

MCN/NINCH Copyright Workshop
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**Putting Together a Museum's IP Policy:
Renaissance ROM as a Case Study**

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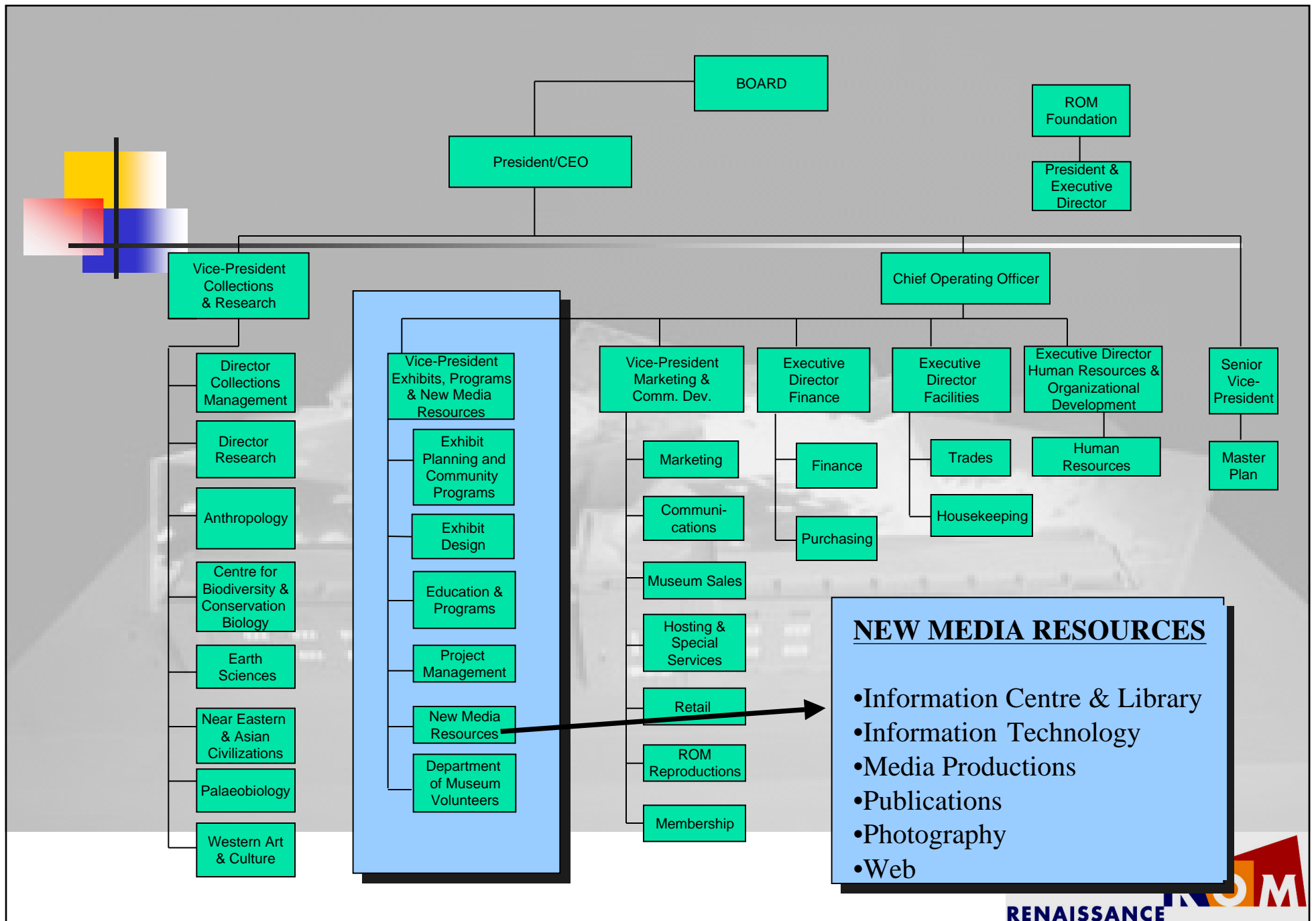
Opening Points

- I am not a lawyer or policy writer.
 - “I know what I don’t know.”
- “I am Canadian.”
- So is Celine Dion.
- I have a confession. I like journalists.
 - “What a great way to spend your life!”
- It is now 4 R’s: Rights to Reproduce Rina’s Reasons
- Bandwidth. Think three per cent.
- Have fun. Respect the time!
- Meet my friend.



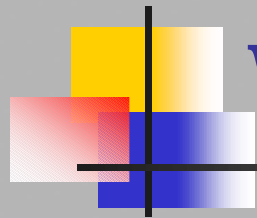
Royal Ontario Museum

- Dual mandate:
 - Civilization, Art, Archaeology
 - Natural Science
- \$43-million operating budget
- 350 regular & 37 part-time staff
- 27 curators and 20 assistant curators
- 2001/2002 attendance:
 - 1 million physical visitors
 - 1.5 million web visitors
- More than five million objects



NEW MEDIA RESOURCES

- Information Centre & Library
- Information Technology
- Media Productions
- Publications
- Photography
- Web



What is Renaissance ROM?





ROM's Options

- **Managed retreat**
 - Real operating budget has been declining for 12 years with little prospect for growth despite increased reliance on self-generated revenues.
- **Renaissance ROM**
 - An intelligent Master Plan capital investment will transform ROM's business case and reduce dependency on provincial government funding.

The logo graphic consists of a black crosshair centered over a grid of colored squares. The squares are yellow, red, and blue, with some overlapping and fading effects.

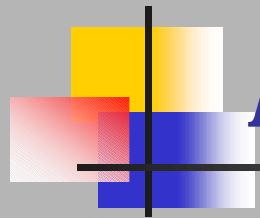
ROM Digital

- A comprehensive program to systematically digitize, store and manage our collections information and leverage digital assets
 - E.g. access, education, licensing

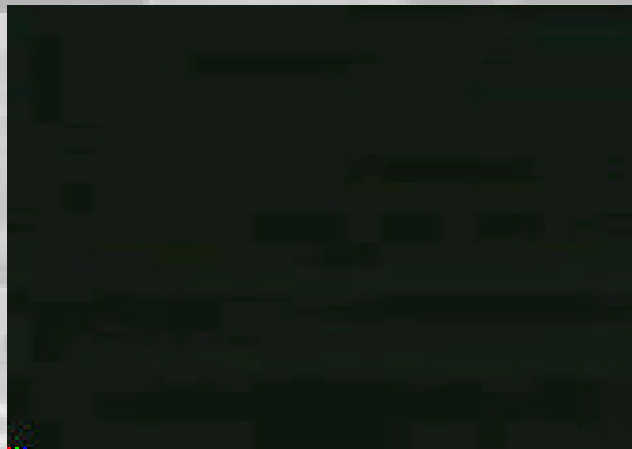
The logo graphic consists of a black crosshair centered over a cluster of overlapping colored squares: yellow, red, blue, and white.

ROM Digital

- Collections Information Management
- Image Centre
- Digital Repository
- Digital Gallery
- Education/Business Applications



A New Language





ROM Digital Language

- Language of business: the ROM's digital imperative is driven by business initiatives
- Initiatives require:
 - New Technology
 - New Policy
 - New Process
 - New Organization



ROM Digital Desired Outcomes

- Crafting a long term vehicle for disciplined capture and secure storage of digital assets
- Protecting the ROM's assets
- Providing access to more of the collections for wider audiences
- Helping people to make personal connections
- Extending education beyond our boundaries
- Growing revenues to sustain the program
- Improving our own efficiency



ROM Policy Development

- Spring 2000 – ROM board adopts governance model
- Redefined its fundamental role and responsibilities: specifically the care, protection and safeguarding of ROM collections, property, premises and resources
- Required board task force to develop and monitor policies to articulate Museum's mandate, vision, values and objectives, limits of executive authority
- project co-ordinated through executive office of Museum's Chief Operating Officer
- Fall 2001/Spring 2002 – 20 policies approved
- Cover everything from health and safety to repatriation of Canadian aboriginal objects



ROM Policy Development

- Policies complement ROM Digital initiative:
 - Public Access – access to collections and information resources a key responsibility
 - Copyright – prudent and fair use of its resources and protection in real world
 - Information Management – information as a corporate and organizational asset, includes practice statement on use of IT resources
 - Publications – promotes core ROM activities



ROM Copyright Policy

- Need for IP policy based on:
 - Recognition that information is a vital institutional asset, central to the Museum's role and purpose.
 - Recognition that information is increasingly seen as commodity that can be purposefully used to further institutional interests.
 - Demands for increased self-sufficiency, to build revenue-generation.
 - Importance of intellectual property in creating ROM programs, exhibits, products; need to comply with law in the use of diverse intellectual property interests (liability). – ie. ROM field guide series and use of images by curators
 - Inconsistent past practice at the ROM; potential to negatively impact institutional interests.



Copyright Policy Process

- No clear guidelines/principles in the Museum community that could be easily adopted (professional associations, other museums).
- Task Force examined intellectual property/copyright issues/concerns applicable to ROM as producer/creator, publisher/distributor, and consumer:
 - Collections - permanent & loan
 - Exhibition right, Reproduction right etc. i.e. exhibiting designer dresses, publishing catalogues/books, etc.
 - Original research by curators
 - Collections-based research, field research (sponsorship issues)
 - Works based on the collections by non-employees - volunteers, Students, Curators Emeritus, External Scholars
 - Photographs/Video/Digitization
 - Publications



Copyright Policy Highlights

- ROM owns the economic rights in works produced by employees as part of their employment duties
 - ROM has interests to economic rights in works created in conjunction with ROM-funded activity or research
 - Contracts with third parties ensure irrevocable licence for use
 - Details steps for employees entering into external projects
 - Employees waive moral rights where ROM owns economic rights
 - Details use of ROM resources for external projects
 - Addresses creator's right to integrity of work relating to accessioned objects in the collections
 - Provides for ROM's right to acquire all economic rights to permit anticipated exhibition and reproduction purposes
 - Requires senior executives to ensure Board Governance Committee has all relevant info for determining adherence



ROM Businesses & Policy

Profit growth, outreach, customer experience, attendance

Museum
attraction

Asset
exploiter

Educational
programs

Collections &
research

Strengthening collections and research, efficiency,
quality of service and delivery

RENAISSANCE





Business Initiative

Intellectual Capital system

Delivers

repository of knowledge and information to enable sharing, analysis and synthesis, promotes creativity, reduces re-invention, improves productivity and saves time

Technology

IC DB, search and access
Extract or link to standard sources...eg. collections mgt, library Extract from non standard sources...books, catalogs, curatorial files, exhibit labels etc
Re-use in multiple media
Recognize level of audience
Attach service characteristics eg rights management, usage restrictions
Apply tools and engines
Other synthetic structures eg GIS, files independent of collections
Content management

Policy

Standards and expectations of performance/ contribution/ usage
Disciplines
Who contributes what?
Who gets access?

Process

Governance
Content management

Organization

Change in roles and responsibilities
Training in use of data tools

RENAISSANCE



Business Initiative

E-licensing

Delivers

Mechanism to promote, sell and deliver copies of or licenses to use ROM digital assets to public or trade

Technology

Infrastructure to serve objects (images 2d/ 3d/ panoramic/ 360, video, sound)
SW to allow search certain metadata and access to above via web
Prices and Ts&Cs online
Ordering and payment on line
Some delivery online
On demand printing (partners?)
Security/ rights management/ watermarking
Authoring SW
Content management
IC system

Policy

Protection of rights
Products are integral part of planning for exhibits, galleries/, programs
For profit business
Develop partners for wider range of product or specialized lines
Distribute 3rd party related goods?
Active promotion
Partnerships for fulfillment eg on demand printing
High customer service standards

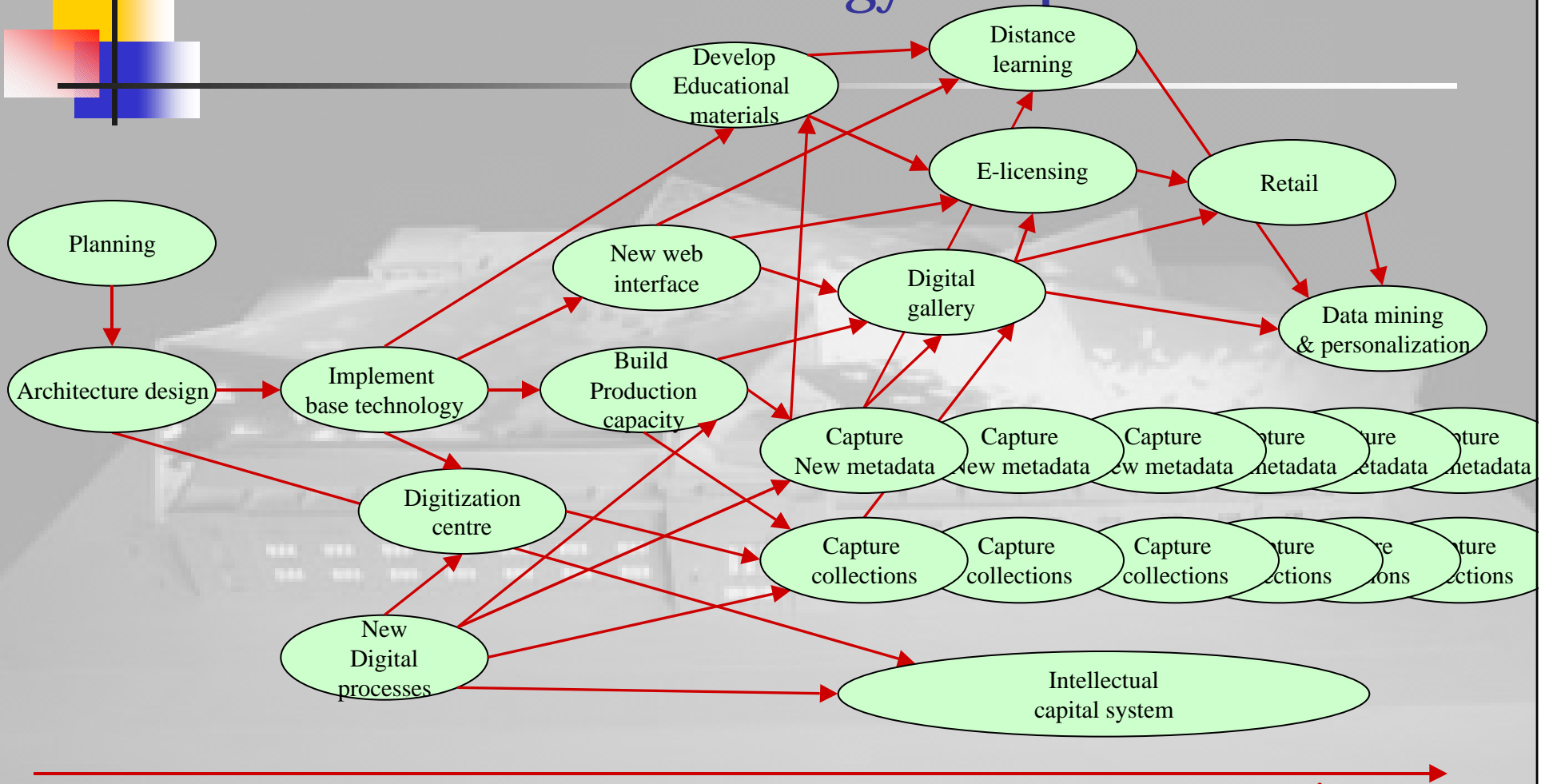
Process

Promotion
Brand development
Product planning
Production centre support
Quality control
Take part in workflow for exhibit and gallery

Organization

ROM Global? Not left in Registration
New selling and marketing skills
Training in new processes/ workflows
Training in new technologies and standards
Staff to create materials

The business initiatives' interdependencies have been used to devise a strategy and plan





In Praise of Copyright Lawyers

*“The first thing we do,
let's kill all the lawyers.”*

Shakespeare, Henry VI, Part 2.

Methinks the bard should have written:

*“The first thing we do,
let's kill all the lawyers,
except for Laura, Rina, Christopher, Maria and
Rachelle.”*