with a processing fee, setting out the actions they have taken to find a copyright holder. (7) (Full text of the Public Knowledge comments is available at:
http://www.publicknowledge.org/pdf/pk-comments-on-openworks.pdf)

Free Culture
In their comments, FreeCulture.org, an international student movement, points out the urgency of not having the orphan works user liable for court costs, a point addressed in the same manner in the CCI proposal. FreeCulture.org states: "To use the courts as the sole solution to the problem of orphan works, even with statutory exemptions for 'good faith' infringement, still requires subsequent users to put themselves at risk of having to bear the cost of defending themselves in litigation. For students - as well as, we suspect, many individuals and non-profit or educational institutions - that risk has a chilling effect on new creation. Therefore, an exemption for reduced liability is not acceptable as a stand-alone solution." (8) (Full text of the FreeCulture.org comments is available at: http://freeculture.org/orphans/fcocomment.pdf)

The U.S. Copyright Office will post copies of initial Comments received at:
http://www.copyright.gov/orphan/. Reply comments in direct response to these initial comments may be submitted before 5 p.m. on May 9, 2005.

End Notes
(1) Full text of the CAA comments are available at:
http://www.collegeart.org/pdf/caa_orphan_letter.pdf
(2) See http://www.wcl.american.edu/ipclinic/cci.cfm
(3) Lessig, Lawrence. Free Culture: How Big Media Uses Technology and the Law to Lock Down Culture and Control Creativity. New York: Penguin Press, 2004, p. 288-89. (Available at:
http://free-culture.org/freecontent/)
(4) http://www.law.duke.edu/cspd/pdf/cspdproposal.pdf Center for the Study of the Public Domain, Duke Law School. Orphan Works: Analysis and Proposal, pg. 8.
(5) http://www.law.duke.edu/cspd/pdf/cspdproposal.pdf Center for the Study of the Public Domain, Duke Law School. Orphan Works: Analysis and Proposal, pg. 5.
(6) http://www.publicknowledge.org/pdf/pk-comments-on-openworks.pdf Public Knowledge Orphan Works Comments, pg. 6.
(7) http://www.publicknowledge.org/pdf/pk-comments-on-openworks.pdf Public Knowledge Orphan Works Comments, pg. 5.
(8) http://freeculture.org/orphans/fcocomment.pdf Orphan Works Comments of FreeCulture.org, pp. 2-3.

The Gates
Caleb Smith, Columbia University

Caleb photographed The Gates in all its winter splendor, added descriptions, and made the images available at http://www.columbia.edu/~cs2044/gates/html/gates.html

Image Stuff asked Caleb to write about his reaction to and experience with this long-awaited installation.

My strategy was to focus as much on photographing the park, and the Calvert Vaux structures, as on the Gates themselves. I thought the Gates were beautiful - the way the orange color punctuated the drab New York winter, the way the light passed through the swaying fabric. But for me, it was less about the Gates per se, and more of a celebration of Central Park. Many of us (millions) got an excuse to explore parts we'd never seen before. And it was a Grand Event, an "only in New York" event. It was amazing to see masses of people, in the middle of the winter, wandering around every pathway. The most out-of-the-way places were thronged with people. There were a lot of smiles- I even saw a wedding! (Note: tossed rose petals!)

Positions Filled (New Column!)

Long-time members will recall the "Positions Filled" column from early issues of the VRA Bulletin. In the last several months, numerous job opportunities have been posted to VRA-L. If you have accepted a new position or know of someone who has, please contact Marlene (mgordon@umich.edu) with the information. Please include contact information and a brief biographic statement on the individual.

Chapter News

New England
The New England Chapter will be meeting on Friday, May 20th at the RISD Museum

(http://www.risd.edu/museum.cfm) in Providence, RI. The program will begin with a continental breakfast during which we will offer informal demonstrations of three FileMaker-based, New England-developed cataloguing databases: Iris, Snapdragon, and VireoCat. The main event will focus on Cataloguing Cultural Objects (http://www.vraweb.org/CCOweb/index.html). This will be split into two parts, the first being an overview presentation CCO and the second being a more informal discussion and question and answer session led by Elisa Lanzi, one of the CCO editors. There will then be a catered lunch followed by our business meeting. Finally, attendees will have options for tours of exhibits and/or projects at the RISD Museum and possibly Brown University's digital program. For more details and updates, please visit http://www.faculty.umb.edu/kristin_solias/vrane/05_05.htm. And look for the chapter website to move to vraweb.org in the very near future!

Upstate New York
The Upstate New York chapter's spring meeting is now planned for Friday, May 20th and will be held at the New York State College of Ceramics in Alfred, NY. Mandy Economos is our host and is planning a wonderful program. Kindly mark your calendars and stay tuned for more details as the date approaches.

If you would like more information on any of the other regional chapters, please contact the appropriate chapter chairperson. A list of the chapters and contact information is posted on the VRA website (www.vraweb.org/organization/chapters.html).