

Copyright Law for the Digital Library: A Bibliography

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Introduction

The Variations2 project was funded in 2000 by the Digital Libraries Initiative – Phase 2 program, with support from the National Science Foundation and the National Endowment for the Humanities. A primary goal of the project is to establish a digital music library testbed system containing music and related works in a variety of formats. The project accordingly raises numerous complex questions of intellectual property, from protection for new software and other innovations to the appropriate use of existing music in the digital library. Specific research studies examine many of these issues and are available on the project website: <http://www.dml.indiana.edu/>.

This bibliography is in furtherance of those research objectives. Its central purpose is to guide the user to specific sources related to intellectual property and the

creation of a digital library in general and a digital music library in particular. These sources should help users better understand the legal implications of a digital music library, and assist with the study of a wide variety of relevant issues.

This bibliography is an evolving project, and the investigators anticipate future installments will expand on the present scope. This initial installment focuses on legal literature available through a variety of online databases: HeinOnline, Lexis/Nexis, and Westlaw. The specific type of literature includes both law review articles and legal journals. Search terms used included different combinations of: copyright, digital, library, Internet, and music. In addition, the phrases “distance education”, “fair use”, and “audio home recording act” were used in the electronic search engines.

This installment of the bibliography includes materials published since 1995. The cutoff date for conducting research was August 31, 2003. Copyright has changed dramatically in recent years due to the development and growth of digital technology. For example, Congress passed the Digital Millennium Copyright Act in 1998 and the TEACH Act in 2002. The span of years from 1995 to 2003 encompasses these recent additions to copyright law.

Citation style adheres to the Turabian style and includes the author, title of the work, law review or journal title, volume, date, and page.¹ To facilitate finding the most recent materials on any particular topic, the materials are listed in reverse chronological order.

¹ Kate L. Turabian, *A Manual for Writers of Term Papers, Theses, and Dissertations* (Chicago: The University of Chicago Press, 1996).

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