



Images

The newsletter of the VRA

April 2007 vol.4, no. 2

Notes from the President

By Macie Hall (Johns Hopkins University)
President, Visual Resources Association

Dear VRA Members,

Back in Baltimore after our Silver Jubilee, I am still feeling the glow. Those of you who attended can attest that our Kansas City conference was exciting and eventful from start to finish.

We had outstanding programming sessions, seminars, workshops and Ask the Experts consultations on a wide range of topics of interest. Our new Birds-of-a Feather lunches, organized by Kathe Albrecht were a huge success. We had fabulous special events, including an inspiring keynote address by Eleanor Fink as part of a beautiful and memorable Members' Dinner, replete with champagne toasts and a special presentation of an Honorary Life Membership to Christine Sundt. Then there was the VRAffle, where Empress Patti McRae and her silver spangled ladies and gentleman raffled off a record number of donations. The VRAvue, written and directed by President-Elect Allan Kohl, who performed in impressive cowboy attire, had us all in stitches. And of course the Tansey Dinner, held at Jack Stacks Barbecue where many of us interpreted the fashion scene of 1982, was a blast from the past for all.

I would like to thank all of those who made the conference a success, including Executive Board members Lise Hawkos, Rebecca Moss, Linda Reynolds, Betha Whitlow and Ann Woodward. Thanks also to Noriko Ebersole, Leigh Gates, Jane Darcovich, Heidi Raatz, Jackie Spafford, Marcia Focht, Trudy Levy, Patti McRae, Allan Kohl and the Raffle Rousers for their special contributions to our successful conference. I'd also like to thank the session organizers and moderators, workshop instructors, seminar leaders, panelists and our keynote speaker, Eleanor Fink. I heard many positive comments from attendees about the excellence of our programming this year.

Sincere and grateful appreciation to our Silver Jubilee Committee (co chairs: Megan Battey and Marcia Focht; committee members Elizabeth Gushee, Brian Shelburne, Martine Sherrill, Christine L. Sundt, and Christina B. Updike) for planning the special events celebrating our 25th anniversary during this conference, including the Members Reception and Dinner. Their work was invaluable to the Board and we feel that their efforts produced some wonderful and memorable results.

Much gratitude goes to our conference sponsors, advertisers and contributors: ARTstor Archivision, Canyonlights Photography, Davis Publications, Digital Niche, Gallery Systems, Image Innovations, Light Impressions / New Century Direct, Pearson/ Prentice-Hall, Two Cat Digital, Scholars Resource, and Saskia, Ltd. Cultural Documentation. The conference received monetary contributions from the following VRA chapters: Great Lakes, Greater New York, Mid-Atlantic, Midwest, New England, Pacific Rim, Southern California, and Upstate New York. We greatly appreciate the Tansey Fund Corporate Travel Awards given by Archivision, Inc., Davis Publications, Inc., Gallery Systems, and Saskia, Ltd. Cultural Documentation. Thanks also to Kathe Hicks Albrecht for establishing her Travel Award Fund.

Kudos go to the Distinguished Service Award winner Maryly Snow and Nancy De Laurier Award winners Norine Duncan and Susan Jane Williams. Thank you all for your invaluable contributions to the VRA.

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Jacquelyn Erdman (Florida Atlantic University) *Digital Scene and Heard*
Alex Nichols (Michigan State University) *Tech Tips*

Contributions to **Images** are due the 15th of the month before the issue. Please send your copy in ".doc" format and Arial font

And a heartfelt thanks to all conference attendees! Please remember to fill out a post-conference evaluation form so that we can continue to provide excellence in conference programming and events: <http://www.vrweb.org/2007evaluation.html>

Finally, I'd like to give a resounding round of applause to our out-going Board members, Secretary Linda Reynolds and VP for Conference Program Betha Whitlow for all their efforts and hard work on behalf of the VRA. Please join me in welcoming our new Board members: President-Elect Allan Kohl, VP for Conference Program Vickie O'Riordan and Secretary Jolene de Verges

Digital Scene And Heard
By Jacquelyn Erdman (Florida Atlantic University)
Digital Initiatives Advisory Group

The Fedora Project

By [Leslie Johnston](#) (University of Virginia)

The Fedora (Flexible Extensible Digital Object Repository Architecture) project is an open-source general-purpose digital object repository system that can be used in whole or part to support a variety of use cases including institutional repositories, digital libraries, content management, digital asset management, scholarly publishing, and digital preservation. Fedora is jointly developed by the University of Virginia and Cornell University, and is funded by the Andrew W. Mellon Foundation. Version 2.2 of the software was released on January 20, 2007. The release includes several feature enhancements including a new Fedora installer application, new Journaling feature useful for replicating repositories, new checksum support for data streams in support of preservation activities, enhancements to the Resource Index, and integration of Gert Pedersen's Fedora Generic Search application into the Fedora Services Framework. For more information on Fedora, please go to <http://www.fedora.info/>.

There are now numerous production repositories and tools based on Fedora in many countries that manage varied types of content. As an example, the Digital Collections Repository at the University of Virginia – which transitioned from beta version to full production this past February 1 – manages images, electronic texts, and finding aids and provides a search and browse discovery interface. The collections include locally digitized materials and materials that are licensed from vendors. For examples of services built using Fedora, check out the [Fedora Community site](#) or the [Fedora wiki](#).

A digital object collector tool called Collectus was developed at UVA and is widely used by faculty across disciplines who teach with images – architecture, art history, media studies, religious studies, etc. – to build and organize images sets, prepare slideshows for classroom instruction, and generate image reserve web sites. Collectus also collects page images from texts and electronic text volumes. The Collectus Tool was developed for use with a Fedora repository but does not require Fedora for implementation. The source code for Collectus is now available open source for any interested institution at <http://www.lib.virginia.edu/digital/resndev/collectus.html>.

deviantART: where ART meets application!

By [Jacquelyn Erdman](#) (Florida Atlantic University)

deviantART <http://www.deviantart.com/> is an online community of artists and art enthusiasts. This community is a place for members to freely express themselves “without the restriction or undue censorship”. This web community includes “the largest art collection on Earth” of over 30,000,000 deviations in all different categories to be either search or browsed, but also has an online forum, news section, and print store. If the user chooses to subscribe to the community they have access to other features, such as creating their own blog, posting on the forum, joining the online chat, uploading images, pricing their artwork for sale, and saving their favorite images to their account, all for free. A paid subscription will give the user access to the archive (from 2000), allow them to make journals with pools, forum, Shoutbox, and CSS, keep stats on your gallery, and browse the site without ads.

There are rules of etiquette that all members, whether paying or free, must abide by, to help ensure that the community remains creative and open. These rules can be found at: <http://about.deviantart.com/policy/etiquette/>.

Absolute Arts

By Jacquelyn Erdman (Florida Atlantic University)

World Wide Arts Resources / Absolute Arts is a worldwide arts resource with access to over 100,000 contemporary works in many different categories from artistic books to computer art to traditional mediums. It is also a place to connect people to other art enthusiasts around the world for discussion or the buying and selling of art. Both individual artists and galleries can create portfolios to increase their exposure to buyers by creating an account. Buyers can save their favorites in their own account and purchase items through this website.

An interesting feature to the website is the “research” section where users can locate information on art, artists, and other art related resources. The website also has a discussion section, news publications and resources, and blogs that users can browse.

Please contact Jacquelyn Erdman with any questions or suggestions for future columns. For more information on the activities of the Digital Initiatives Advisory Group (DIAG) see <http://www.vraweb.org/diag/index.htm>.

Copyright and Intellectual Property Rights News

CAA Session on Fair Use

By Benjamin Kessler

The College Art Association conference session “Fair Use in the Trenches: When to Seek Permission and When Not To”, sponsored by the CAA Committee on Intellectual Property, was held on February 16, 2007 in New York. Moderator David Green, in his opening remarks, expressed concern that in the wake of legislation such as the Digital Millennium Copyright Act and the Copyright Term Extension Act (both passed in 1998), many people feel that fair use is in decline. This session was meant to shed some light on the appropriate application of fair use. Speaker Siva Vaidhyathan, of New York University, was unfortunately not able to attend the session, but Gretchen Wagner, general counsel for ARTstor, and Benjamin Kessler, long-time visual resources professional and current manager of database operations for the American Red Cross in Chicago, both delivered talks on the current copyright environment.

Wagner opened by comparing this environment with a popular online sword and sorcery game in which the participants attempt to “kill” each other and, at the same time, are linked together in a communal pursuit. Advances in technology are generating dynamics that are increasingly polarizing copyright owners and users. Further, this polarization is driven by disputes in the commercial sector, primarily in the mass media and entertainment markets, which shape the discourse around copyright and, in turn, foster legal norms and practices that are being applied to the educational and scholarly community.

She highlighted differences between educational and commercial use beyond the obvious profit/non-profit distinction. In the educational world, librarians and visual resources professionals play a gatekeeping role that enables them to influence and educate end users with respect to content usage. Also, in the educational sector the differentiation between content owners and consumers is sometimes blurred. Perhaps most importantly, there is a significant difference in size between the commercial mass media and educational markets.

Despite these differences, fears driven by disputes in the commercial world rub off into the educational context. This is particularly problematic in the case of images, where there are no standardized means of indicating copyright ownership and this has had an inhibiting effect on the willingness of rights holders to make images available in a wide-use application such as ARTstor. This has caused ARTstor to have to go through the expense of building a software environment that limits the size of images that can be downloaded. Because of the tenacity of rights holders protecting their content in an uncertain technological environment, increasing amounts of content are being locked down in databases or licensed through contracts in ways that override fair use and, in some cases, render content inaccessible.

Wagner argued that litigation, which only heightens animosity between perceived sides, is not likely to provide adequate solutions to this dilemma. Nor is legislation a likely avenue because stakeholders are prone to opt for whatever solution protects their interests the most and because, typically, academics do not have lobbies that are as powerful as those representing commercial interests. It would be better to seek community-derived solutions that bring together both creators and users around a common effort of promoting broad access to visual arts materials for academic use. For example, the Victoria & Albert Museum has recently announced that it will be

making public domain images available for academic publication at no charge, and the Metropolitan Museum of Art has approached ARTstor to facilitate a distribution scheme on a similar basis. Wagner believes that educational users, artists, photographers, and art institutions could develop a set of principles or best practices around the sharing and use of images for teaching and study online, citing the VRA Guidelines as a potential paradigm.

Kessler related the fact that making slides by photographing from published sources was a long-established practice in visual resources collections; but, from a legal standpoint, the guiding ethos of this practice was something akin to “don’t ask, don’t tell.” As long as the appropriated content remained in an analog format hidden away in slide cabinets, this was a feasible policy. However, with the expansion of digital scanning capabilities and the development of the Internet in the mid-1990s, the use of copy photography became much more highly exposed in a public and contentious space.

In 1994 the U.S. Government called upon copyright stakeholders to negotiate guidelines for the fair use of electronic materials in a variety of non-profit educational contexts, including the use of images. Participants in the Conference on Fair Use (known as CONFU) included publishers, museums, librarians, scholars, and VR professionals. The resulting proposed guidelines recognized the need for visual resources collections to be able to digitize their pre-existing analog holdings, but they also imposed standards of due diligence, within specified time periods, that mandated the seeking of permission from copyright holders for the digitization of this material. Considering the hundreds of thousands of images kept at any given facility, adherence to the proposed guidelines portended a logistical nightmare.

As it happened, the CONFU Guidelines failed to be endorsed by the different parties to the deliberations. After the collapse of CONFU, both content users and rights holders have tread warily around the core viability of fair use in an educational context without resorting to major litigation. Content users, for their part, have attempted to formulate best practices, such as the VRA Guidelines. But in lieu of overarching standards, and recognizing the impossible overhead of clearing copyright for each and every image to be digitized, it is necessary to assume copyright protection as a given and instead weigh visual resources practices against the limits and exemptions set out in the Copyright Act.

Kessler referred to relevant provisions, such as Section 120, which states that built architectural works viewable from public places are exempt from copyright protection (although the photographic images representing such buildings may be protected); Section 110 and the TEACH Act of 2002, which allow the display of copyrighted works in face-to-face teaching and concomitant online transmission, subject to a number of restrictions; and Section 108, which allows libraries and archives to make copies of copyrighted works for purposes of preservation and replacement. He also brought up the *Bridgeman v. Corel* decision of 1999, which ruled that exact photographic copies of public domain images could not be protected by copyright because the copies lack originality. Each of these statutes and rulings provide some degree of relief to the potential user of copyrighted images, but each is limited by some complicating aspect.

Kessler argued that it may be simplest for institutions to choose instead to consider whether or not their uses of copyrighted images, accompanied by prudent measures to prevent misuse, are justified by the fair use doctrine set out in Section 107. He went on to evaluate such use against the four analytical factors cited in 107: 1) The purpose and character of the use; 2) The nature of the copyrighted work; 3) The amount and substantiality of the portion used in relation to the whole work; 4) The effect of the use upon the potential market or value of the copyrighted work. He went on to state that licensing, which is regulated by contract law rather than copyright law, trumps fair use. By achieving a judicious combination of licensed images and fair use copying, educational institutions have a reasonable opportunity to move forward safely in the online world.

Other Intellectual Property News, Events and Announcements

Compiled by Jane Darcovich
(University of Illinois at Chicago)

New Fair Use Bill Introduced

A bill that would allow certain uses of copyrighted works in academic and library settings without risking copyright infringement was introduced on February 27th by Rick Boucher (D- Virginia) and John Doolittle (R- California). The Freedom and Innovation Revitalizing U.S. Entrepreneurship Act of 2007, or Fair Use Act (HR 1201), seeks to amend the Digital Millennium Copyright Act to allow librarians, archivists, and others to bypass copyright protections on digital content in certain circumstances. For example, the legislation would allow activities such as using film clip

compilations for college media studies classes to continue without copyright challenges. The bill has been referred to the House Committee on the Judiciary.

UMUC Copyright Symposium

The seventh annual symposium on copyright and information use, hosted by University of Maryland University College - Copyright Utopia: Alternative Visions, Methods & Policies - will take place from May 21-23, 2007 in Adelphi, Maryland.

Scheduled speakers and panelists represent a variety of different sectors including: Berkman Center for Internet & Society, Electronic Frontier Foundation, Public Knowledge, U.S. Copyright Office, American Library Association, American Chemical Society Publications, and Digimarc Corporation.

Digital Art and Intellectual Property

"Nailing Down Bits: Digital Art and Intellectual Property", a new paper commissioned and published by the Canadian Heritage Information Network (CHIN) is now available in both PDF and HTML versions in the Intellectual Property section of the CHIN website. Authored by Richard Rinehart, Digital Media Director at the Berkeley Art Museum, the publication explores the legal issues surrounding the emerging field of digital art in North America. A short interview with the author is available on the CHIN Web site's Knowledge Exchange.

Positions Filled

Compiled by Anne Norcross (Kendall College of Art & Design)

Visual Resource Center, School of Art, University of Arizona

In February, Kimberly Mast was promoted from Curatorial Specialist to the position of Director of the Visual Resource Center at the University of Arizona. Kimberly has an MA in Information Resources/Library Science from the University of Arizona, and an MA in Art History from California State University Long Beach. Kimberly's responsibilities as Director of the Visual Resource Center include overseeing the analog and digital collections—including a 350,000-slide collection, which is slowly being weeded out as it is digitized. Kimberly said that there are currently 50,000 digital images in the collection and that they are using the Embark system to deliver these images to faculty and students for use in classroom presentations.

Purchase College Library, State University of New York

Christine Persche has recently joined the Purchase College Library as Visual Resources Associate. Christine completed her MLS and Archives Certificate at Pratt Institute and has a BA from Douglass College, Rutgers University. In addition to her background in collectible books, she has experience in working with photography and visual collections, archives and libraries. Christine will maintain the daily operations of the slide collection and assist with the implementation of special digital projects and the development of long-range planning for the Visual Resources Collection and its services.

School of Art, Texas Tech University

Laura Stennett, a recent graduate of Texas Tech University's School of Art, has accepted the position of Visual Resources Assistant, School of Art, Texas Tech University, Lubbock, Texas. Laura is a painting major with a minor in art history and also has teaching experience. Paula Yeager, Curator of the Visual Resource Center, said of Laura, "She is a fantastic assistant, very creative and organized, and a joy to work with."

Kendall College of Art & Design of Ferris State University

Anne Norcross has accepted a position as Assistant Professor of Art History and Coordinator of Visual Imagery at Kendall College of Art & Design of FSU in Grand Rapids, Michigan. Anne has held this position for the past two years, but has just recently been granted a tenure track. Her duties are split between teaching art history and managing the Visual Resource Collection which houses approximately 55,000 slides. Last year she launched the first digital image collection at Kendall College of Art & Design with approximately 2,000 images using VireoCat for cataloging and MDID2 as a delivery system. Anne's background includes a BA in Graphic Design and MA in art history from Michigan State University, and Ph.D (abd) in art history from The Ohio State University. She credits her dual background of art history and graphic design for helping her make the transition from analog to digital, as well as the valuable experience she gained from attending the 2006 Summer Educational Institute for Visual Resources and Image Management in Portland,

Oregon.

Tech Tips

By Alex Nichols (Michigan State University)

Image Size Confusion

There are several reasons that there is so much confusion about dpi/ppi (dots per inch/pixels per inch) and image sizes:

1. The infamous "300 dpi" standard is constantly recommended even when the very concept of dpi is completely irrelevant to the task at hand.
2. dpi/ppi on its own is not an absolute measure of image size, quality, or anything else.
3. Most software deals with dpi/ppi in an inconsistent and opaque manner.

First of all, let me say that dpi/ppi is only relevant in two situations: printing (dpi and ppi) and scanning (just ppi). Printing isn't a common part of most VR work (plus, it's way more complicated than scanning), so let's throw printing (along with dpi) out of the discussion right now. The "300 dpi" (should be ppi) standard is strictly related to printing, so let's throw that out of the discussion too.

We're left with scanning (and with it, ppi). Ppi simply describes the relationship between the pixel dimensions of the image (image size) and the size of the source material. So, a 1.5" x 1" slide scanned at 4000 ppi, yields a 6000 x 4000 pixel image size. This raises the question: why can I set my slide scanner software to 300 ppi, scan a 1.5" x 1" slide and still get a large image size? The answer lies in that "inconsistent and opaque" part that I mentioned earlier.

Most scanning software doesn't really show you the ppi at which it is scanning. The software shows you the "output" ppi, which could be the same as the scanning (input) ppi, but often isn't due to a third variable known as scale (note that scale is not a number that stays attached to the image after the scan). If the scale is set to 100%, then the output ppi that you set in the software is the same as the input ppi being used to scan the slide. Setting the scale to anything other than 100% (thereby adjusting the output ppi to something other than the input ppi) is only useful if you are trying to save time in going from a scan to a print. Otherwise, adjusting the scale is more likely to lead to confusion than to be helpful.

The scanning software will typically adjust the unseen input ppi to balance with the output ppi, scale, and image size. If you try to choose a combination that is impossible to balance due to the limitations of the hardware's input ppi, such as 4000 output ppi at 1000% (which would require an input ppi of 40,000), Nikon Scan will display the scale in red, while SilverFast won't even let you type in that combination.

The output ppi that displays in the scanning software is just a number that shows up in Photoshop's Image Size dialog box. It's pretty much meaningless and arbitrary for most VR purposes. The important numbers to pay attention to are the output pixel dimensions. If you have set these correctly, you will get the image size that you want.

The bottom line: don't worry about this dpi/ppi stuff unless you're making high quality prints. It's complicated and unnecessary to deal with in the context of visual resources. No web browser or image presentation tool knows what an inch is, let alone how to display an inch accurately on your monitor or projector. Even Photoshop and your scanning software only understand inches abstractly; only a scanner or printer can deal with this kind of information in a practical way.

Books, Articles and More

By Elizabeth Darocha Berenz (Roger Williams University)

Rinehardt, Richard. *Nailing Down Bits: Digital Art and Intellectual Property*, September 15, 2007.

Canadian Heritage Information Network

A paper on copyright laws, intellectual property issues, and digital art in Canada and the United States.

Futures Past: Thirty Years of Arts Computing

CHArt Yearbook 2006

A new publication by Computers and the History of Art, focusing on "the unprecedented ways in which digital media have been transforming art practice, study and education".

Copyright: The Only Certainty is Uncertainty. February 15, 2007.

Baruch College Conference Center in New York City.

Papers from the copyright symposium available online.

Museums and the Web. April 11-14, 2007

Selected papers available online.

Moving Theory into Practice: Digital Imaging Tutorial

Cornell University Library

Interview with Susan Bielstein, author of *Permissions: A Survival Guide* (go to March 27 section of the [site - Library-cafe.org](http://www.library-cafe.org))

Upcoming Conferences

Compiled by Marlene Gordon

(University of Michigan-Dearborn)

Doing digital:

using digital resources in the arts and humanities

Digital Resources for the Humanities and Arts (DRHA),

Dartington College of Arts : 9 - 12 September 2007

This conference brings together creators, practitioners, users, distributors, and custodians of Digital Resources in the Arts and Humanities

Special Library Association

Annual Conference in Denver, CO, USA, 3 - 6 June 2007

Computers and the History of Art

Digital Archive Fever, Thursday 8 - Friday 9 November 2007

London Venue to be confirmed (information to be posted)

Chapter News

Compiled by Steve Kowalik (Hunter College)

New England Chapter

Submitted by Megan Battey (Middlebury College)

On Friday, May 25th, the New England Chapters of VRA and ARLIS will meet jointly at the new Fleet Library at the Rhode Island School of Design (RISD) in Providence, RI.

The schedule for the day is still in the works, but we'll enjoy tours of and a presentation about the new library as well as hold our spring ARLIS/NE and VRA/NE chapter meetings. Please note that all members of VRA and ARLIS/NA are welcome to attend. More information about registration fees, hotel/parking info, etc., will be forthcoming. This event coincides with Brown University's Commencement weekend, so you'll want to plan accordingly.

Greater New York Chapter

Submitted by Christopher Spinelli (New York School of Interior Design)

The VRA Greater New York Chapter Spring 2007 Meeting will be held at the New York School of Interior Design (NYSID) on Thursday, May 10th, 2007 from 3:00-6:00PM. The New York School of Interior Design is located at 170 East 70th Street between Lexington Ave. and 3rd Ave.

Meeting Agenda:

3:15 - 3:45 PM: Business meeting

4:00 - 5:00 PM: Eric Wolf, Director of the Library, NYSID; Chris Spinelli, Visual Media Administrator, NYSID; and Barry Lewis, NYSID instructor, will discuss their experiences implementing and using Luna's Insight software.

5:00 - 6:00 PM: Reception in the NYSID Gallery. On view will be the 2007 BFA & MFA Thesis Exhibition.

Please R.S.V.P. to Chris Spinelli chris@nysid.edu by Monday, April 16. More details will follow.

Greater Philadelphia

Submitted by Evan Towle (Philadelphia Museum of Art)

The VRA Greater Philadelphia Chapter Spring 2007 Meeting will be held at Bryn Mawr College on Friday, June 8th, 2007 from 1:00-4:00PM.

The agenda is as follows:

1:00-2:30PM: Lunch/Business Report/Talks by Nicole Finzer on details learned from "VRA Workshop: Getting Past No: Assessing Copyright Risk" and Evan Towle "ALI-ABA Museum lawyers".

2:30-4:00PM: Carol Campbell, Curator of Collections will present "Highlights from BMC's Museum without Walls".