Educational Copyright

December 19, 2017

**Buchmann Faculty of Law
Tel Aviv University
Room #307**

Educational institutions have always been involved in copyright matters, as producers of copyrighted material, publishers, and users. Changing patterns of teaching—from analogue to digital, from in-class to remote teaching, changes in the academic publishing industry—the continuous concentration of the global market and increase in costs, together with various licensing practices, as well as changes in the law—have in recent years resulted in direct conflicts.

In the **United States**, foreign publishers challenged Georgia State University's use of electronic copies; in **India**, foreign publishers challenged Delhi University's photocopy practices; in **Israel**, a local publisher challenged the Hebrew University's photocopying practices, and in **Canada**, a publishers' collective organization challenged York University's practices. Typically, fair use / fair dealing lies at the heart of such litigation. Yet, at the same time, these legal suits meet counter-measures, such as research foundations' new requirements that the research they fund is published in open access forms, various jurisdictions consider legislative reforms, and we witness mega pirate libraries, such as SciHub. The one-day conference will discuss these cases and challenges.

Conference organizers: Prof. Michael Birnhack (TAU Law) & Prof. Ariel Katz (University of Toronto). The conference is sponsored by the S. Horowitz Institute for IP in memory of Dr. Amnon Goldenberg, at TAU Law. The event is open upon free registration.

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09:00 **Gathering** at TAU Law # 307
09:15 **Greetings**:
Prof. Sharon Hannes, Dean, TAU Law
Prof. Michael Birnhack, Director, S. Horowitz Institute for IP in memory of Dr. Amnon Goldenberg, TAU Law

09:20 – 11:00 LESSONS TO TAKE HOME
Chair: Prof. Dotan Oliar, University of Virginia

09:20 United States: Brianna Schofield, Executive Director, Authors Alliance
09:40 Canada: Prof. Ariel Katz, Faculty of Law, University of Toronto
10:00 India: Prof. Dr. Shamnad Basheer, Nirma University, Founder and Editor, SpicyIP
10:20 Israel: Prof. Niva Elkin-Koren, Haifa Center for Law & Technology, University of Haifa
10:40 EU: Teresa Nobre, Attorney-at-law and Researcher, Communia International Association on the Digital Public Domain

11:00 – 11:20 Coffee Break

11:20 – 13:00 LICENSING PRACTICES
Chair: Eden Sarid, University of Toronto

11:20 Licensing Practices and User Rights: Prof. Ariel Katz, Faculty of Law, University of Toronto
11:40 Open Access Publishing: Dalit Ken-Dror Feldman, Haifa Center for Law & Technology, University of Haifa
12:00 Academic Values and Open Access in the UK: Prof. Lionel Bently, Centre for IP and Information Law, University of Cambridge
12:20 Negotiating Licenses for Israeli Academia: Dr. Sigal Lahav Scher, Director, MALMAD - Israel Center for Digital Information Services
12:40 An Attempted License: Dr. Yafit Lev-Aretz, Information Law Institute, NYU

13:00 – 14:00 Lunch Break

14:00 – 15:20 RESISTANCE, SOLUTIONS AND UNINTENDED CONSEQUENCES
Chair: Prof. Ariel Katz, University of Toronto

14:00 The Challenges of Emerging Learning Environments: Dr. Tal Soffer, Director of Virtual TAU, TAU Education
14:20 The Double Insurgency Against the Scholarly Publishing Status Quo: Dr. Balázs Bodó, University of Amsterdam
14:40 Best Practices: Fair Use in Israeli Higher Education: Prof. Orit Fischman Afori, Dean, Haim Striks School of Law, College of Management, Academic Studies
15:00 Unintended Consequences: Users' Privacy: Prof. Michael Birnhack, TAU Law

15:20 – 15:30 Coffee Break

15:30 – 16:00 **ROUNDTABLE DISCUSSION**

Conference

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