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Copyright and Intellectual Property Rights
Jane Darovich (University of Illinois at Chicago)
Digital Scene and Heard
Jacquelyn Erdman (Florida Atlantic University)

Outgoing Associate Editor and New Associate Editors for the VRA Newsletter
The staff of Image Stuff would like to thank Dana Felder for her work on the newsletter. Some of you may recall that Dana designed the IS logo which will be retained for the newly named newsletter.

The VRA Newsletter has added three new associate editors to its staff: Elizabeth Berenz, Visual Resources Curator at Roger Williams University; Brooke Cox, Visual Resource Librarian at DePauw University; and Anne Norcross, Assistant Professor and Director of the Visual Resource Collection at Kendall College of Art & Design.

Elizabeth Darocha Berenz is the Visual Resources Curator at Roger Williams University. Elizabeth received her MA in Modern Art History, Theory, and Criticism from the School of the Art Institute of Chicago and her MLS from the University of North Texas. She comes to RWU from the Center for Research Libraries, and she began her visual resources career as an intern at the University of Chicago's Visual Resources Center.

Brooke Cox is in her sixth year as the visual resource librarian at DePauw University in Greencastle, IN. The VRC is located within the art building and is a branch of the main campus library. Like most VR librarians she divides her time between maintaining our slide collection, acquiring and cataloging digital images and helping faculty and students find the images they need for teaching and learning. She has an M.L.S. from IUPUI (Indiana University Purdue University Indianapolis) and a B.A., Art History & German, from DePauw University.

Anne Norcross is an Assistant Professor of Art History at Kendall College of Art & Design in Grand Rapids, Michigan where she also serves as the Curator of the Visual Resource Collection. She has been in her current position for two years. Her teaching responsibilities include the Survey of Western Art I and II as well as upper level classes in American Art and special topics 18th century-1945. Anne has a BA in Graphic Design and an MA in Art History from Michigan State University (MSU) and a Ph.D (ABD) from Ohio State University. Prior to joining the faculty at Kendall, she taught as an adjunct at MSU for seven years. She has also worked in the graphic design industry for over 15 years.
Image Stuff Gets a New Name
Many VRA members submitted names for our re-naming contest. The jury (Lise Hawkos, Trudy Levy, Steve Kowalik and Marlene Gordon) has selected a winner. Beginning with the February issue, volume 4, IS becomes "Images, the online newsletter of the Visual Resources Association." Maryly Snow submitted the new name. Thanks Maryly!

Notes from the President
By Macie Hall (John Hopkins University)

Fall is upon us and the holiday season is fast approaching. The Board has been working hard on conference planning with online registration set to begin on December 4. Members benefit from lower rates when registering, so remember to renew your membership before the end of the calendar year. As well, pre-registering offers savings for our members.

Executive Board Election Results
I am pleased to announce the names of the newly elected VRA Executive Board Officers: President Elect, Allan Kohl, (Visual Resources Librarian, Minneapolis College of Art & Design); Secretary, Jolene de Verges (Digital Imaging Specialist, Smith College); and Vice President for Conference Program, Vickie O’Riordan (Visual Resources Curator, Arts Libraries, University of California, San Diego) These new officers will begin their terms at the Annual Conference in Kansas City, Missouri in March 2007.

On behalf of the Executive Board and the VRA membership, I thank the entire slate of candidates. All of the nominees are committed and active members of VRA. These candidates have served the organization in many capacities and we look forward to their continued involvement in VRA. Other nominees were Ed Teague and Steven Kowalik. I would also like to thank Ann Burns and the members of the Nominating Committee, who developed this slate of candidates, and Mark Pompeilia, who served as teller for the election.

CCO Committee
After consultation with the members of the Cataloguing Cultural Objects project the Board has decided to make CCO an official standing committee. Now that Cataloguing Cultural Objects has been published, the committee will take up various tasks as outlined in the new charge:

The Cataloging Cultural Objects Committee is charged with the maintenance and dissemination of CCO. This includes developing and maintaining training initiatives in collaboration with other educational efforts within the VRA; maintaining and updating the CCO web site content; educating the VRA membership and acting as a liaison to other cultural heritage cataloging communities.

Elisa Lanzi and Ann Whiteside will co-chair the committee.

Financial Update
Our Treasurer, Ann Woodward, has been working with an accounting firm, T.R. Klein & Co., on several fronts. The first has been to convert our previous accounting system to the format now preferred by the IRS for non-profit organizations. Second has been a full audit of our finances. These projects represent a major undertaking. The auditor will be issuing a report in late December or early January. We expect that the recommendations will help us to improve our business practices. After receiving the audit results, Ann will prepare a full report for the Membership.

Announcing a Joint Task Force on Collaboration
A few months ago there was an interesting thread posted on the ARLIS/NA and VRA listservs about our organizations and the similarities in our daily work. Following this online discussion, the Boards of the two associations felt that a joint ARLIS/NA and VRA task force on collaboration should be formed to look at the relationship between the two organizations, analyzing the overlap of interests as well as areas of uniqueness, focusing on the organizational structures of the two associations and recommending collaborative possibilities. The Task Force will gather information from the memberships of the VRA and ARLIS/NA through open forums, surveys, focus group sessions, interviews, and other appropriate means. Finally the Task Force will look at other organizations with interests related to those of ARLIS/NA and the VRA to explore the concept of creating a federation of affiliated societies and associations. A federation would pull like groups together more often for conferences, workshops, or other appropriate joint ventures. Different than a merger, a federation provides opportunities for similar groups to work together more formally than is done now. Expected outcomes from the task force include an analysis of the commonalities and differences between ARLIS/NA and VRA; a list of recommendations for potential collaborative ventures; and recommendations for creating a possible federation among a
group of like-minded organizations.

The task force is being formed, with representatives from both ARLIS/NA and VRA. The work of the group is expected to be completed by June 2007.

As always, feel free to contact me by email or phone if you have questions, comments or concerns. The best time to reach me by phone is late in the afternoon, 4:00 – 6:00 pm Eastern Time, and that is often when I catch up on the day’s e-mails as well.

25th Annual VRA Conference
Join your colleagues for the silver anniversary of the association March 27-31, 2007. The conference schedule is now posted on the VRA Web site. Information on the conference hotel, the Intercontinental Kansas City at the Plaza, is also available.

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

News Release: JMU Awarded IMLS Grant to Support MDID Project
By Christina Updike (James Madison University)

James Madison University Libraries and Educational Technologies will link its Madison Digital Image Database (MDID) system with other image systems and tools, thanks to a grant from the Institute of Museum and Library Services (IMLS). The open-source MDID software was developed at JMU and is now used by nearly one hundred universities around the world to support innovative teaching with digital images.

The two-year, $225,476 IMLS National Leadership Grant will improve connections between image systems and will facilitate digital image resource sharing among institutions. According to the MDID team this research and development project will serve as a model for implementing interoperability among digital media systems and presentation tools. To learn more about the MDID Project, please visit http://mdid.org.

The Institute of Museum and Library Services is the primary source of federal support for the nation’s libraries and museums. Its mission is to "grow and sustain a Nation of Learners because life-long learning is essential to a democratic society and individual success."

For further information, contact Sandy Maxfield at maxfiesl@jmu.edu.

Still Not Enough Visual Resources!
By Michael Greenhalgh (Australian National University)

Over the years since 1993, when the Web got going, the capabilities of machines, software and networks have developed enormously. The Web has also developed, triggered by a growing realization of its usefulness by universities and business. Ten years ago some academics were frowned upon (or worse) for plugging the Web in areas well outside the sciences where the technology and its software had developed; and few businesses had woken up to the Web's potential for generating (or not) money.

But rather than offering a eulogistic account of how lucky we all are to have the Web, let me list what we do NOT have in the area of Web-based visual resources. Why can I not go to the Web and ask for a complete catalogue of the works of Raphael, of the tombs in Westminster Abbey, or of the manuscripts of the Court School of Charlemagne? Why are most Web-based images the size of a postage stamp and some of these partly obscured by "Copyright of XYZ: all rights reserved"? The answers involve matters of collaboration, access and preservation, and copyright (there are more, but these will do for the present purpose).

1. Collaboration
It is possible to view the Web as the supreme collaborative effort of this age - the work of dedicated individuals and groups whose skill has given us access and added functionality, especially in the area of free or low-cost shareware software. The idea (yet another British invention pirated by the Americans, and transmogrified from not-for-profit into commercialism) was indeed collaboration between scientists. It is therefore a great irony that while we can now search millions of text pages at books.google.com, download silly videos and plug into even more fatuous blogs, there is no way of finding images of all the works of Raphael keyed to a text catalogue. This problem has long been recognized: Chris Witcombe's set of resources at
http://witcombe.sbc.edu/ARTHLinks.html helps address the problem, but I imagine he would agree that sites such as his should no longer be necessary.

When I am world dictator, librarians will be put in charge of the Web, the 12,472 inferior images of the "Mona Lisa" will be eradicated, and a unique catalogue reference attached to the one remaining. Sub-librarians will then be commissioned to produce the records and Web pages.

2. Access and Preservation
Collaboration and Web publication are difficult or impossible while misconceptions about copyright are rife in museums and galleries, restricting access for photography. Many such institutions adopt a dog-in-the-manger attitude to artworks in their care, and confuse their right to deny access with the existence of copyright. Whether public institutions do indeed have the right to deny access for photography is a moot point: some officials will explain that they wish to generate income by selling images themselves; but the frequent addition of the copyright sign to displays of their images is a restraint on scholarship.

When I am world dictator, all museums and galleries receiving public funds will allow non-harmful photography of the works in their care – storerooms and all – for purposes of study and scholarship. My secretariat, conveniently situated in Geneva, will digitize all the 6x6 transparencies kept by museums and galleries, and be made freely available via the Web, since they are the patrimony of all of us (or matrimony, au choix).

3. Copyright
A lot of the problems currently facing us are historical, and derive from the covert copying of images to make slides in departments of art history, architecture and the like. Too many sets of gently decaying 35mm slides have been digitized, sometimes first onto videodisk, producing a lot of duplication (see 1 above), and have then been kept secret because of supposed copyright problems. Painful though it might be, most slide collections should be ditched as landfill and (assuming 2 above can be sorted out) decent digital images should be made from the originals. In some cases (the Iraqi Museum and some of the ruined ruins of Samarra spring to mind) we are already too late.

When I am world dictator I shall clean up the Web by eradicating all those enterprises making money from public-domain visual material, and hold Google to their promises about access in all countries. All books electronically prepared will be automatically put on the Web, and outlays recouped by pay-for-view technology. Journals will be run by not-for-profit entities.

In such a world as the visual utopia sketched out above, what might happen to book-and-journal-publishers is a topic for another paper. But given the amount of erstwhile typesetting work now expected of authors, one must wonder just what purpose publishers now serve, especially in an academic context, where computer storage of huge quantities of text and visual information is no longer a problem and its transmission across the world nearly instantaneous.

Collection Spotlight
By Jacquelyn Erdman (Florida Atlantic University)

The Database of Virtual Art (http://www.virtualart.at/common/recentWork.do) is a collection of digitally made art. This project, supported by the Deutsche Forschungsgemeinshaft (German Science Foundation) and the Federal Ministry of Education and Science, was created in an attempt to document digitally born images. "Virtual art is unique among art genres in that it is totally dependent upon storage media and the permanently changing operating systems that support it."1 Some images that were created only 10 years ago can no longer be viewed because their platform is no longer supported. There has also been an increase in interactive installations of virtual arts in the last 20 years, but a lack of documentation. The objective of the database project is to "make transparent developments in the field of virtual art and its subgenres…as well as to present the rapidly growing oeuvre of the artists that create it."2

The Database records include:

Biographical and bibliographical information about the artist
A list of work and exhibitions (title, date, location and funding)
Graphic images of the installation
Digital images of any documents
Information on the software and hardware used
Any video or audio recordings
Technical instructions (blueprints)
Copyright Experts Speak in Chicago
By Megan Macken (University of Chicago)

Copyright (any materials received from the artist must also include permission to publish the materials on the World Wide Web)

1. Content was taken from "The database of virtual art: for an expanded concept of documentation" by Dr. habil. Oliver Grau, http://www2.hu-berlin.de/grau/database.htm.

2. Ibid.

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

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Copyright Experts Speak in Chicago
By Megan Macken (University of Chicago)

On November 10th and 11th, both VRA Midwest and ARLIS/Midstates fall chapter meetings were held in Chicago. Participants of the VRA Midwest meeting at the University of Chicago were invited to attend the ARLIS/Midstates Panel of Copyright Experts at the Art Institute of Chicago. Regional copyright experts—a professor, a librarian and a lawyer—presented guidelines for the practical application of recent copyright issues most relevant to art librarians and visual resources professionals.

Janice T. Pilch, Associate Professor of Library Administration at the University of Illinois at Urbana-Champaign, discussed the implications of international copyright for the art librarian. Pilch emphasized the role of historical international copyright agreements in determining copyright status. The Berne Convention for the Protection of Literary and Artistic Works—organized in December 1887 and extended in 1996 by the WIPO Copyright treaty—supersedes other agreements in the United States. To determine copyright for works published outside the United States, Pilch recommended Peter Hirtle’s chart Copyright Term and the Public Domain in the United States.

As national boundaries are blurred in the digital age, copyright owners have begun to employ technological protection measures (TPM) to prevent copyright infringement. Claire Stewart, Coordinator of Digitization Projects at Northwestern University Library, discussed the types of TPMs used in digital rights management (DRM), such as broadcast flags and tethered downloads. Section 1201 of the Digital Millennium Copyright Act (DMCA) has made it illegal to circumvent TPMs. Stewart drew attention to the articles 107-110 of the US Copyright Act of 1976 governing fair use that permit librarians to reproduce such materials. The Digital Media Consumers’ Rights Act of 2003 is an additional recourse for those who rely on the fair use clauses. Stewart recommended Jessica Litman’s Digital Copyright for further reading.

Troy Klyber, copyright lawyer at the Art Institute of Chicago, discussed methods to determine if a work of art is in the public domain based on its publication date. Works of art are considered published when made available to the public, with consent of the creator, in books and ephemera. Pilch confirmed that exhibition is not publication of a work of art, as established in the Berne Convention. Whether it is permissible to copy a reproduction in the public domain remains undetermined. Klyber recommended The Catalog of Copyright Entries, published by the US Copyright Office, for researching copyright renewals, as well as Stephen Fishman’s The Public Domain: How to Find & Use Copyright-free Writings, Music, Art & More.

References:

Section 108 Study Group Public Roundtable to be held in Chicago

An upcoming public roundtable hosted by the Section 108 Study Group provides an excellent opportunity to attend (or participate in) four sessions reexamining copyright issues pertinent to libraries and archives, in light of the vast changes brought about by digital technology. The roundtable is scheduled for Wednesday, January 31, 2007, in Chicago. The location and exact time will be posted on the Section 108 Study Group website http://www.loc.gov/section108/ at the end of November.

Other public roundtables were held in March of this year in Los Angeles and in Washington D.C. (See report by Carl Johnson in the April 2006 issue of Image Stuff).

The Section 108 Study Group will submit a report on its findings and recommendations to the Librarian of Congress in mid-2007. Study Group members’ biographies are available at http://www.loc.gov/section108/members.html

Victoria and Albert Museum to Scrap Academic Reproduction Fees

In a report in The Art Newspaper by Martin Bailey posted December 1, 2006, the V&A announced plans to eliminate charges to reproduce images in scholarly publications and magazines. The complete article is available at: http://www.theartnewspaper.com/article01.asp?id=525

Cataloging Cultural Objects (CCO) News

CCO Published

Cataloging Cultural Objects: A Guide to Describing Cultural Works and Their Images, Murtha Baca, Patricia Harpring, Elisa L anzı, Linda McRae, Ann Baird Whiteside on behalf of the Visual Resources Association, has been published by ALA Editions.

Ultimately, uniform documentation will promote the creation of a body of cultural heritage information that will greatly enhance research and teaching in the arts and humanities.—From the Introduction

In a visual and artifact-filled world, cataloging one-of-a-kind cultural objects without published guidelines and standards has been a challenge.

Now for the first time, under the leadership of the Visual Resources Association, a cross-section of five visual and cultural heritage experts, along with scores of reviewers from varied institutions, have created a new data content standard focused on cultural materials.

This cutting-edge reference offers practical resources for cataloging and flexibility to meet the needs of a wide range of institutions—from libraries to museums to archives. Consistently following these guidelines for selecting, ordering, and formatting data used to populate metadata elements in cultural materials’ catalog records:

- Promotes good descriptive cataloging and reduces redundancy
- Builds a foundation of shared documentation
- Creates data sharing opportunities
- Enhances end-user access across institutional boundaries
- Complements existing standards (AACR)

CCO can be ordered at from the ALA Store

Special VRA Bulletin Issue on CCO

A special issue of the VRA Bulletin (vol. 34, no. 1) called "Creating Sharable Metadata: CCO and the Standards Landscape" will be released in Spring 2007. Guest Editors, Elisa L anzı and Linda McRae, have lined up an impressive array of authors and articles. The purpose of the publication is to highlight CCO placed within the broader suite of standards and to examine ways in which CCO may be used within various cataloging communities. The introductory section by Ken Hamma makes the case for standards within the cultural community. The first section sets the stage by providing an overview of metadata standards (Günter Waibel), a history of the
development of CCO (Elisa Lanzi, Linda Mcrae), and a history of the VRA Core 4 (Ben Kessler).

The second section provides detailed overviews of CCO (Patricia Harpring), the VRA Core 4 (Jan Eklund), and CDWA- Lite (Murtha Baca). The third section examines how CCO is used in various cataloging communities; museum collections (Erin Coburn); visual resources collections (Margaret Webster); libraries, particularly in view of the new bibliographic standard RDA (Matthew Beacom); library special collections and bibliographic formats (Elizabeth O'Keefe); and archival collections (Bill Landis). The final section is concerned with practical applications in database design (Susan Jane Williams), and for special types of materials, Asian art (Sherry Poirrier); native American art (Karen Kessel), contemporary art (Layna White); and architecture (Ann Whiteside).

Tech Tips

By Alex Nichols (Michigan State University)

Q: Why shouldn't I edit my raw files and then save them in the same format? Why shouldn't I save them as raw instead of TIFF?

A: You can't really edit and save a raw file—that would defy its "raw" nature.

The simple explanation: Imagine a TIFF file as a house and a raw file as a pile of lumber and aluminum siding with blueprints lying on top. After you follow the blueprints to make the pile of lumber and siding into a house you can't still save it as a pile of lumber and siding.

The elaborate explanation: A raw file is not like a normal image file format. A normal image file (like a TIFF) is made up of a grid of pixels, each pixel having a color determined by three (assuming it is a RGB color image) separate grayscale values. Each of the grayscale values represents the red, blue, or green channel, and when combined, give the pixel its color. So a six million pixel image actually consists of 6 x 3 million = 18 million pieces of color information.

A raw file (we'll assume from a conventional camera sensor) is still made up of a grid of pixels, but each of the six million pixels only has one piece of color information: 3 million of the pixels have grayscale information representing the green channel, 1.5 million represent the red channel, and 1.5 million represent the blue channel. The pixels are arranged GRGBGRGBGRGB..., based on the pattern of color filters on the sensor. Included in the raw file are instructions from the camera about how the color information might be interpreted (white balance, saturation, sharpness, etc.).

When you open the raw file in Photoshop the Adobe Camera Raw plug-in is launched and will show you various settings (including some that are instructions from the camera and others that are suggested by ACR), which will determine how the pixel color information will be interpreted in the final image (plus there is a preview image).

When you finish your adjustments in ACR and hit the ok button, the raw file is "demosaiced" and opened in Photoshop. "Demosaicing" uses the settings you've selected plus color information from neighboring pixels to give each pixel three separate channel values (red, blue, and green). Once this is done you can work on the image normally in Photoshop, but when you're ready to save you must save it as a TIFF or other normal file format, because to save it as a true raw file it would need to be un-demosaiced into single channel pixels again and you would lose all the work you did on the image (no program will do this).

There are a couple of new raw processors out from Adobe and Apple that appear to let you save all your changes to the raw file, but they actually save a list of instructions for demosaicing the raw file and leave the actual file untouched.

SECAC Conference

By Emy Nelson Decker (University of Georgia)

The SECAC-VR group in conjunction with the new VRA Southeast Chapter sponsored an Ask the Experts session co-chaired by Emy Decker (University of Georgia) and Tina Updike (James Madison University). The panelists were Kathe Albrecht, Macie Hall, Emy Decker, Chris Hilker, Tina Updike, John Hickey, and Kirvin Hodges. The session was well attended by our VR colleagues as well as artists, faculty, and staff interested in the digital transition and image management. Emy Decker held a VRA Southeast chapter meeting where we planned the next year's events. Afterward, we had a roundtable discussion, moderated by Emy Decker, on the topic of institutional VR centers and cross-campus collaboration.

Bielstein presents, in conversational language, the perils and challenges of licensing images for publication from a writer’s perspective. Bielstein uses droll examples demonstrating copyright law throughout the text, in addition to providing sample permissions request letters. Each illustration’s caption contains extensive information about the process (and fees paid) of acquiring each image – or not, as the first illustration is blank due to permission refusal. VR professionals may be particularly interested in reading Bielstein’s summary of *Bridgeman Art Library v. Corel Corp.* (1998).


The theme of this issue is “Digitisation: some issues, some solutions” and contains articles on Google, ARTstor, MDID, and the use of digital images.


This issue features the Fedora project (Tufts and Yale), the challenges of addressing (and acknowledging) digital obsolescence, and the Collaborative Digitization Program, amongst other news.


This slim volume belies the complex nature of our profession; it summarizes findings from a 2005 survey of several image collections, focusing on 9 institutions and their progress in building digital collections to match their analog holdings.

*Trends in the Management of Library Special Collections in Film and Photography* an New York:
Primary Research Group, 2005.


Results of this substantial study (including 400 survey responses and 33 colleges and universities) available at the following link: [http://www.academiccommons.org/imagereport](http://www.academiccommons.org/imagereport)

**Positions Filled**

By Anne Norcross (Kendal College of Art and Design)

**College of Design, University of Minnesota**

Julie Swanson is the new curatorial assistant in the digital collections and archives at the College of Design, University of Minnesota, Twin Cities. Julie’s background is in landscape architecture and she will be cataloging and helping to get the new departmental collection of Design Housing and Apparel digitized. Jodie Walz, Curator of the Digital Collections and Archives in the College of Design stated that they are very excited to have Julie join their staff.

**Margaret Herrick Library, Academy of Motion Picture Arts and Sciences**

The Margaret Herrick Library at the Academy of Motion Picture Arts and Sciences, Beverly Hills, California, welcomes two new staff members to fill the positions of Digital Imaging Specialist and Digital Imaging Technician.

**Chapter News**

**New England Chapter**

By Megan Battey (Middlebury College)

The VRA New England Chapter held its fall meeting at Williams College in Williamstown, MA on September 29, 2006. In the morning, twenty chapter members gathered in the Art Department in Lawrence Hall for a digital copy stand workshop led by Jim Gipe. We dined in splendor at the Williams Faculty Club and held our business meeting there. In the afternoon, attendees spread out to tour the Williams College Museum of Art, the Clark Art Institute and Mass MOCA. Photos from this meeting can be viewed here.

**Southern California Chapter**

By Jacqueline Spafford (University of California, Santa Barbara)

The Southern California Chapter Fall meeting is scheduled for December 19, 2006 at the Japanese American National Museum in Los Angeles. The announcement and agenda will be on our Chapter website very soon.

**Upstate New York Chapter**

By Jeannine N. Keefer (Cornell University)

The Upstate NY Chapter held its Fall Meeting at SUNY Albany on Friday, 20 October 2006. Our meeting was hosted by Caitlain Devereaux Lewis. Marcia Focht gave a report on the XML workshop she attended at the National Meeting in Baltimore. We will be holding elections for treasurer and vice chair offices in December. Our spring meeting will be held at the end of the Spring Semester, probably at SUNY New Paltz.