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Transnational Issues in Intellectual Property and Access to Digital Resources



A bird's eye view of the East Halls 1 ~ 3.

Comic Market / Comiketto

The world's largest event for

"amateur" media

TODAY'S TOPIC

- ▶ How ideas about and the practice of access are changing
- ▶ About some current changes in the frameworks for access
- ▶ The future role of the library within these changes

DEFINITIONS OF ACCESS (OED)

I. A coming on or attack of illness, emotion, etc.

1530 J. Palsgrave *Lesclarcissement* 450/1 This axes hath made hym so weake.

DEFINITIONS OF ACCESS (OED)

II. Senses relating to entrance or approach.

b. The right or opportunity to benefit from or use a system or service.

1847 *Med. Times* 30 Oct. 37/3 The sick poor..were deprived of their customary access to medical relief.

DEFINITIONS OF ACCESS (OED)

II. Senses relating to entrance or approach.

d. *Computing.* The opportunity, means, or permission to gain entrance to or use a system, network, file, etc.

1957 *Managem. Sci.* 4 93 Information to which the central processing unit has access is available serially in a predetermined sequence or randomly.

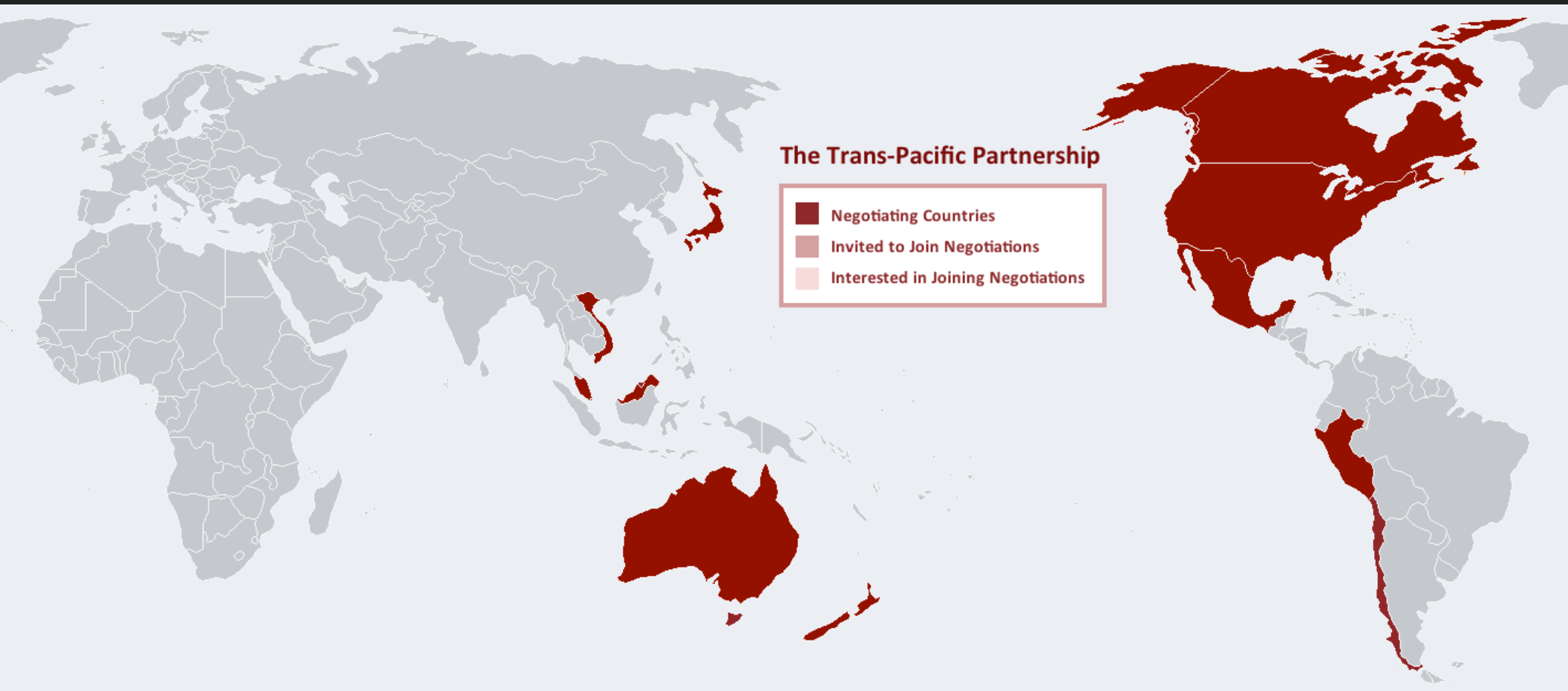
DEFINITIONS OF ACCESS (OED)

III. Senses relating to increase or addition.

11. The joining or addition of something to something else, or of a person or people to others, esp. as a reinforcement; (hence) augmentation; increase, growth. Also: an act or instance of any of these. Cf. *accession* *n.* 2a.

1654 tr. M. Martini *Bellum Tartaricum* 108 They immensely augmented their Armies, by the access of the China's Souldiers.

TPP





INTELLECTUAL PROPERTY LAW

- ▶ Trademarks
- ▶ Patents
- ▶ Copyright

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CURRENT COPYRIGHT LAW IN JAPAN

- ▶ Copyright split into *author's rights* and *neighboring rights*
 - ▶ author's rights: economic and moral
 - ▶ neighboring rights; performer's rights etc.
- ▶ Generally no fair use concept
- ▶ Books: author's life + 50 years
- ▶ Films: 70 years after publication

CLIP from the film “映画監督って何だ！”

produced by the Director's Guild of Japan, on the
copyright debates leading up to the revisions of
1970

EXPECTED CHANGES THROUGH TPP (COPYRIGHT)

- ▶ Extension of copyright
- ▶ Criminalization (no formal complaint required for prosecution)
- ▶ Restrictions on parallel imports
- ▶ Copyright as asset: Investor-State Dispute Settlements (ISDS)

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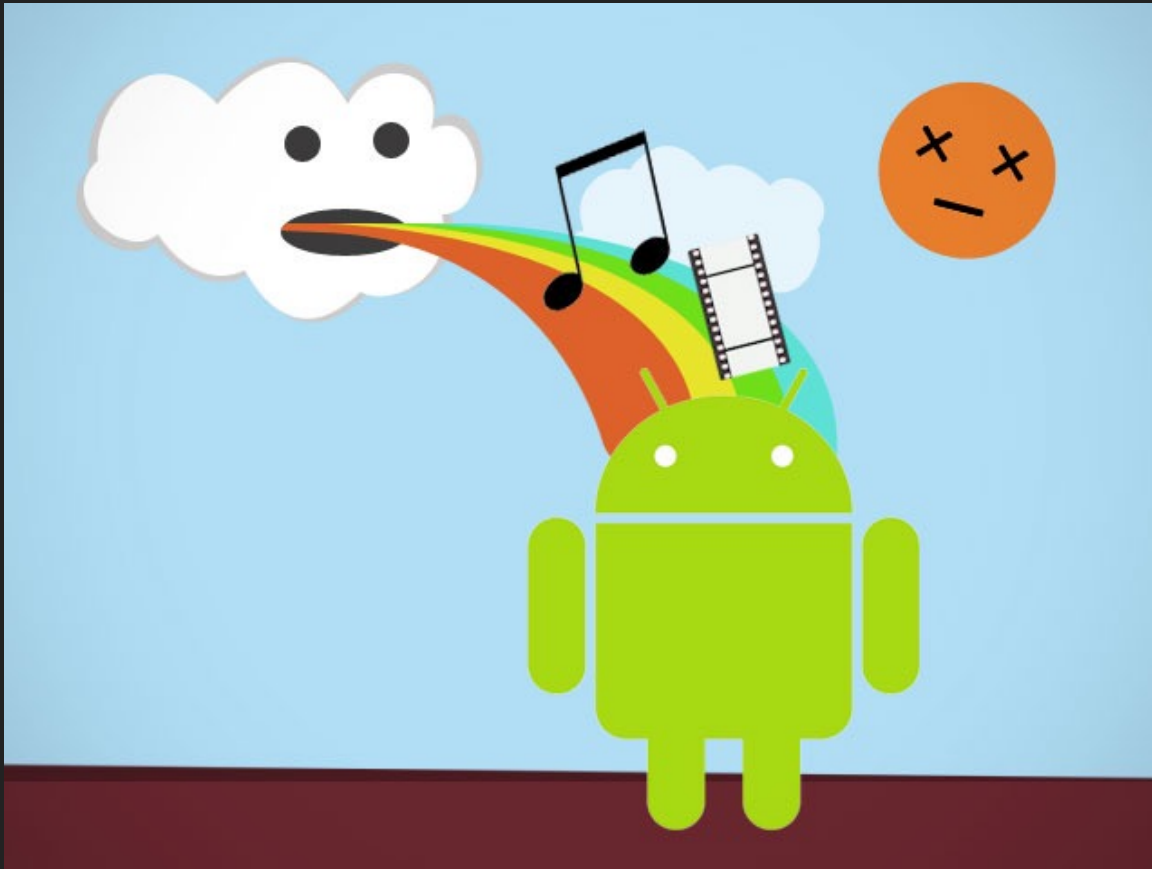
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Journalist Daisuke TSUDA, Manga Artist Ken AKAMATSU,
Lawyer Kensaku FUKUI, Yu OKUBO (Aozora Bunko)



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FURTHER DANGERS TO LIBRARY ACTIVITIES: STREAMING



FURTHER ISSUES FOR LIBRARIES: EBOOKS

**THANK YOU FOR
LISTENING!**