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Managing Expectations: Can I Get this Video Online?

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Managing Expectations
Can I Get This Video Online?

Florida International University
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Florida Library Association Annual Conference, Orlando, FL
May 10, 2017
Introduction
Stream Away

Submitted by Steve Kolowich on October 5, 2011 - 3:00am

A federal judge on Monday threw out a lawsuit by an educational media trade group and one of its constituents against the University of California over the legality of streaming copyrighted videos on secure course websites.

While the case was dismissed largely on technical grounds, U.S. District Court Judge Consuelo B. Marshall indicated that streaming a copyrighted work on a secure website is no different from holding a screening in a classroom.
From a trickle to a stream...

<table>
<thead>
<tr>
<th>Date Requested</th>
<th>Title</th>
<th>Author</th>
</tr>
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<tbody>
<tr>
<td>3/29/2016</td>
<td>Lego Movie [Streaming Video]</td>
<td></td>
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<tr>
<td>3/7/2016</td>
<td>NO FIRE ZONE (streaming video)</td>
<td>Macrae, Callum (director)</td>
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<td>3/2/2016</td>
<td>Therapy talks. Non voluntary clients: Helping clients who don't want your help [Streaming Video]</td>
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<td>2/4/2016</td>
<td>Memento</td>
<td>Nolan, Christopher (Director)</td>
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<tr>
<td>1/25/2016</td>
<td>Middle Passage</td>
<td>Deslauriers, Guy (director)</td>
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<tr>
<td>1/23/2016</td>
<td>In Defence of Food</td>
<td>Schwarz, Michael (director)</td>
</tr>
<tr>
<td>1/11/2016</td>
<td>Little Buddha</td>
<td>Bertolucci, Bernardo (director)</td>
</tr>
<tr>
<td>1/11/2016</td>
<td>Compassion in exile: the story of the 14th Dalai Lama</td>
<td></td>
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<tr>
<td>1/6/2016</td>
<td>When the Last Sword is Drawn</td>
<td>Directed by Yojiro Takita</td>
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<tr>
<td>1/6/2016</td>
<td>Twilight Samurai Directed by Yoji Yamada</td>
<td>Yamada, Yoji (director)</td>
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<tr>
<td>1/6/2016</td>
<td>Sea is Watching [Streaming video]</td>
<td>Kumai, Kei (director)</td>
</tr>
<tr>
<td>1/6/2016</td>
<td>47 Ronin</td>
<td>Directed by Ichikawa Kon</td>
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<tr>
<td>1/6/2016</td>
<td>47 Ronin</td>
<td>Ichikawa Kon (director)</td>
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</tbody>
</table>
A variety of models, rights and terms

- Direct to consumer, not available to libraries
  - Amazon Video, Google Play, YouTube, iTunes, Netflix, HBO NOW, etc.
- Limited to a specific course, group of people or single showing
- Education Use
  - Classroom or individual viewing only
- Public performance rights
Florida International University

- Large, public research university
- Student headcount around 52,000
  - (FTE around 30,000)
- 2020 goal of 30:30:40
  - 30% FTF
  - 30% hybrid
  - 40% online
## Library collection

<table>
<thead>
<tr>
<th></th>
<th>Physical</th>
<th>Electronic</th>
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</thead>
<tbody>
<tr>
<td>Books (title count)</td>
<td>1,105,438</td>
<td>231,761</td>
</tr>
<tr>
<td>Databases</td>
<td></td>
<td>710</td>
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<tr>
<td>Media</td>
<td>352,756</td>
<td>39,631</td>
</tr>
<tr>
<td>Serials</td>
<td>51,524</td>
<td>104,615</td>
</tr>
</tbody>
</table>

[numbers reported on ACRL Survey for 2015-2016]
Streaming at FIU
Streaming at FIU - purchase

- Collections, individual titles
  - Alexander Street Press
  - Ambrose
  - Docuseek2
  - Films On Demand
  - ro*co
  - Women Make Movies

- Build by Choice
  - Alexander Street Press Academic Video Online subscription with perpetual rights to films selected at end of subscription term
Streaming at FIU - subscription

- 1, 3, 5 years
- Collections, individual titles
  - Alexander Street Press
  - Digitalia
  - Film Platform
  - Films On Demand
  - Kanopy (MEF)
  - Swank

- DDA
  - Kanopy
Streaming at FIU - negotiation

- No traditional acquisition sources
- Purchase or subscription
- Hosted by vendor or locally hosted
Workflow (in progress)
Ensemble players

• Liaison librarian
• Acquisitions
• Electronic resources librarian
• Serials
• Sound & Image
• Cataloging
Licensing issues

“We have had very few requests for digital educational streaming licenses so at the moment this isn’t a project at the top of our list. I’m sorry.

As for changing the text as you suggest [...] I do not have time to read and consider all the topics included in the Technology, Education and Copyright Harmonization Act (§110(2)) of the U.S. Copyright Law. If this law gives rights to digital streaming then we are not able to grant this.”

[personal communication, November 04, 2014]
Outreach
Encourage but forewarn!
It’s a balancing act.
Up front

- Not able to get everything in streaming
- Cannot find publisher
- Publisher will not allow streaming (by us or vendors)
- Cost prohibitive
- Time
- Ethics
Think outside the box

• Make it a course requirement
• Sometimes it’s a disappearing act!
Case of the disappearing films
Case of the mysterious IP owners
Still an issue...

• Accessibility
• Quality
Some resources to consider

• Academic Library Streaming Video Revisited, by Dave Farrelly and Jane Hutchison Surdi at American Library Association Annual Conference, 2016
  • Slideshow available at: http://slideplayer.com/slide/10965489/

  • http://search.proquest.com/docview/1843081344?accountid=10901 (authentication required)

• FIU’s Digital/Streaming Media & Public Performance Copyright LibGuide
  • http://libguides.fiu.edu/copyright/media

Questions & discussion

• Valerie Boulos – vboulos@fiu.edu
• Sarah J. Hammill – hammills@fiu.edu
• Elizabeth Lightfoot – elightfo@fiu.edu

(& thank you!)