

Report 1

Requirements for Diligent Search in the United Kingdom, the Netherlands, and Italy

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Enhancing access to 20th Century cultural heritage
through Distributed Orphan Works clearance



EnDOW

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EXECUTIVE SUMMARY

The Object of the Analysis

This Working Paper provides an analysis of the conditions under which a Diligent Search can be carried out under the laws of Italy, the Netherlands and the UK. These pilot countries are both members of Heritage Plus and of the European Union. For each jurisdiction, the analysis has determined what are the requirements for Diligent Search to locate copyright holders and in particular: a) Who can carry out a Diligent Search and on what conditions; b) What are the authoritative sources and databases to be consulted and to what extent they are accessible on line; c) What use can be made of an orphan work. This will allow the researchers, in the subsequent stages of EnDOW, to design and populate the crowd-sourcing platform that will facilitate carrying out Diligent Search for mass digitisation.

The Sources for Diligent Search

All three examined countries have implemented the Orphan Works Directive. A) The legislation allows others to carry out the Diligent Search on behalf of cultural heritage institutions; however, these will remain responsible for the Search. B) The examined national legislation provides both specific sources to be consulted in order to locate the rightholder of a potentially orphan work, and general indications on how to locate other sources (collecting societies, authors' guilds, unions and associations, national libraries, catalogues, agents, etc). C) Uses for orphans vary among countries. They include: preservation; public communication; educational purposed; personal use; 'digital' publication. Their relationship with the corresponding copyright exceptions is unclear.

Accessibility of the Sources

The Statistical analysis on the accessibility of the sources to be consulted to locate the rightholder of a work has revealed that a sizeable share of these is not freely accessible online. General Orphan Works' repositories and database are freely accessible, but authors' guilds and unions generally are not. Newspaper archives are often accessible for a fee. There is no hierarchical validity of sources by law.

Conclusion

The study suggests that individual users can carry out Diligent Search on behalf of Cultural Heritage institutions. However, in this sample little more than half of the sources for Diligent Search are freely accessible online. As a result, it is not clear how a cultural institution can clear the rights of its collections while fully complying with the requirements of the legislation. Legislative action, official guidelines or jurisprudence are needed to establish different legal value of sources for diligent search, with various degrees of optionality depending on data relevance and accessibility.

Introduction

Under the Orphan Works Directive,¹ a work or phonogram can be declared to be an ‘orphan’ only after a potential user has conducted a diligent search of the rightholders. Such a diligent search must be carried out in good faith by consulting the appropriate sources for the category of works concerned. The Directive specifies that “The sources that are appropriate for each category of works or phonogram in question shall be determined by each Member State”.²

This Working Paper provides an analysis of the conditions under which a Diligent Search can be carried out under the laws of Italy, the Netherlands and the UK. These pilot countries are both members of the Heritage Plus programme (under which this project is funded) and of the European Union. All of them have implemented the Orphan Works Directive in their legislation.³ Our analysis has determined what are the requirements established by these countries for Diligent Search to locate copyright holders. In particular the analysis has determined:

- a) Who can carry out a Diligent Search and on what conditions;
- b) What are the authoritative sources to be consulted and to what extent they are accessible to users;
- c) What use can be made of an orphan work.

The purpose of this analysis is twofold.

First, the analysis provides preliminary evidence as to the practical aspects of diligent search in the three pilot countries, and in particular it determines the scale and accessibility of the sources required by law. In this respect, the analysis will inform some policy recommendations as to the implementation of the diligent search requirement in EU member states.

Second, the analysis provides models and specifications that will be applied in the design of the Diligent Search Platform (EnDOW, Work Package 2). The platform will be initially modelled on the diligent search requirement of the three pilot countries object of this study.

¹ Directive 2012/28/EU on certain permitted uses of orphan works.

² Ibid., art. 3(2).

³ See Annex I.

Diligent Search in The United Kingdom

Legal Background

The United Kingdom has implemented the Orphan Works Directive⁴ within the Enterprise and Regulatory Reform Act 2013, in force since 2014.⁵ Moreover, a national licensing scheme has been introduced through the Copyright and Rights in Performances (Licensing of Orphan Works) Regulations 2014.⁶ While the orphan works exception only establishes a copyright exception to the benefit of public cultural institutions within their public interest mission, and it excludes stand-alone photographs from its remit, the UK orphan works licensing scheme allows for both commercial and non-commercial licensing of every type of work, for every type of use.

The UK orphan works licensing scheme runs in parallel with an Extended Collective Licensing system introduced under the new law.⁷ In addition, the scheme requires the establishment of a national orphan works register⁸ for licensing, maintained by the Intellectual Property Office (IPO), while cultural institution relying on the orphan works exception will register their works on the OHMI database. The IPO has set licensing fees depending on the use (commercial and non-commercial) and the type of work, and it will keep the revenues for 8 years, for prospective reappearing authors.

Both the exception and the licensing scheme are premised upon diligent search of the copyright holders. Diligent search requirement is met after the consultation of a number of “appropriate sources”, not further specified in the legislation. However, the IPO has compiled in its guidance for diligent search a “check list” for each type of work displaying a number of appropriated sources to be consulted.⁹ In this section, the First Progress Report of the EnDOW project will illustrate the Diligent Search Requirement and, where applicable, the practices relating to diligent search for the purpose of orphan works right clearance in the UK. In particular, we will provide empirical evidence on the accessibility of the sources that are to be consulted during a search for copyright holders. We will see that many sources, such as orphan works databases, authors’ organizations and unions, archives and directories are accessible online. However, a sizeable share of the examined sources is not

4Directive 2012/28/EU on certain permitted uses of orphan works.

5Copyright and Rights in Performances (Certain Permitted Uses of Orphan Works) Regulations 2014, S.I. 2014/2861, amending Copyright, Designs and Patents Act 1988, sec. 116D (hereinafter: the orphan works exception). See Annex I.

6Enterprise and Regulatory Reform Act 2013, c. 24, § 77, amending CDPA 1988, sec. 116A (hereinafter: the UK orphan works licensing scheme). See Annex I.

7 Ref.

8<https://www.orphanworkslicensing.service.gov.uk/view-register>. At the time of writing this database contains 280 entries (accessed 011/09/15)

9See Orphan Works Diligent Search Guidance for Applicants, U.K. INTELL. PROP. OFFICE (Sept. 17, 2014), <https://www.gov.uk/government/publications/orphan-works-diligent-search-guidance-for-applicants>.

available online and can only be consulted by contacting the database owner, via email or by phone, and in a few cases databases can only be accessed upon payment. This would certainly have an impact on the practicability of diligent searches carried out by Cultural Heritage institutions within the framework of the two orphan works schemes (normally including digitisation and online communication of their own collections).

In the United Kingdom, according to the Copyright and Rights in Performances (Licensing of Orphan Works) Regulations 2014¹⁰ “a diligent search must comprise a reasonable search of the relevant sources to identify and locate the right holder”. The relevant sources mentioned in Section 4 (3) of the Regulation (CDPA sec. ...) are : a) The orphan works register for the UK licensing scheme; b) The OHIM orphan works database; and c) The appropriate sources under Part 2 of Schedule ZA1 of the Copyright, Designs and Patents Act 1988.

Carrying out a diligent search is required both to Cultural Institutions willing to benefit from the exception and by any legal or physical person willing to licence a potentially orphan work. While there is not a minimum requirement established by law on what constitutes a “diligent” search, the IPO has issued detailed guidelines on this complex matter. The guidelines can help both the prospective applicant of an orphan work’s licence and the cultural institution seeking to benefit from the exception. They both in fact will need to search for potential rightholders of the work they intend to use. This may include literary works, films, sound recordings and still visual art (which for the purposes of the orphan works exception can only be embedded in other works).

How to Carry Out a Diligent Search

The diligent search needs to be carried out for each work in its country of origin.¹¹ Since EU Member states have to implement the Orphan Works Directive, diligent search requirement will apply to all works originating in the territory of the European Union. For works included in collections of UK institutions but originated on other countries, the foreign legislation applies. Every diligent search should start with the consultation of the OHIM database,¹² where ascertained orphan—or partially orphan—works are registered. Once a

¹⁰ Available at <http://www.legislation.gov.uk/ukdsi/2014/9780111117644/contents> (accessed 25/01/16)

¹¹ According to the directive, for literary or musical works the country of origin is the country of first publication, or, in the absence of publication the country of first broadcast, and in the absence of both publication and broadcast the country where the work was made publicly accessible by the relevant organization with the –presumable- consent of the rightholder. These arguably include unpublished works held by the cultural institutions which are beneficiaries of the exception established by the directive. For cinematographic or audio-visual works, the country of origin is the country of headquarter or habitual residence of the producer. See Article 3(3) of the Orphan Works Directive.

¹² <https://oami.europa.eu/orphanworks/> (accessed 04-12-15)

work is declared orphan in a member State of the European Union, no further search is required.¹³

Other crucial pieces of information to be found while carrying out a diligent search include the date of publication of the work and the date of death of the author. Copyright duration depends on these dates and varies between works. For example, copyright on computer-generated works lasts 50 years, as well as Crown or Parliamentary copyright, whereas copyright on human-generated works lasts 70 years (from the end of the year of the death of the author). However, special regulations apply to anonymous or posthumous works, which are generally granted copyright for 50 years from publication, with complex exceptions depending on the date of the subsequent publication (after the death of the author) and depending on the date of the death. Also extremely complex regulations are in force in the United Kingdom for Crown unpublished works, whereby copyright can last between 50 and 125 years, or till the year 2039.

In November 2013 the UK implemented the EU Term Directive¹⁴ within a Regulation on the Copyright and Duration of Rights in Performances (2013),¹⁵ which extended the copyright in sound recordings from 50 to 70 years. With this regulation, the duration of copyright in sound recording is equated to the duration of copyright for the composition of the music or the authorship of the lyrics, which expires 70 years after the end of the year of the death of the author.

Diligent search on films needs to be carried out by trying to locate the producer, the author of the screenplay, the author of the music, the author of the dialogues. In addition, often some additional authors have to be located such as those of an original scenography or costumes. Special exceptions apply for film made before the year 1957 (which are not protected as an autonomous work) and unpublished works.¹⁶

¹³The Orphan Works Directive, Article 4 states: 'Mutual recognition of orphan work status - A work or phonogram which is considered an orphan work according to Article 2 in a Member State shall be considered an orphan work in all Member States. That work or phonogram may be used and accessed in accordance with this Directive in all Member States.'

¹⁴DIRECTIVE 2011/77/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 27 September 2011 amending Directive 2006/116/EC on the term of protection of copyright and certain related rights, Official Journal L 265/1, 11.10.2011, available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:265:0001:0005:EN:PDF> (accessed 04-12-15)

¹⁵The Regulation is available at <http://www.legislation.gov.uk/ukxi/2013/1782/made> (accessed 04-12-2015)

¹⁶These exceptions are summarised in the IPO guidelines as follow: "Films made before 1 June 1957 were not recognised as a distinct work. They would have protection as an original dramatic work or individual frames treated as photographs. The soundtrack may also be protected as a sound recording, so copyright term would relate to these rights. --Crown and Parliamentary Copyright – Parliamentary copyright only exists in films made on or after 1 August 1989. Earlier films are attributed to the employee. --Unpublished works before 1989 – lasts until 31 December 2039 if the work was created but not published, performed in public or sold to the public, before 1 August 1989, and where the author is known and died before 1969, or in the case of unknown authors, where the work was created before 1969". See IPO : Orphan Works Diligent Search guidance for applicants :

Other important issues to be considered are multiple authorships or translations. In the case of multiple authors, a diligent search must be carried out for each author. When one or more rightholders (but not all) are located for a work, this is classified as partially orphan. If a work is a translation of another work, both the original creator and the translator hold some rights and both need to be located. A record needs to be kept for eight years on the actions carried out within the process of a diligent search.

The IPO provides a list of actions that would normally be taken when carrying out a diligent search, although it is specified that concrete actions will vary, depending on the nature of the work and on the circumstances. The actions to be normally carried out are the following:

- Applicants **must** complete and submit the diligent search checklist with each application
- Applicants for an orphan works licence will need to maintain a record of the diligent search. If an applicant is successful in their application, this evidence should be retained by the licensee for a minimum of eight years. Other supporting evidence such as correspondence (letters, e-mail, telephone, etc.) should also be retained.
- If possible, in the first instance, an applicant should always contact the creator of the work. If the creator is not the right holder they might know who holds the rights.
- Where the creator cannot be found applicants should attempt to consult multiple sources to validate information.
- When consulting the most appropriate sources to search for a particular work, an applicant might uncover further information on the right holder. This new information could be used in other sources that were previously ruled out so an applicant should consider revisiting the suggested sources to see if these are now appropriate.¹⁷

An important caveat to keep into account when running a diligent search for a work originated in the UK is that within this jurisdiction the rightholders are not under obligation to respond to a request of permission of use. This means that if a rightholder is located and contacted in writings by the applicant of a licence (or a cultural institution) and he or she does not provide a response, a licence cannot be obtained and the work cannot be used. The licensing authority for orphan works is not a dispute resolution body and therefore cannot decide on potential disagreements between the applicant and the rightholder. In the event of a contention, appropriate mediation bodies or courts need to be solicited.

Film and Sound', available at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/474399/orphan-works-film-and-sound.pdf (accessed 04-12-15) p. 5

¹⁷IPO : Orphan Works Diligent Search guidance for applicants : literary works', available at

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/474401/orphan-works-literary-works.pdf (accessed 04-12-2015), p. 10.

Accessibility of Sources for Diligent Search

The Guidelines on Diligent Search issued by the IPO, in addition to the above-mentioned and summarised general guidelines, provide a detailed list of “appropriate sources” to be consulted in the process of locating the rightholder for each separate type of work. We have counted a total of 211¹⁸ sources which include orphan works registries, general authors registries (such as WATCH), collecting societies data banks, unions or associations of authors and publishers, Agents, Guilds, international unique identifiers, general, legal, and newspaper archives, etc. The number does not include general indications such as “general internet searches”, “databases and catalogues”, “art universities alumni”. We found that 70% of these sources are freely accessible on line, whereas 22% of the sources could not be accessed and needed a contact to be made with the source’s owner to pursue the inquiry. Some sources, although freely accessible, are only available on site (2%), in a bookshop or in a library (on dedicated terminals), whereas other sources only granted a partial (1%) or paying (4%) access online. Orphan Works databases, international standards, General repositories and national libraries, agents, catalogues and some guilds and authors’ associations are freely available online, whereas most authors’ guilds, unions, and associations are not. Most newspaper archives are available either partially or for a fee.

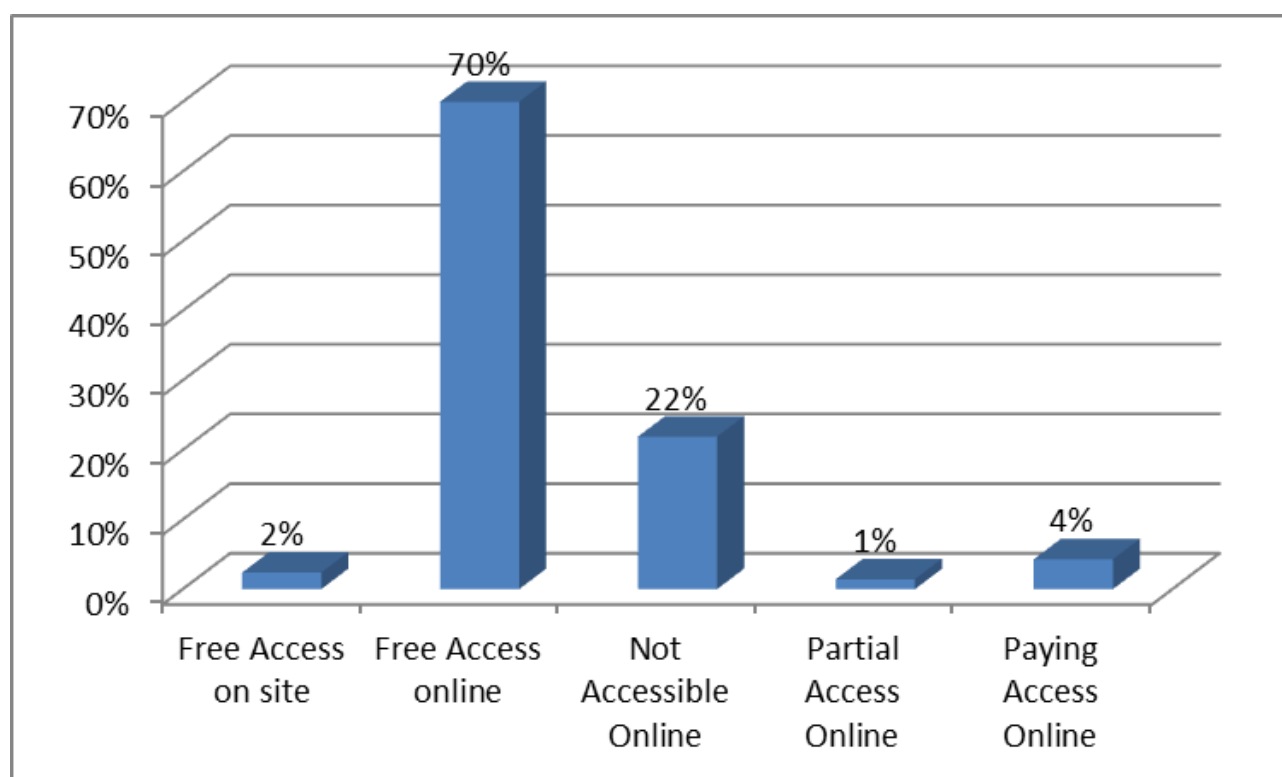


FIGURE 1 - ACCESSIBILITY OF SOURCES FOR DILIGENT SEARCH IN THE UK

¹⁸See APPENDIX I

The analysis of the sources has been also broken down by individual type of work. Here we found that the highest figure for online accessibility (75%) is reserved to published books and published visual art(standalone visual art: 74% and still visual art embedded in published books : 73%) whereas music (sound recordings) has only 69% of online accessibility. Between 68% and 65% of the sources for Diligent Search on stage plays (literary works), newspapers, magazines and similar publications, unpublished still visual art, films, audiobooks and other sound recordings (apart from music) are accessible online. Other unpublished works such as films and sound recordings (61%) and literary works (62%) have even less accessibility online. The lowest accessibility (53%) is found for sources instrumental to identify the author of a film. Perhaps not surprisingly, the data shows that accessing sources in order to locate the author of an unpublished works is more cumbersome and expensive, as they display the highest percentage of paying access online (16%) and partial access online (5%).

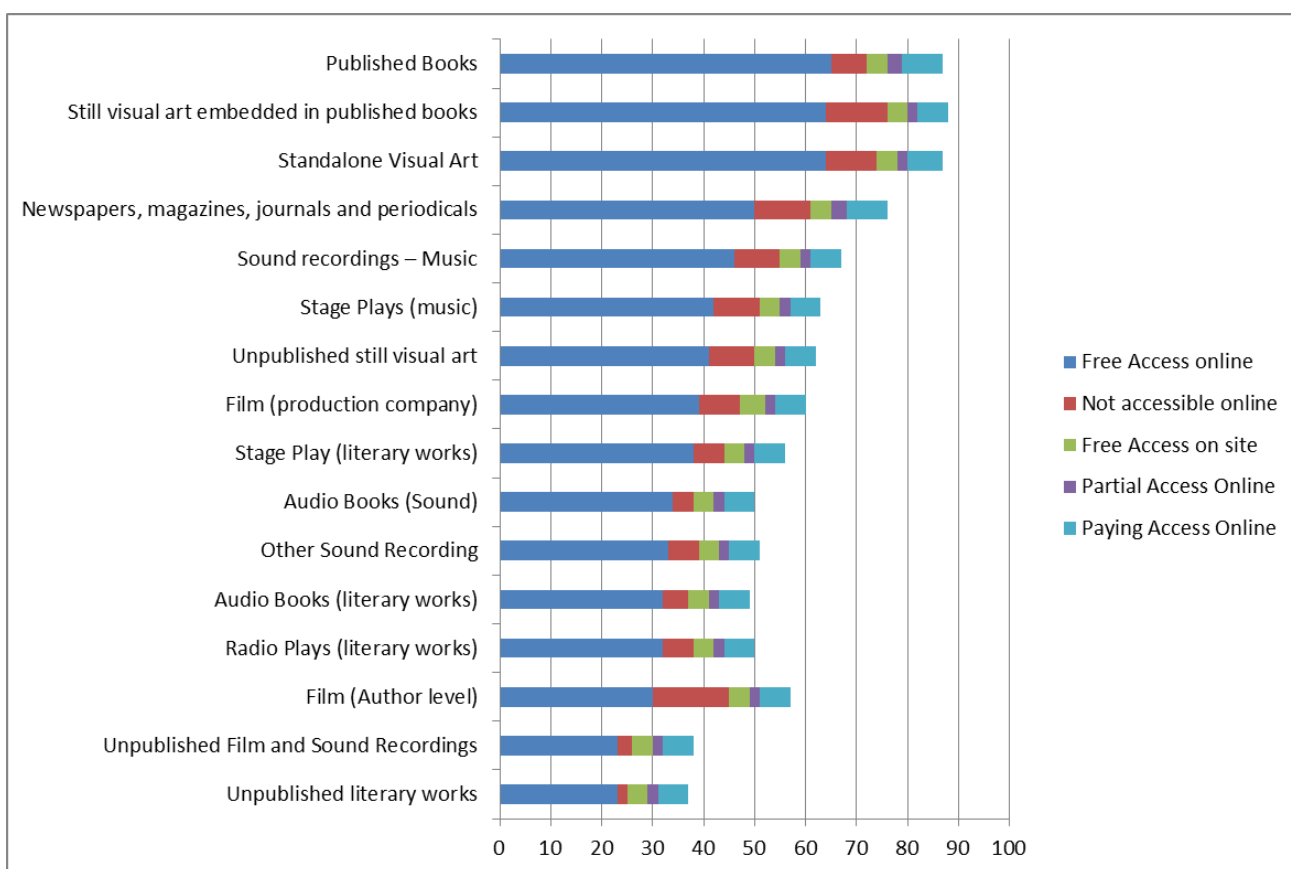


FIGURE 2- ACCESSIBILITY OF SOURCES FOR DILIGENT SEARCH BY TYPE OF WORK – ABSOLUTE NUMBERS (THE CATEGORIES ARE DERIVED FROM THE IPO GUIDELINES)

Possible use of Orphans

At the time of writing,¹⁹ the UK Orphan works Register has received 301 licence applications. 42 of these have been withdrawn, while three are still pending. All the remaining applications have been granted. Uses allowed by a standard license under this scheme are the following:

- Free hand outs for live event, exhibition or similar
- Use in a live event, exhibition or similar
- In newsletter, bulletin, e-newsletter or e-bulletin
- In non-commercial promotional material – print and digital
- Digitise and make available on-line, including on social media
- Preservation purposes
- Use on stage or in performance
- Educational purposes – use in learning/ training materials, including e-learning
- Use in thesis/dissertation
- Personal use
- Digital publication

In the UK, cultural institutions intending to benefit from the exception of the Orphan Works Directive are in the process of clearing the rights of their collection by accessing the sources recommended by the IPO, when allowed by their budget and their human resources.²⁰ At the time of writing²¹ the OHIM Orphan Works Database contains 1420 entries. 53 works have been uploaded by British Institutions (42 by the British Library). These are mostly literary works (49 literary works and 4 cinematographic works).

Conclusion - UK

Overall, our preliminary findings suggest a scarce accessibility of the sources that have to be consulted in order to carry out a Diligent Search such as the one mandated by Regulation. This might have a relevant impact on the viability of large scale digitisation projects carried out by cultural institutions that do not opt for Extended Collective Licensing schemes.

¹⁹ Last access to the UK Orphan Works Register: 25/01/16.

²⁰ This information is retrieved by the cultural institutions that are EnDOW Associated Partners. More detailed information will be retrieved during a subsequent stage of the project, exploring Diligent Search best practices.

²¹ 25/01/2016.

Diligent Search in the Netherlands

Background

The 2012 Orphan Works Directive (OWD) was implemented in the Netherlands by the law entitled 'Wet van 8 oktober 2014 tot wijziging van de Auteurswet en de Wet op de naburige rechten in verband met de implementatie van de Richtlijn nr. 2012/28/EU inzake bepaalde toegestane gebruikswijzen van verweesde werken'.²² It adds the articles 16o-16r and article 17 to the Copyright Act ('Auteurswet' or Aw). The same rules are implemented in the Neighbouring Rights Act ('Wet Naburige Rechten' or WNR) by adding article 10l, which in turn refers back to the relevant articles in the Copyright Act.²³ Overall, the amendments define the scope of the exception in terms of works covered; institutions which can rely on it; as well as the diligent search and its reporting requirements. The details of the diligent search were published later the same year in the 'Besluit van 16 oktober 2014 houdende nadere regels over het uitvoeren van een zorgvuldig onderzoek in verband met de Richtlijn nr. 2012/28/EU inzake bepaalde toegestane gebruikswijzen van verweesde werken (Decree zorgvuldig onderzoek verweesde werken)'. Overall, the implementation is in conformity with the Directive.

Implementation of the Orphan Work Exception

As the Neighbouring Rights Act refers back to the substantive rules of the Copyright Act, this report will focus on the Copyright Act. In article 16o Aw, the scope of the orphan works exception is defined. It allows specific institutions to reproduce and make literary, musical and film works available online,²⁴ if these are orphan.²⁵ The amendments to the WNR expand this coverage to the first fixation of films, phonograms and performances.²⁶ A work is considered orphan if the right holder is unknown and/ or cannot be located after a diligent search for the right holder has been carried out.

The exception is designed to facilitate the activities of cultural heritage institutions. It is available to publicly accessible libraries, educational institutions and museums; as well as archives and cinematographic or audio- visual cultural heritage institutions which do not have a direct or indirect economic or commercial goal.²⁷ Its scope is limited to those activities which form part of the institution's public mission, especially archiving,

²² chapter 6: 'Exceptions to Copyright'.

²³ Art. 16o- art. 16q and art. 17 Aw

²⁴ It is clarified in art. 16r Aw that this *beschikbaarstellen* refers to online use, by using the definition of the making available right. Art. 10l does not refer back to art 16r and therefore the usual definition in the WNR (found in art. 1(m)) applies which however also includes online use.

²⁵ Art. 16o(1) Aw

²⁶ 10l WNR

²⁷ Art 16o(1) Aw, art. 10l WNR

restauration and cultural or educational purposes.²⁸ In line with this, the work has to be part of the institution's own collection.²⁹

The scope of the exception is further narrowed by rules on the nature of the work. On one hand, if a work has already been communicated to the public, the first communication must have occurred within the EU or EEA.³⁰ In the special case of works which are part of a broadcast by a public service broadcaster,³¹ the work must have additionally been communicated to the public before 1/1/2003.³² On the other hand, if a work has not been communicated to the public, then the exception is only applicable if the right holder had authorised the inclusion of his work in the institution's collection. It should also be reasonably assumed that the right holder would not object to the activities.³³

Even if an institution as well as the work meets all of the formal requirements, the exception is only effective after a diligent search for the right holder has been carried out.³⁴ It should be noted here that it is the institution relying on the exception which has to carry out the search. Recital 13 of the OWD was not transposed into law.³⁵ The search has to be carried out for every work as a whole as well as for works which are embedded in it, by consulting the relevant sources.³⁶ These sources vary according to the type of work in question as well as by jurisdiction. In general, the diligent search has to be carried out in the member state where the first communication to the public has occurred.³⁷ If the work has not been communicated to the public yet, then the jurisdiction of the institution in whose collection the work is held is relevant.³⁸ Finally, for audio-visual works, it is the member state where the producer has his usual residence.³⁹ It should be noted though that these jurisdictional lines are not absolute. In particular, if there is evidence that right

²⁸ Art. 16o(1)(c) Aw

²⁹ Art. 16o(1)(a) Aw

³⁰ Art. 16o(1) Aw

³¹ The term public service broadcaster follows the definition of the chapter 2 in the 2008 Media Act (10I WNR).

³² Art. 17 Aw

³³ Art. 16o(3) Aw. The further limitation of limiting the applicability of this provision to works deposited by 29 October 2014 under art 1(3) OWD has not been implemented in the Netherlands. *Memorie van Toelichting Kamerstukken II* 2013/14, 33982, 3, p. 4.

³⁴ Art. 16o(1)(b) Aw

³⁵ According to the OWD, the search may also be carried out by other organisations (recital 13 OWD), but this has not been implemented in the Netherlands. The issue is not further discussed in the *Memorie van Toelichting*.

³⁶ These sources are not defined in the implementation law itself but rather the *Besluit van 16 oktober 2014 houdende nadere regels over het uitvoeren van een zorgvuldig onderzoek in verband met de Richtlijn nr. 2012/28/EU inzake bepaalde toegestane gebruikswijzen van verweesde werken*. For a more detailed discussion of these, see section *Diligent Search*.

³⁷ Art. 16p(2) Aw

³⁸ Art. 16p(3) Aw

³⁹ Art. 16p(2) Aw

holders can be identified by searching sources in another member state, then these sources have to be consulted as well.⁴⁰

The results of a diligent search have to be reported by the cultural heritage institution to the Dutch government, in particular the Minister of Education, Culture and Science. The report on the diligent search has to identify the methodology used, the institution's contact information, as well as (if relevant) any change in the work's status as orphan.⁴¹ The Dutch orphan works database is to be maintained by the Rijksdienst Cultureel Erfgoed but it is not functioning yet. The government will also transmit the information to OHIM.⁴² Once a work has been included in the OHIM database, its orphan works status is mutually recognised, making an additional diligent search unnecessary.⁴³

The Diligent Search

The details of the diligent search were published in the Besluit zorgvuldig onderzoek verweesde werken. The decree is essentially a translation of the OWD annex as it follows the same structure and content. The sources to be consulted are divided according to the type of work for which a diligent search is carried out. In particular, it distinguishes between published books, newspapers and other magazines, visual works, audio-visual works and phonograms. For each one of these groups, categories of databases which are to be searched are named.

For written or printed works, the lists are essentially cumulative, in the sense that they are based on each other. Starting with the sources for published books, the decree lists the following categories:

- 1) Royal Library catalogue
- 2) databases of publishers' and authors' associations
- 3) databases and registers of authors, artists and copyright holders
- 4) ISBN databases and other databases covering published books
- 5) CMO databases, especially those CMOs handling reproduction rights
- 6) databases and registers on international keyword lists as well as accessible registers Orphan Works rights

As the list demonstrates, the terminology used is unspecific and open-ended, for example it refers to the 'databases of publishers and authors' without naming the institutions this

⁴⁰ Art. 16p(4) Aw

⁴¹ Art. 16p (5) Aw. Although the decree does allow for further rules to be made by the Minister, this provision has not been used yet. Art 3(2) Besluit zorgvuldig onderzoek verweesde werken.

⁴² Art. 16p(5) Aw

⁴³ Art. 16p(6) Aw

would entail. There is also not any official guidance available.⁴⁴ This means in practice that a list has to be compiled by the searching institutions. They have to identify all relevant databases which fall into a certain category by searching for organisations which represent certain types of right holders.

An extensive search by the EnDOW project identified 32 databases which should be consulted. Of these, only 69% are directly accessible online. In other words, for 31% of the sources an online search is not possible. Most notably, it tends to be smaller organisation with more limited membership which make their membership public. In particular the large organisations with the broadest membership such as the Nederlandse Uitgeversbond and LIRA, the main CMO in the field, are not among the group that provides online access to its databases. In other words, the most essential databases cannot be directly searched. For these, direct contact is required- either by email or mail, making the process more time and resource consuming. It should be noted that the main orphan work registers are also not available yet in the Netherlands.

The search for magazines and newspapers draws on the sources for published books but adds more sources:

- 1) Source 1 through 5 named above
- 2) database of the international standard number for serial publications (ISSN)
- 3) databases by publishers, authors and journalists associations.

While the categories of databases covered are the same, the list reflects the fact that the newspaper and magazine sector has its own associations covering the key right holders. However, the boundary between publishing newspapers or magazines and books is fluent in practice, explaining the cumulative nature of the list. Overall, the number of relevant databases increases to 39. Of these, 24 (59%) are directly accessible online and therefore less than for published books. In particular, the Nederlandse Vereniging van Journalisten and the ISSN databases are the only sector specific databases which can be searched online. CMO databases are again not accessible.

Art works are only covered to the extent that they are included in a book or a magazine. Following the same cumulative approach as magazines, the diligent search here requires a search of all sources relevant to the book (part a) and the magazine (part b). In addition, databases on artists have to be consulted:

- 1) the sources named in a and b
- 2) databases by artists' associations
- 3) CMO databases for artists, especially those handling reproduction right

⁴⁴ The parliamentary debate does mention a homepage to this end but this has not been implemented yet. Nota naar aanleiding van het verslag *Kamerstukken II* 2013/14, 33892, 6, p. 7.

- 4) where applicable, databases of image and photography agencies

The list of relevant sources now increases to 48, of which 30 (62%) are directly accessible online. The average is therefore higher than for magazines but still significantly lower than for books. However, the real difference here is that the CMO Pictoright provides access to its database. As a result, the coverage of an online search is significantly larger than for the other right holder groups.

The Dutch decree provides the sources for phonograms and audio- visual works together in one list, without referring back to the sources of other categories of works in the same way.

- 1) media archive (as maintained by Media Law 2008, in practice Beeld en Geluid)
- 2) databases of producer associations or other associations which represent a specific category of right holder in these works
- 3) databases of institutions for cinematographic or audio- visual heritage and public libraries
- 4) databases with standard and identification codes, e.g. international standard number for audio- visual works, international standard work for musical works and international standard code for sound recordings
- 5) CMO databases, especially those of authors, performing artists, producers of phonograms and audio- visual producers
- 6) information on the work, including the credit list of participators

Overall, 45 sources were identified. Of these, only 42% (19) are directly accessible online. This is less than half of the sources which are deemed relevant to a diligent search. Most notably, BUMA/ STEMRA is the only CMO providing access to its database, in an environment which is highly fragmented and includes an unusually high number of relevant CMOs (at least 12 have some connection). In addition, the percentage of directly accessible sources is significantly lower than for the other categories covered by the orphan works exception. This leads to the conclusion that clearing audio-visual works and phonograms is more onerous in practice.

Conclusion - NL

To summarise the diligent search in the Netherlands, overall 52% of the sources are directly accessible online. In addition, a very small number are either partially accessible or will be available in the future. Furthermore, some are accessible via subscription. However, the overall of percentage of these alternatives is too small to have a noticeable effect. 44% of all databases are not directly accessible online and instead require direct contact with the organisation.

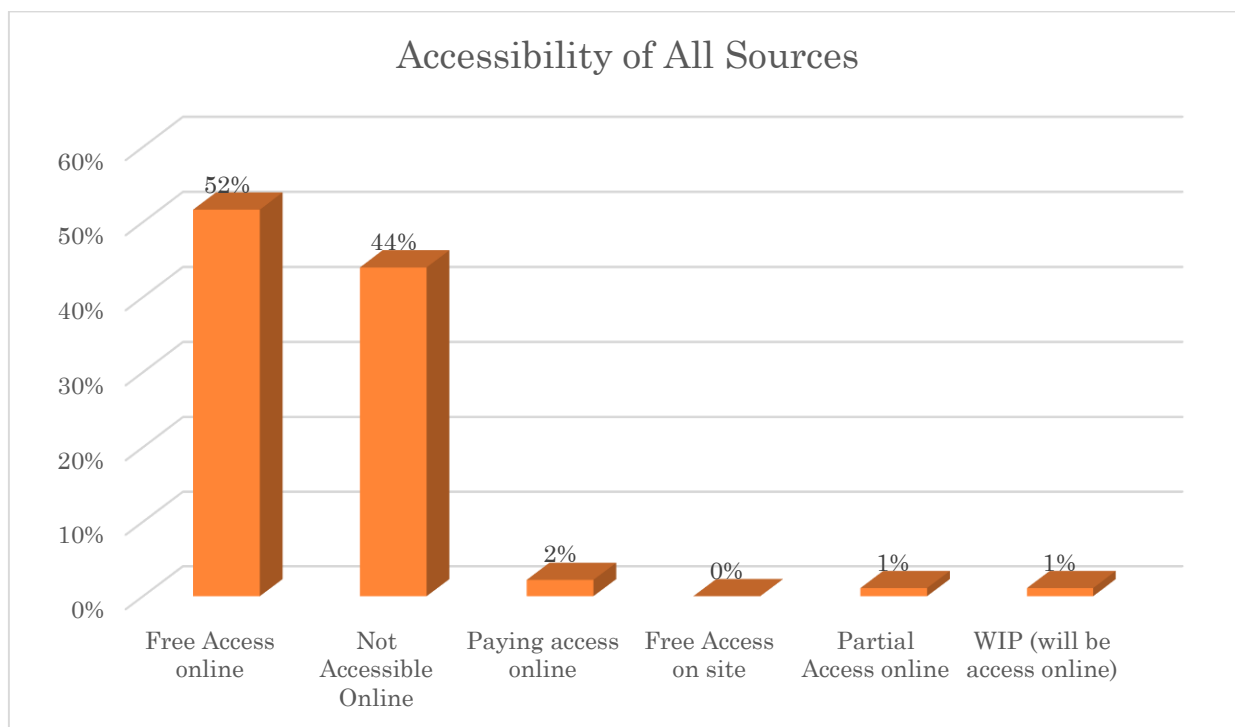


FIGURE 3 – ACCESSIBILITY OF SOURCES IN THE NETHERLANDS

In addition, the accessibility varies significantly between work types. The percentage of directly accessible databases is highest for published books, followed by visual works and newspapers. This is not surprising, given the cumulative nature of the source lists for these three categories. Databases on audio- visual works on the other hand tend to be not directly accessible online.

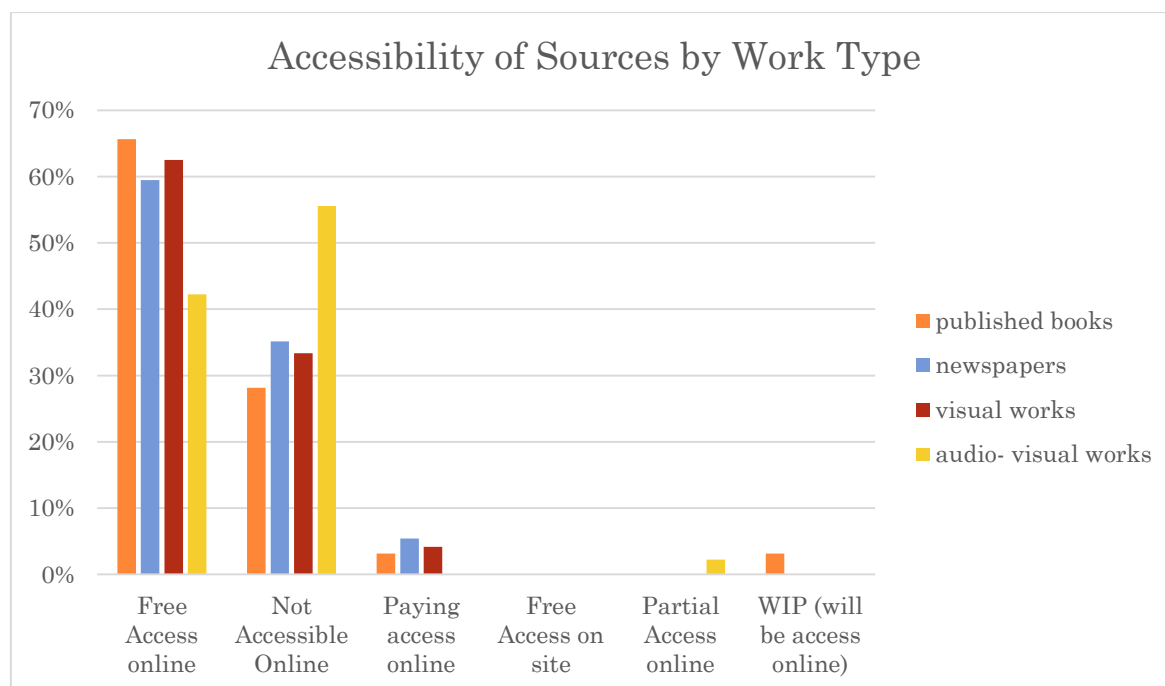


FIGURE 4 – ACCESSIBILITY OF SOURCES BY WORK TYPE - THE NETHERLANDS

A number of additional findings need to be highlighted. First, the structure of the sources ensures that a right holder is searched from all possible angles. The sources cover the largest catalogue in the area (Royal Library for printed works, Media Archive for Audio-Visual Material and Phonograms); the right holder as such (CMOs, representative associations, etc) and the work as such (general work identifiers such as ISBN/ ISSN, standard code for phonograms among others). By combining both law and industry practice,⁴⁵ the structure aids non- specialists as it ensures that at least the relevant groups of right holders are always covered.

Having said this, the only specific source mentioned is the catalogue of the Royal Library while further guidance from the government is not available. A homepage with further information has been mentioned in the parliamentary debate, but this has not materialised yet.⁴⁶ In fact, it was always intended that the institution itself needs to decide which sources are relevant to a particular work.⁴⁷

This open- ended approach has both advantages and disadvantages. While it limits the need for future amendments in the light of industry changes, it also carries the pronounced risk that important institutions are missed. In this case, the institution could be exposed to

⁴⁵ For example, the list requires the institution to search for publishers which hold rights as a result of transfers rather than by the operation of copyright law as such.

⁴⁶ Nota naar aanleiding van het verslag *Kamerstukken II* 2013/14, 33892, 6, p. 7.

⁴⁷ *Ibid.*

significant risks as the whole diligent search may be deemed void, exposing it to infringement claims. It also has the potential to increase the cost of the diligent search unnecessarily as minor organisations may be consulted which are unlikely in practice to hold relevant information.

Secondly, key databases are not publicly accessible. As a result, these organisations have to be contacted by email or mail, raising the cost of the diligent search in terms of man power, time and other resources significantly. It is at this stage doubtful if a phone call to the organisation would be sufficient as the guidelines for the diligent search report have not been published yet. The lack of paper trail proving the search result may negate this option in practice. The impact is amplified as not even those organisations tasked with licensing provide the necessary information online, with the exception of Pictoright and BUMA/STEMRA. Having said this, CMOs have agreed in principle to provide membership lists in the context of ECL schemes.⁴⁸ This may serve to alleviate the pressure in the future.

Finally, it should be remembered that the jurisdictional boundaries are not absolute. If there is evidence that right holders can be identified by searching sources in another member state, then these sources have to be consulted as well. This means if right holders can be found in more than one member state, the sources for several member states have to be searched. The result is a significant increase in the cost of the search. Not only does the number of sources increase, practical issues such as the language barrier may add difficulty to the search. Furthermore, even if a work has been identified as orphan, this status can change if a right holder identifies himself. In this case, the use ends and reasonable compensation has to be paid by the institution to this right holder according to the uses made of the work.⁴⁹ In the light of the high diligent search cost, these provisions may rise to prominence when institutions decide what to digitise and make available and what not. Either way, the cost of the uncertainty is borne alone by the institution.

It should be noted though that the prohibitive effect of the high search costs have always been recognised. This is most clearly seen in Dutch cultural heritage institutions pushing for and relying on ECL- style solutions rather than the OWD.⁵⁰ From this point of view, the very general list could be read as meeting the cultural heritage institutions' preference of *redelijkheid* (reasonableness) and *billijkheid* (equity) that they have requested in the consultation process.⁵¹

⁴⁸ Kenniscentrum Digitaal Erfgoed, '*Uitgangspunten voor collectieve overeenkomsten voor online toegang tot erfgoedcollecties*' (available at:

http://www.den.nl/art/uploads/files/130910Uitgangspunten_def.pdf, last accessed 12/1/16).

⁴⁹ Art. 16q Aw

⁵⁰ Nota naar aanleiding van het verslag *Kamerstukken II* 2013/14, 33892, 6, p. 12. The Royal Library for example relies on ECL schemes rather than the Orphan Works exception.

⁵¹ See for example: A. Beunen, 2011, '*Gezamenlijke reactie van Nederlandse erfgoedinstellingen op de consultatie over het Europese Richtlijnvoorstel Verweesde Werken*' (available at https://www.internetconsultatie.nl/verweesde_werken/reactie/6098/bestand, last accessed 11/1/16), p. 2 and pp. 5-6; H.G. Kraai, 2011, '*Reactie van het Nationaal Archief t.b.v internetconsultatie*

Diligent Search in Italy

The Italian Framework

Directive 2012/28/EU providing for permissible uses of orphan works (hereinafter also the “**Directive**”) was implemented in Italy with Legislative Decree No. 163 of 10 November 2014.⁵² The Decree introduced new articles 69-bis to 69-septies in the Title I, Chapter V of the “Italian Law on the Protection of Copyright and Neighbouring Rights” (Law No. 633 of April 22, 1941, hereinafter also the “**Italian Law**”).⁵³

Therefore, Italian Law has introduced a special regime for orphan works within its list of exceptions and limitations to copyright – instances where an in-copyright work can be used even without authorization of the legitimate right-holders.

From a general point of view, Italian Law is extremely faithful to the text of the Directive.

According to the Italian Law (Article 69-*quater*), a work or a phonogram can be considered “**orphan**” if, after a diligent search performed and registered according to the law (see *infra*), none of the right-holders can be identified or, even if they are identified, it is not possible to find or contact them. In the case of a work with multiple right-holders – if only some of them are identified and found – the work is considered partially orphan.

Pursuant to Article 69-*bis* of the Italian Law, the **beneficiary organizations** are: libraries, educational institutions and museums accessible to the public, as well as archives, institutes for film and sound heritage and public service broadcasters.

Not all orphan works are susceptible of use under the conditions provided for by the new special regime. Art. 69-*ter* of Law no. 633/1941 limits its application to some **categories of work or material**, which are: books, journals, newspapers, magazines or other publications, film or audio-visual works, and phonograms held in the collections of libraries, educational institutions and museums accessible to the public, as well as the collections of archives and institutes for Film and Sound heritage; film, audio-visual works and phonograms produced by public service broadcasters up until 31 December 2002 as they are part of their archives (art. 69-*bis*, comma 1 of Law 633/1941); works and other copyrighted contents that are included by, incorporated in, or form integral part of the abovementioned works and phonograms.

Richtlijnvoorstel Verweesde Werken (available at:

https://www.internetconsultatie.nl/verweesde_werken/reactie/6084/bestand, last accessed 11/1/16), p. 1; AGCM van Nispen, 2011, ‘*Reactie NL Internetconsultatie verweesde werken-Stichting DEN en de richtlijn*’ (available at: https://www.internetconsultatie.nl/verweesde_werken/reactie/6094/bestand, last accessed 11/1/16), p. 2.

⁵² The text of the Decree can be consulted at: <http://www.gazzettaufficiale.it/eli/id/2014/11/10/14G00179/sg>

⁵³ The text of the Law can be consulted at: <http://www.normattiva.it/uri-res/N2Ls?urn:nir:stato:legge:1941-04-22:633!vig=>

The Legal Requirements for Diligent Search

With the Directive, the legal requirement to consider the work an “orphan” under the Italian Law is the “diligent search” to be performed in order to identify the legitimate right-holders. The search must be conducted before making any use of the work. It requires consultation of “appropriate sources” to identify and locate the right-holder.

Art. 69-septies of the Italian Law provides for a non-exhaustive, **illustrative list of these sources**. Then, in Italy, research on a work to determine whether it qualifies as an orphan must be conducted at the *Registro Pubblico Generale delle Opere Protette presso il Ministero dei beni e delle attività culturali e del turismo* for all works (Art. 69-septies (1)(a)). The Italian legislator also lists specific sources, depending on different categories of works, which are: (i) published books, (ii) newspapers, magazines and journals, (iii) visual works, including art objects, photography, illustration, design, architecture, sketches of these works and other materials reproduced in books, magazines, newspapers and magazines or other works; and (iv) audio-visual works. In particular, for published books, the search must be conducted using the following resources (See Article 69-septies (1)(b)): *Sistema Bibliotecario Nazionale* (the National Library System), national associations of publishers and authors, if known, and literary agents operating in Italy; the legal deposit registry; the database of the Italian ISBN agency for published books and publishers; the WATCH (Writers, Artists and Their Copyright Holders) database; the SIAE database (*Società Italiana degli Autori e degli Editori*); the CLEARedi service (*Centro Licenze e Autorizzazioni per le Riproduzioni Editoriali*); and the *Anagrafe Nazionale Nominativa dei Professori e dei Ricercatori e delle Pubblicazioni Scientifiche* (National Register of Registered Professors and Researchers and Scientific Publications).

These sources may be accessed directly or through integrated research via VIAF - Virtual International Authority Files or ARROW - Accessible Registries of Rights Information and Orphan Works (see art. 69-septies (1)(b)(8) of the Italian Law). For material published in newspapers, magazines and journals, the search must be conducted using the following resources (see art. 69-septies (1)(c)): the ISSN (International Standard Serial Number) for periodicals, indexes and catalogues of historical collections and library collections, the legal deposit registry, national associations of authors and journalists, databases of collecting societies.

For visual works the search must be conducted using the following resources (see art. 69-septies (1)(d)): published books, newspapers, magazines and journals, databases of collecting societies and, if appropriate, databases of photographic agencies. For audio-visual works, the search must be conducted using the following resources (see art. 69-septies (1)(e)): the legal deposit registry, national associations of producers, databases of film and audio heritage institutions or national libraries, databases with relevant standards and identifiers such as ISAN (International Standard Audio-visual Number) for audio-visual materials, ISWC (International Standard Music Work Code) for musical compositions and ISRC (International Standard Recording Code) for phonograms; databases of collecting societies,

the list of those involved in the production and other information on the product packaging, databases of other relevant associations which represent specific categories of rights-holders. Please note that a list of web-links to some of the sources listed by art. 69-septies of the Italian Law is available on the Ministry of Culture's website.⁵⁴

It is important to stress that, pursuant to the Directive and accordingly the Italian Law, the search will have to be conducted in the Member **State of first publication** or – in case of unpublished works – in the state of first release of the work. This implies that the search will be considered “diligent” only when it meets the diligent search requirements established by the law of the state of first publication. For film and audio-visuals, the search is conducted in the country where the production house has its legal seat or habitual residence.

For what concerns the **subjects who can perform the diligent search**, the Italian Law (Article 69-*quater*) identifies two categories: the beneficiary organizations themselves or other subjects previously identified by them according to principles of good faith and professional correctness.

Under the Directive, at OHIM (Office for the Harmonization of the Internal Market) is established a **publicly accessible online database**⁵⁵ registering: (i) the diligent searches that have resulted in a declaration of “orphan work” status; (ii) the use that beneficiary organizations make of the work; (iii) any change in the status of the work used by the organization and (iv) the contact information of the involved associations. In addition, Italy has provided for the establishment of a **diligent search database** to be established within the Ministry of Culture. The database is currently under construction. The national database will be the national authority in charge of transmitting the results of diligent searches to OHIM.⁵⁶

Please consider that the diligent search - to be performed in order to recognize a work as “orphan” - need to be carried out by the organizations identified by the Italian legislator, in the timing and with the modalities identified by the Italian legislator, using the sources identified by the Italian legislator or other relevant sources identified with Decree of the Ministry of Culture (see Article 69-*quater*). The law probably exceeds in the level of protection granted to right-holders by providing for a detailed list of activities that need to be carried out before the search can be considered diligent. In any case, if the **legitimate right-holder** reappears he/she will always be able to claim – also before a judge – the paternity of the work and to obtain damages for the unauthorized uses of the work that have been made before his reappearance.

⁵⁴ http://www.librari.beniculturali.it/opencms/opencms/it/Opere_Orfane/pagina_0001.html

⁵⁵ Accessible via the OHIM website (<https://oami.europa.eu/orphanworks/>).

⁵⁶ See DGBIC (Direzione Generale Biblioteche e Istituti Culturali) report at: http://www.librari.beniculturali.it/opencms/opencms/it/Opere_Orfane/

The lack of courage of the Italian implementing legislation can however be seen as a mere reflection of the lack of courage of the Directive. As with the Directive, the Italian implementing legislation provides very limited opportunities for the involvement of private partners in the activities of digitization and commercial exploitation of the digitized works and generates excessive uncertainties with regard to the orphan works status as libraries always run the risk of having to compensate re-emerging right-holders. As already mentioned, in fact, the right-holders can at any time (also after a diligent search has been conducted and the work digitized) claim his/her rights on the work and be entitled to **compensation**. Pursuant to the Italian Legislation (see Article 69-*quinquies*), the amount and the modalities of the compensation shall be agreed between the representative associations of the right-holders and the representative associations of the beneficiary organizations mentioned in paragraph A) above.

The dissuasive effect that this provision might take on cannot be underestimated, especially in the absence of possibilities for the commercial “exploitation” of digitized works. Pursuant to Article 69-*bis*, **any revenues** generated through the use of the orphan works shall be used only to cover the costs for digitizing the works and for making them available to the public. As such, the Italian legislation does not seem to provide for an adequate regulatory scheme to favour mass digitization, running the risk of excessively burdening the potential users of orphan works.

Possible Uses of "orphaned" Works

With particular regard to **possible uses** of orphan works, the new special regime provided for by art. 69-*bis* of Law 633/1941 allows libraries and other abovementioned beneficiary organizations to use the orphan works by:

copying them for digitization, indexing, cataloguing, preservation or restoration purposes;
making them available to the public to enhance public access to the works.

These two permitted uses must in any case be functional to the public interest purposes pursued by the “digitizing” organizations and potential revenues generated through the use of orphans must be devoted to covering costs undergone for the digitization and diffusion of the same works.

The Italian Law, as the Directive did, says nothing about the possible “**business models**” behind mass digitization. It does not provide incentives for libraries to generate funds, nor for private partners to participate. Hence, it seems to assume that digitization must be financed through public resources.

It is worth noting that with Directorial Decree 17 November 2015,⁵⁷ the Italian Ministry of Culture has established, within its General Direction on Libraries and Cultural

⁵⁷ The text of the Decree can be consulted at:

<http://www.librari.beniculturali.it/opencms/export/sites/dgbid/it/documenti/Normativa/DecretoTavolotecnicoConcertazione17-11-2015.pdf>

Institutions, a **technical negotiation unit on orphan works**.⁵⁸ The unit is in charge of promoting initiatives to inform and spread awareness about the Directive, the operation of the National database and the European database at OHIM. More specifically, the Unit will: produce guidelines on diligent search for the different categories of work; promote initiatives for the identification of orphans within the collection of beneficiary organizations; identify the responsible subjects for each relevant sector.

The Accessibility of the Sources

The mapping of the Diligent Search sources for the purpose of developing an online diligent search clearing platform within EnDOW has been completed in **two steps**:

- In a first phase, the focus has been on the sources identified by art. 69-septies of the Italian Law and re-published on the Ministry of Culture's website (see note 3 below).
- In a second phase, the mapping has been expanded on the model of the British matrix as to include authors associations, literature agencies, guilds, ghost-writing agencies and genealogy websites, and a listing of major Italian libraries, museums, academies, and cultural institutions.

As already mentioned, the Italian Law identifies several sources, divided among four macro-categories: Published Books, Newspapers Magazines and Periodicals, Visual Works, and Audio-visual Material. The Ministry of Culture also indicates that a Register of all the Orphan Works in Italy will be soon available. The first source identified by the Law is the *Registro Pubblico Generale delle Opere Protette* (General Public Registry of Protected Works) established within the Ministry, whose consultation is recommended for each category of work, but which is only accessible on site. The study has further showed that a few sources indicated by the Law were not functioning. The most notable example appears to be the SACT (*Scrittori Associati di Cinema e Televisione*), as the association was dissolved in 2013.

Another problem encountered during the mapping is the incomplete information about the stage of digitization of catalogues in Italy. For instance, the two Legal Deposit libraries – *Biblioteca Nazionale di Firenze* and *Biblioteca Nazionale di Roma* – have not been able to digitize their catalogues in full. To overcome this issue, two values were introduced: “Partial Access online” and “Partial Access on site”.

The second phase of the mapping – expanding beyond the sources identified by the Law – has privileged sources as “institutionalized” as possible (i.e. official websites of libraries and museums, etc.). Furthermore, these sources often contained links to further databases, cultural institutions, and archives that have also been included in the list. For example, the official website of the *Biblioteca Nazionale di Napoli* listed several links to national and international institutions with archives and search tools which were considered useful for the Diligent Search. This further expansion of the original database was as broad as

⁵⁸ See DGBIC (*Direzione Generale Biblioteche e Istituti Culturali*) report at: http://www.librari.beniculturali.it/opencms/opencms/it/Opere_Orfane/

possible, trying to include as many sources as possible even if potentially redundant with existing ones. For example, catalogues and search tools of scientific libraries were included, even if – at least regarding books and articles published in Italy – the works were already included in the Legal Deposits’ archives. This choice is justified by the abovementioned uncertainties with regard to the completeness of the Legal Deposits’ catalogues.

During this second phase of the research, it emerged that several sources required an online registration; as a consequence the value “Registration online” was included. For sources which were completely non accessible, two values were introduced: “Non-functioning” and “Non-locatable online”. When assigning these values, I have also indicated the date of the last attempted access. This is relevant because depending on the date of attempted access, results varied considerably. For example, the *Fondazione per le scienze religiose Giovanni XXIII* is now freely accessible online, while previous attempts had brought me to label the source as “Not functioning” due to website maintenance. Moreover, in order to simplify the coding and the subsequent analysis, the date of last check was included also for those sources that are very unlikely to change status in the future. For instance, SACT is now coded “Non-locatable online last check 1/2016”, even if the association was dissolved in 2013. The same reasoning goes for *Luigi Bernabò Associati* as this literary agency was merged with other two agencies.

As a way of example of the difficulties encountered when evaluating accessibility, three sources are worth considering:

- Holmes Biblioteca Digitale at IULM (Libera università di lingue e comunicazione) is a source indicated by Biblioteca Nazionale di Napoli and therefore included in the matrix. At first it was coded as N/A, as the site was under maintenance during the first mapping. After further attempts in January 2016 it results accessible only through registration; being IULM a private university it is unlikely that the final user will be able to register.
- IPAA Diritti Artisti (Associazione Autori e Artisti) was re-coded “Non-locatable online”; there is an active Facebook page, but there is not as to date an official website that can be considered as reliable source.
- Istituto Italiano per l’Africa e l’Oriente is a source indicated by AICI (Associazione Istituti di Cultura Italiana). The website is actually functioning, but no content has been added yet; still, there has not been any announcement that the site will be working anytime soon. Therefore, the source is considered “Non-locatable online”.

Furthermore, four sources are coded *In Progress* as their establishment has been announced but they are not yet in operation: the Italian Orphan Works register; *Emeroteca Italiana*; *Anagrafe nominativa dei professori e dei ricercatori* and *Biblioteca degli Inediti*⁵⁹.

⁵⁹ Respectively, Ministry of Education: <http://hubmiur.pubblica.istruzione.it/web/istruzione/dettaglio-news/-/dettaglioNews/viewDettaglio/25984/11210> and Minister Dario Franceschini: http://www.huffingtonpost.it/2015/06/05/franceschini-biblioteca-inedito_n_7518172.html

In conclusion, 301 individual sources were identified and analysed. The data shows that 56% of the sources are freely accessible online. While only 10% of the sources are “Partially accessible online”, the relative weight of these sources is particularly high, as they are mostly official or institutional sources: as already mentioned, all legal deposits and the major Italian libraries have not finished to digitize their catalogues.

Sources only accessible on site (initially sub-divided into “Free Access on site” and “Partial Access on site”) account for about the 7% of total sources. The variables “Non-locatable online” and “Non-functioning” account together for about the 5% of total sources. “Paying access online” and “Registration online” account for about 8% of total sources; it is likely that the percentage of “Paying Access online” sources will increase, as some of the sources requiring registration will also require payment of a fee.

The graph below represents the accessibility of sources in Italy. It is derived from a matrix polished from all repetitions so that each source is only counted once.

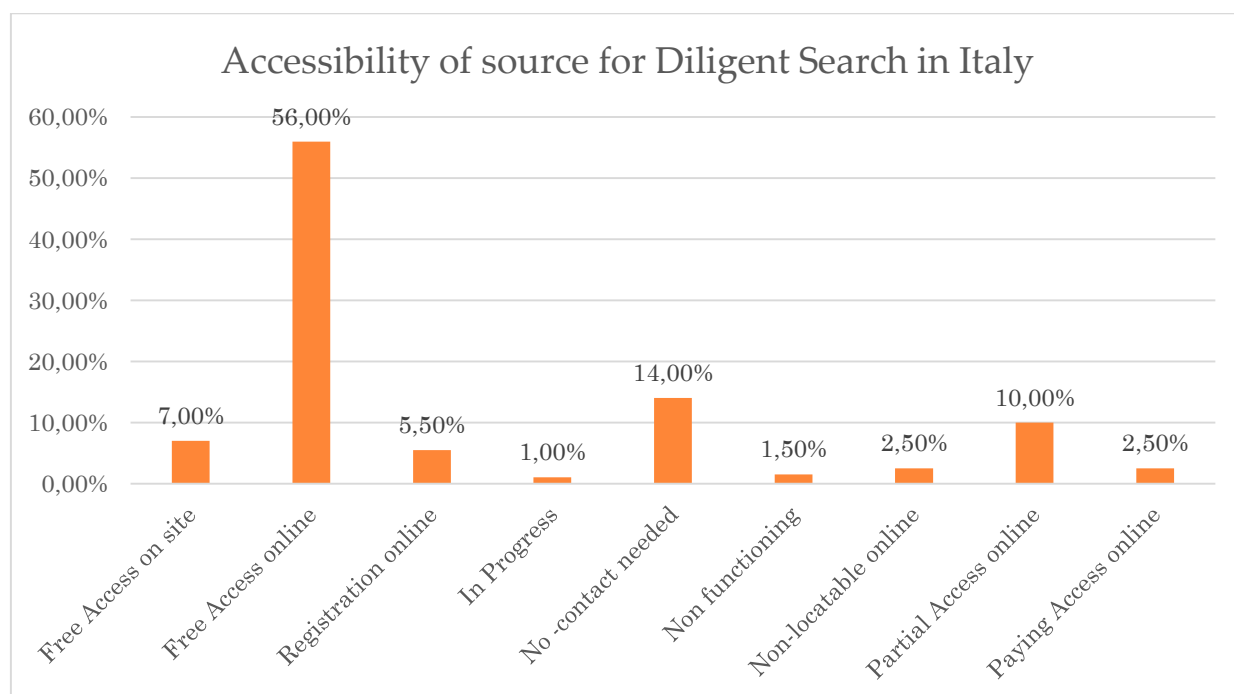


FIGURE 5 – ACCESSIBILITY OF SOURCES FOR DILIGENT SEARCH IN ITALY

The statistics as above, by work

The table below shows in **absolute numbers** the allocation and accessibility of sources by type of work.

A total of **357** items were included, considering all repetitions.

	Audio-visual Works	Material published in newspapers, magazines and journals	Published Books	Visual Works	TOTAL
Free Access on site	8	2	11	3	24
Free Access online	39	37	75	49	200
Registration online	1	4	6	9	20
In Progress	2	2	2	2	8
No -contact needed	20	8	13	8	49
Non-functioning	1	1	2	1	5
Non-locatable online	2	0	5	1	8
Partial Access online	2	5	14	12	33
Paying Access online	0	3	3	4	10
TOTAL	75	62	131	89	357

TABLE 1 – ACCESSIBILITY OF SOURCES IN ITALY BY TYPE OF WORK

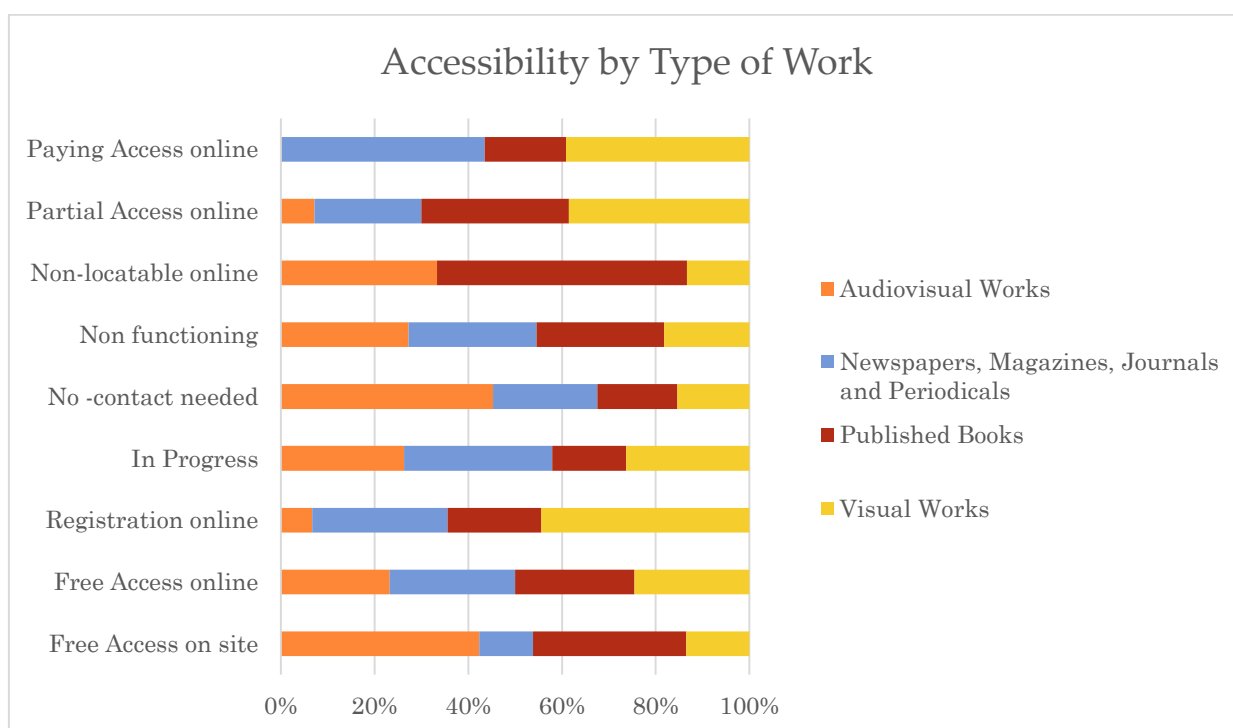


FIGURE 6 – ACCESSIBILITY BY TYPE OF WORK – ITALY

As showed, Audio-visual works show the highest percentage of accessibility on site, but the lowest accessibility online.

The category with the highest percentage (60%) of sources freely available online is Newspapers, Magazines, Journals and Periodicals. However, all types of work show similar percentages of accessibility with an average of 56%, making the results pretty even for each category.

Visual Works account for the highest percentage of sources available only through registration; a predictable result considering that during the second phase of the research, a few private photographic archives and agencies were included as sources and these institutions usually tend to protect their works in order to prevent users from simply downloading the pictures from their websites without authorization or payment. Indeed, of the 24 private agencies and archives included, six required registration.

Regarding the variable “In Progress”, each category had two sources noted as such; Orphan Works Register is a common source to all the types of work. The difference in percentage is due to the different absolute numbers and to the subsequent rounding.

As expected, the percentage of “Non-functioning” links is evenly distributed among all the categories; those sources will have to be controlled periodically (last check: January 2016). Indeed, as explained before, some sources initially marked as “Non functioning” were changed into “Free Access online” as the website were found functioning.

	Audiovisual Works	Newspapers, Magazines, Journals and Periodicals	Published Books	Visual Works	Average
Free Access on site	11,00%	3,00%	8,50%	3,50%	6,50%
Free Access online	52%	60,00%	57,00%	55,00%	56%
Registration online	1,50%	6,50%	4,50%	10,00%	5,63%
In Progress	2,50%	3,00%	1,50%	2,50%	2,38%
No -contact needed	26,50%	13,00%	10,00%	9%	14,63%
Non-functioning	1,50%	1,50%	1,50%	1,00%	1,38%
Non-locatable online	2,50%	0%	4,00%	1,00%	1,88%
Partial Access online	2,50%	8,00%	11,00%	13,50%	8,75%
Paying Access online	0%	5,00%	2,00%	4,50%	3%


Report Conclusions and Findings

This Report has analysed the legal requirements for carrying out a Diligent Search in three pilot countries: The United Kingdom, Italy and The Netherlands. The study examined the legal background provided by the national legislation implementing the Orphan Works Directive. First, we explored the possibility for cultural institutions to 'outsource' the task of carrying out a diligent search, which is instrumental to the EnDOW project.⁶⁰ We found that, in line with the wording of the Directive, in all three countries cultural institutions can mandate their task to 'other subjects', but they remain ultimately responsible for the correct execution of the Search.

Second, the study has examined the procedure to carry out and register a Diligent Search to locate potential rightholders of possibly orphan works. This is specifically required by the Orphan Works Directive and it has been incorporated in the examined national legislation. A crucial part of the procedure is the consultation of a number of "Sources" that are indicated in the ANNEX to the Directive. This ANNEX provides both specific and general indications. Specific indications point at centralised cross-national database such as the OHIM Orphan Works Database, National orphan works registry, WATCH, VIAF, ARROW, ISSN, etc. However, other directions of the ANNEX generally refer to collecting societies, authors' guilds, unions and associations, national libraries, catalogues, agents, etc. As specified in Rec. 14, Member States where the diligent search has to be carried out should determine, in accordance with the Directive, the sources to be consulted. However, while in the United Kingdom the Intellectual Property Office has released detailed guidelines including a specific list of the sources to be consulted, in Italy and in the Netherlands such guidelines are not – or not yet – available. For these two countries this study has compiled two data sets with sources useful to locate the rightholder of a work, in accordance to the Directive and after the model of the UK IPO.

Findings of this study reveal that in the examined countries together little more than half of the sources for Diligent Search are freely accessible online.

⁶⁰ The Diligent Search Platform will enable crowd-sourcing certain phases of the diligent search process. See Kris Erickson 'How crowdsourcing might solve the astronomical challenge of copyright clearance', *CREATE Blog*, 8 January 2016 <http://www.create.ac.uk/blog>.

						
Sources from	IPO guidelines		EnDOW RA		EnDOW RA	
N. Sources	210	%	357	%	87	%
Free Access online (incl Reg)	147	70%	200	56%	47	54%
Not Freely Accessible Online (incl. all below)	63	30%	157	44%	40	46%
DB Not Accessible online	46	22%	82	23%	36	41%
Paying access online	9	4%	10	3%	2	2%
Free Access on site	5	2%	24	7%	0	0%
Partial Access online	3	1%	33	9%	1	1%
WIP (will be access online)	0	0%	8	2%	1	1%

This might have heavy consequences for projects of mass digitization of European cultural institutions, which the Orphan Works Directive is seeking to facilitate in the first place. Our data show that these institutions will find difficult to clear the rights of their collections while at the same time complying with the requirements of the legislation. A possible solution to this problem might involve legislative action, official guidelines or jurisprudence to establish hierarchies among Sources for Diligent Search, with a diversification between compulsory and optional sources, depending on their relevance and accessibility. In practice, when a source recommended by legislation is not freely accessible online, even a Diligent Search not including the consultation of such source must be considered exhaustive and compliant with the law. In other words, a Diligent Search must be considered as carried out in good faith if all relevant freely and easily accessible sources have been consulted. In this respect, government bodies dealing with the orphan works legislation (in the UK, the Intellectual Property Office) should issue best practices addressed to rightholders organizations, requesting that databases are made freely accessible for purpose of carrying out Diligent Searches.

Finally, the study has identified for each piece of legislation possible uses of orphan works. Directions are found in the legislation or in the usage allowances of the licensing system, where in place (the UK). Uses for both private and public purpose are envisaged, for commercial and non-commercial purpose, through both digital and analogue means, and for large and small scale dissemination.

Appendixes

APPENDIX I - UK Exceptions to Copyright Duration

(Source: IPO guidance of diligent search for applicants)

Literary Works

Rule: copyright expires 70 years from the end of the year of the death of the author

Exceptions:

- Computer generated works: Protection lasts for 50 years from the end of the calendar year when the work was made.
- Crown Copyright
 - Unpublished created before 1 January 1915, copyright expires on 31 December 2039
 - Unpublished created on or after 1 January 1915, copyright expires 125 years from the end of the calendar year in which it was created
 - Created and published before 1 August 1989, copyright expires 50 years from the end of the year of first publication
 - Created before 1 August 1989 but first published after that date commercially and it is less than 75 years from the end of the calendar year in which the work was created, copyright expires 50 years from the end of the calendar year of first publication
 - Created before 1 August 1989 but first published after that date, where they are published non-commercially and is less than 75 years from the end of the calendar year in which the work was created, copyright expires 125 years from the end of the calendar year of creation or on 31 December 2039, whichever is later.
 - Created before, but first published on or after 1 August 1989, at a date more than 75 years from the end of the calendar year in which the work was created, copyright expires 125 years from the end of the calendar year of creation or on 31 December 2039, whichever is later.
 - Created on or after 1 August 1989 and published commercially less than 75 years from the end of the calendar year in which the work was created, copyright expires 50 years from the end of the calendar year of first commercial publication.
 - Created on or after 1 August 1989 and published non-commercially less than 75 years from the end of the calendar year in which the work was created copyright expires 125 years from the end of the calendar year of creation
 - Created on or after 1 August 1989 and published more than 75 years from the end of the calendar year in which the work was created, copyright expires 125 years from the end of the calendar year in which the work was created.
 - Open Government Licence — copyright and database right material expressly made available under this licence is free to use.
- Parliamentary copyright – lasts for 50 years from the end of the calendar year in which the work was made. Where an international organisation is the first owner,

copyright also lasts for 50 years from the end of the calendar year when the work was made.

- Work of unknown authorship – lasts for 70 years after the end of the calendar year in which the work was made, or, it is made available to the public during that period, 70 years after the end of the year in which the work was first made available. If the identity of the author becomes known before the expiry of this copyright, the provisions for known authors will apply (life plus 70 years)
- Unpublished works before 1989 – lasts until 31 December 2039 if the work was created but not published, performed in public or sold to the public, before 1 August 1989, and where the author is known and died before 1969, or in the case

Films and Music

Rule: copyright expires 70 years from the end of the year of the death of the author.

Exceptions:

- Films made before 1 June 1957 were not recognised as a distinct work. They would have protection as an original dramatic work or individual frames treated as photographs. The soundtrack may also be protected as a sound recording, so copyright term would relate to these rights.
- Crown and Parliamentary Copyright – Parliamentary copyright only exists in films made on or after 1 August 1989. Earlier films are attributed to the employee.
- Unpublished works before 1989 – lasts until 31 December 2039 if the work was created but not published, performed in public or sold to the public, before 1 August 1989, and where the author is known and died before 1969, or in the case of unknown authors, where the work was created before 1969

Still Visual Art

Rule: copyright expires 70 years from the end of the year of the death of the author

Exceptions:

- Creator known and work created before 1 June 1957 then copyright expires 50 years from being made available or 70 years after the death of the author.
- Creator known and work created on or after 1 June 1957 and before 1 August 1989 and the creator died more than 20 years before publication then copyright expires 50 years after the end of the year of first publication.
- Creator known and work is unpublished and creator died before 1 January 1969 copyright expires on 31 December 2039.
- Crown copyright applies to work which has been published copyright expires 50 years from the end of the year in which the work was published. For unpublished works copyright expires 125 years from the end of the year in which the work was made or until 31 December 2039.
- Creator is unknown and work created after 1 January 1969 copyright expires 70 years after the creation or 70 years after the work was made available to the public if within 70 years of creation.

APPENDIX II - The United Kingdom - Legislation

The Copyright and Rights in Performances (Licensing of Orphan Works) Regulations 2014 No. 2863

Diligent search

4.—(1) An orphan licensee shall, before applying for an orphan licence, carry out a diligent search or refer to an existing diligent search which is valid and, in either case, is appropriate to the orphan work which is the proposed subject matter of the orphan licence and relates to the rights in the relevant work which the orphan licensee proposes to use.

(2) A diligent search must comprise a reasonable search of the relevant sources to identify and locate the right holders of the relevant work.

(3) The sources that are relevant for the relevant work must, as a minimum, include—

(a) the relevant register maintained by the authorising body and the relevant databases maintained by the Office for Harmonization in the Internal Market; and

(b) where there is no record that the relevant work is an orphan work in the register or databases referred to in paragraph (a), any relevant sources listed for that category of work in Part 2 of Schedule ZA1 to the Act⁽¹⁾.

(4) The authorising body may issue guidance on what sources may additionally be relevant in the case of different relevant works.

(5) A diligent search is valid, for the purposes of paragraph (1), for seven years from the earlier of the date—

(a) on which an orphan licence of the orphan work was first granted by the authorising body; or

(b) that the record of a diligent search undertaken in respect of a relevant work was first made public by the Office for Harmonization in the Internal Market.

(6) An orphan licensee shall provide the authorising body with such information concerning—

(a) the diligent search; and

(b) the use that the orphan licensee proposes to make of the orphan work,

as the authorising body may require in connection with the application for an orphan licence.

(7) The orphan licensee shall, when applying for an orphan licence, provide the authorising body with an application in the form required by the authorising body, including in electronic form, and the application shall—

(a) demonstrate that a diligent search has been carried out; and

(b) contain a declaration in writing by the orphan licensee stating that the information provided in the application is correct.

(8) Where an orphan licensee makes a declaration under sub-paragraph (7)(b) that the orphan licensee knows or has reason to believe is false and the orphan licensee is granted an orphan licence and carries out any of the acts restricted by copyright or the restricted acts, the orphan licensee is liable for infringement of copyright or sections 182, 182A, 182B, 182C, 182CA, 183 or 184 of the Act as appropriate.

(9) The authorising body shall take reasonable steps to ensure that the search relied upon by the orphan licensee satisfies the requirements for a diligent search.

APPENDIX III - The Netherlands - Legislation

Copyright Act (Auteurswet)

Articles 16o [Orphan Works]

1. Not regarded as copyright infringement of a literary, scientific or artistic work, as defined in article 10(1) under 1, 5, or 10, is considered the reproduction or making available of a work which has been first communicated to the public in a member state of the EU or EEA, through publicly accessible libraries, educational institutions and museums, as well as archives and institutions for cinematographic or audio-visual heritage which do not have a direct or indirect economic or commercial objective, if:

a) the work is part of the institution's own collection;

b) the right holder has not been identified and located after a diligent search, as defined in article 16p, has been carried out; and

c) the reproduction and making available forms part of the institution's public interest mission, in particular the preservation and restauration of works and providing access to an institution's collection for cultural and educational purposes.

[...]

Article 16p [Search for right holders]

1. The diligent search for right holders, as defined in article 16o(1)(b), is to be carried out for each work, as defined in article 16o(1), and for every literary, scientific or artistic work included within it, by consulting the appropriate sources for tracing right holders. Details on the sources which are to be consulted as part of this search are to be issued by the Minister for Education, Culture and Science in an implementation order.
2. The diligent search is to be carried out in the member state where the work has been first communicated to the public. In the case of film works, the search is carried out in the member state where the producer has his headquarter or his habitual residence.
3. In the case of works as defined in article 16o(3), the search is carried out in the member state where the institution, which has included the work into its own collection with the permission of the right holder, is located.
4. If there are indications that information about the right holder is located in another member state, then the sources that are prescribed in this member state as part of the diligent search are to be consulted as well.
5. The organisations defined in article 16o(1) are to keep the information about which sources were consulted as part of the diligent search and its results. The institution is to transmit the following information to an institution named in an implementing order from the Minister for Education, Culture and Science for the purpose of further transmission to the Office for Harmonization in the Internal Market:
 - a) the results of the diligent search which the institution has carried out and which have led to the conclusion that the work is orphan;
 - b) the way the work is to be used;
 - c) the contact information of the institution;
 - d) if applicable, any change in the status of the work.
5. Details on the information to be provided and the relevant process are to be issued by the Minister for Education, Culture and Science in an implementation order.
6. The reproduction and making available of orphan works which have been included in the database of the Office for Harmonization as mention in 5) does not require a diligent search as defined in article 16o(b).

Law on Neighbouring Rights (Wet op de Naburige Rechten)

Article 10

It is not considered infringement on the rights defined in articles 2, 6, 7a and 8:

[...]

1. the reproduction and making available to the public of a performance, phonogram or first fixation of a film, or a reproduction thereof, which has been first brought into circulation in a member state of the EU or EEA, which form part of the collection of publicly accessible

libraries, educational institutions and museums, as well as archives, and institutions for cinematographic or audio-visual heritage which do not have a direct or indirect economic or commercial objective and public media institutions, as defined in chapter 2 Media Law 2008, if the right holders could not be identified and located following a diligent search. The article 16o to and including 16q and 17 of the Copyright Act apply.

Decree on the Diligent Search for Orphan Works

Article 2

The following sources are to be consulted in carrying out a diligent search:

a) in the case of published books:

- 1) royal library catalogue
- 2) databases of publishers' and authors' associations
- 3) databases and registers of authors, artists and copyright holders
- 4) database of the ISBN and other databases covering published books
- 5) collective management organisations' databases, especially those collective management organisations handling reproduction rights
- 6) databases and registers on international keyword lists and accessible registers on rights and orphan works

b) in the case of newspapers, magazines, dailies and journals:

- 1) Sources 1 and 5 named above under part a)
- 2) databases of the international standard number for serial publications
- 3) databases by publishers, authors and journalists associations

c) in the case of visual works (including works of art, photographs, illustrations, designs, architecture, sketches of works of the latter and other similar works) which are included in books, dailies, newspapers and magazines or other works:

- 1) the sources named in a and b
- 2) databases by artists' associations
- 3) collective management organisations' databases for artists, especially those handling the reproduction right
- 3) where applicable, databases of image and photography agencies

d) in the case of audio- visual works and phonograms:

- 1) media archive (as maintained by the Media Law 2008)

- 2) databases of producer associations or other associations which represent a specific category of right holder in these works
- 3) databases of institutions for cinematographic or audio- visual heritage and public libraries
- 4) databases with standard and identification codes, especially the international standard number for audio- visual works, international standard code for musical works and international standard code for sound recordings
- 5) collective management organisations' databases, especially those of authors, performing artists, producers of phonograms and audio- visual producers
- 6) information on the work, including the credit list of participators

Article 3

- 1) After the diligent search has been carried out, the institution is to transmit the information, as defined in article 16p(5) Copyright Act, to the Minister.
- 2) Minister can issue additional rules on the information to be provided and the relevant procedures.

APPENDIX IV - Italy - Legislation

Law 22 April 1941, n. 633 as amended by legislative decree 10 november 2014, n. 163

Art 69 bis: “ (1) Libraries, educational establishments and museums accessible to the public, as well as archives, film and audio heritage institutions and public-service broadcasting institutions may use orphan works –as defined by art. 69 quarter – hold in their collections:

- (a) by reproducing the orphan work for digitization, indexing, cataloguing, conservation and restoration purposes.
- (b) by making the work available to the public in such a way that members of the public may access them from a place and at a time individually chosen by them.

...”

Art 69 quarter: “ (1) A work or a phonogram shall be considered an orphan work if none of the rightholders is identified or, even if one or more of them is identified, none is located, after a diligent search carried out and registered according to the present article.

(2) Prior to any use of the work or phonogram, a diligent search shall be carried out by one of the organizations identified by article 69-bis (1) or by othe subjects designated by the same organizations, according to principles of good faith and professional correctness. The

search is carried out through consultation of the appropriate sources including those identified for each type of work or phonogram by art. 69-septies. New sources to be consulted for the diligent search may be identified through ministerial decree of the Ministry of Cultural Heritage and Activities and Tourism, in consultation with the most representative right-holders and users associations.”

Art. 69 septies: “ The Sources identified according to art 69-quarter (2) comprise the following:

- a) for all categories of work: the General Public Registry of Protected Works established within the Ministry of Cultural Heritage and Activities and Tourism;
- b) for published books:
 - 1. the National Library System, including the authority registers for authors;
 - 2. national associations of publishers and authors, the publishers of the work if known, and literary agencies operating in Italy;
 - 3. the legal deposit;
 - 4. the ISBN database, for published books and publishers;
 - 5. the WATCH (Writers, Artists and their Copyright Holders) databases;
 - 6. the SIAE databases and the database of the Clearedi system;
 - 7. the databases of books in commerce ALICE and ESAIE (for school books);
 - 8. the National Registry of Names of Professors and Researchers and of Scientific Publications (ANPrePS);

The abovementioned sources may be consulted either directly or through systems allowing integrated searches such as VIAF (Virtual International Authority Files) and ARROW (Accessible Registries of Rights Information and Orphan Works)

- c) for daily newspapers, magazines and journals:
 - 1. the ISSN (International Standard Serial Number) for periodicals;
 - 2. indexes and catalogues of historic collections and library collections;
 - 3. the legal deposit;
 - 4. Italian associations of publishers, authors and journalists;
 - 5. the databases of collective management societies, including the bodies managing reproduction rights.
- d) for visual works, including arts object, photography, illustrations, design, architecture, as well as drafts of the works thereof and other material reproduced in books, magazines, journals or other works:
 - 1. the sources identified under a, b and c.
 - 2. the databases of collective management societies, in particular those managing visual arts and their reproduction rights.
 - 3. if necessary, databases of photo agencies.

e) for audiovisual works and phonograms:

1. the legal deposit;
2. the Italian associations of producers;
3. the databases of film and audio heritage institutions and national libraries;
4. databases with the respective standards and identification numbers, like ISAN (International Standard Audiovisual Number) for audiovisual works, ISWC (international Standard Music Work Code) for music tracks and ISRC (International Standard Recording Code) for phonograms;
5. the databases of collective managing societies, and in particular those for authors, interpreters, producers of phonograms and producers of audiovisual works;;
6. the list of those taking part in the realization of the work and other information available on the packaging of the work;
7. the databases of other relevant associations representing specific categories of right-holders.”

APPENDIX V – List of sources for category of work

UNITED KINGDOM

Published Books – Source List	Accessibility
EU Orphan works' register	Free Access online
UK Orphan works' register	Free Access online
Legal deposits, library catalogues and authority files	Not accessible online
Society of Authors	Free Access online
Writers' Guild of Great Britain	Free Access online
Association of Authors Agents	Free Access online
Publishers Association	Free Access online
WATCH (Writers Artists and their Copyright Holders)	Free Access online
ISBN (International Standard Book Number)	Free Access online
Authors Licensing and Collecting Society	Free Access online
Publishers Licensing Society	Not accessible online
Copyright Licensing Agency	Free Access online
Public Lending Right register	Not accessible online
Virtual International Authority Files (VIAF)	Free Access online
FOB (Firms Out of Business) database	Free Access online
Companies House	Free Access online
International Standard Text Code (ISTC)	Free Access online
Copac	Free Access online
Author and book info database	Free Access online
Poetry Library	Not accessible online
International Standard Name Identifier (ISNI) database	Free Access online
Books in Print database	Free Access online
Copyright Hub	Not accessible online
Web of Science	Paying Access Online
CiteSeerX	Free Access online
Mendeley	Free Access online
Microsoft Academic Search	Free Access online
Scopus	Paying Access Online
SpringerLink	Partial Access Online
WorldWideScience	Free Access online
Google Scholar	Free Access online
British Library catalogue	Free Access online
AJR Journal (1946–)	Free Access online

British Library Newspapers	Free Access on site
British Library Online Newspaper Archive	Partial Access Online
The British Newspaper Archive	Free Access on site
Colburn's United Service Magazine (1829–?)	Free Access online
Daily Mirror (1903–); Daily Express (1900–), Sunday Express (1976–); Daily Star (all 2000–), Daily Star Sunday (2002–)	Paying Access Online
Daily Mail Digital Archive	Free Access on site
Financial Times Digital Archive	Free Access online
Foxearth and District Local History Society newspaper archive (1745–1950)	Partial Access Online
Gazettes Online: London, Edinburgh, Belfast	Free Access online
Georgian and early Victorian regional newspapers (1750's–1870's)	Free Access online
Guardian (1821–) and Observer (1791–)	Free Access on site
Guardian Century (1899–1999)	Free Access online
Historical Newspapers	Paying Access Online
Illustrated London News archive (1914–1919)	Free Access online
Internet Library of Early Journals	Free Access online
Isle of Wight County Press (1884–)	Paying Access Online
Jewish Chronicle	Paying Access Online
Lancashire Evening Post (1990–2009)	Free Access online
Lloyd's List (1990–)	Paying Access Online
Manx National Heritage (1792–1960)	Paying Access Online
National Library of Israel (19th–20th centuries)	Free Access online
Nineteenth Century Serials Edition (six 19th-century British publications)	Free Access online
Genealogy websites 1 - nationalarchives	Free Access online
Genealogy websites 2 - ancestry	Free Access online
Wills 1– courttribunalfinder	Not accessible online
Wills 2– hmctsformfinder	Not accessible online
Wills 3– probatesearch	Free Access online
Wills 4– nationalarchives	Free Access online
Archives 1 - archiveshub	Free Access online
Archives 2 – aim25	Free Access online
Archives 3 - nationalarchives	Free Access online
Archives 4 - discovery	Free Access online
Treasury solicitors	Free Access online
Biographical directories 1	Free Access online
Biographical directories 2	Free Access online
Historical Writers' Association	Free Access online
Crime Writers' Association	Free Access online

Contact an Author	Free Access online
Biographers' Club	Free Access online
Authors Aloud	Free Access online
Apples and Snakes	Free Access online
UK Children's Books	Free Access online
Travel Writers UK	Free Access online
Scottish Book Trust	Free Access online
Society of Children's Book Writers and Illustrators	Free Access online
Start the Story Author Directory	Free Access online
Association of British Science Writers	Free Access online
Scattered Authors' Society	Free Access online
Reading Zone	Free Access online
National Association of Writers in Education (NAWE)	Free Access online
National Centre for Language and Literacy	Free Access online
Guild of Food Writers	Free Access online
Alliance of Independent Authors	Free Access online
Newspapers, magazines, journals and periodicals – Sources List	Accessibility
EU Orphan works' registers	Free Access online
UK Orphan works' registers	Free Access online
International Standard Serial Number (ISSN)	Free Access online
Legal deposits, library catalogues and authority files	Not accessible online
Society of Authors	Free Access online
Writers' Guild of Great Britain	Free Access online
Association of Authors Agents	Free Access online
Publishers Association	Free Access online
The National Union of Journalists	Not accessible online
Chartered Institute of Journalists	Free Access online
British Association of Journalists	Not accessible online
Newspaper Society	Not accessible online
Society of Editors	Not accessible online
The Professional Publishers' Association	Free Access online
Association of Learned and Professional Society Publishers	Free Access online
Association of British Science Writers	Free Access online
Garden Media Guild	Free Access online
Guild of Food Writers	Free Access online
Travel Writers UK	Free Access online
British Guild of Travel Writers	Not accessible online
Authors Licensing and Collecting Society	Free Access online
Publishers Licensing Society	Not accessible online
Copyright Licensing Agency	Free Access online

Public Lending Right register	Not accessible online
Newspaper Licensing Agency	Not accessible online
FOB (Firms Out of Business) database	Free Access online
Companies House	Free Access online
General internet searching	Free Access online
WATCH (Writers, Artists and their Copyright Holders)	Free Access online
Literary agents	Free Access online
Copac	Free Access online
Web of Science	Paying Access Online
CiteSeerX	Free Access online
Mendeley	Free Access online
Microsoft Academic Search	Free Access online
Scopus	Paying Access Online
SpringerLink	Partial Access Online
WorldWideScience	Free Access online
Google Scholar	Free Access online
<u>AJR Journal (1946–)</u>	Free Access online
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<u>British Library Online Newspaper Archive</u>	Partial Access Online
<u>The British Newspaper Archive</u>	Free Access on site
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<u>Daily Mail Digital Archive</u>	Free Access on site
<u>Financial Times Digital Archive</u>	Free Access online
<u>Foxearth and District Local History Society newspaper archive (1745–1950)</u>	Partial Access Online
<u>Gazettes Online: London, Edinburgh, Belfast</u>	Free Access online
<u>Georgian and early Victorian regional newspapers (1750's–1870's)</u>	Free Access online
<u>Guardian (1821–) and Observer (1791–)</u>	Free Access on site
<u>Guardian Century (1899–1999)</u>	Free Access online
<u>Historical Newspapers</u>	Paying Access Online
<u>Illustrated London News archive (1914–1919)</u>	Free Access online
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<u>Isle of Wight County Press (1884–)</u>	Paying Access Online
<u>Jewish Chronicle</u>	Paying Access Online
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<u>Lloyd's List (1990–</u>	Paying Access Online
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<u>National Library of Israel (19th–20th centuries)</u>	Free Access online

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Wills 1– courttribunalfinder	Not accessible online
Wills 2– hmctsformfinder	Not accessible online
Wills 3– probatesearch	Free Access online
Wills 4– nationalarchives	Free Access online
Archives 1 - archiveshub	Free Access online
Archives 2 – aim25	Free Access online
Archives 3 - nationalarchives	Free Access online
Archives 4 - discovery	Free Access online
Treasury solicitors	Free Access online
Biographical directories 1	Free Access online
Biographical directories 2	Free Access online
Stage Plays (literary works) – Sources List	Accessibility
EU Orphan works’ registers	Free Access online
UK Orphan works’ registers	Free Access online
Legal deposits, library catalogues and authority files	Not accessible online
Society of Authors	Free Access online
Writers’ Guild of Great Britain	Free Access online
Association of Authors Agents	Free Access online
Publishers Association	Free Access online
WATCH (Writers Artists and their Copyright Holders)	Free Access online
ISBN (International Standard Book Number)	Free Access online
Authors Licensing and Collecting Society	Free Access online
Publishers Licensing Society	Not accessible online
Copyright Licensing Agency	Free Access online
Public Lending Right register	Not accessible online
Virtual International Authority Files (VIAF)	Free Access online
Society of Authors	Free Access online
Writers’ Guild of Great Britain	Free Access online
Association of Authors Agents	Free Access online
Samuel French	Free Access online
Nick Hern Books	Not accessible online
Oberon Books	Free Access online
WATCH (Writers Artists and their Copyright Holders)	Free Access online
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Wills 2– hmctsformfinder	Not accessible online
Wills 3– probatesearch	Free Access online
Wills 4– nationalarchives	Free Access online
Archives 1 - archiveshub	Free Access online
Archives 2 – aim25	Free Access online
Archives 3 - nationalarchives	Free Access online
Archives 4 - discovery	Free Access online
Treasury solicitors	Free Access online
Radio Plays (literary works) - Sources List	Accessibility
EU Orphan works' register	Free Access online
UK Orphan works' register	Free Access online
Legal deposits, library catalogues and authority files	Not accessible online
Society of Authors	Free Access online
Writers' Guild of Great Britain	Free Access online
Association of Authors Agents	Free Access online
Publishers Association	Free Access online

WATCH (Writers Artists and their Copyright Holders)	Free Access online
ISBN (International Standard Book Number)	Free Access online
Authors Licensing and Collecting Society	Free Access online
Publishers Licensing Society	Not accessible online
Copyright Licensing Agency	Free Access online
Public Lending Right register	Not accessible online
Virtual International Authority Files (VIAF)	Free Access online
The Radio Independence Group	Not accessible online
<u>AJR Journal (1946–)</u>	Free Access online
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<u>Foxearth and District Local History Society newspaper archive (1745–1950)</u>	Partial Access Online
<u>Gazettes Online: London, Edinburgh, Belfast</u>	Free Access online
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<u>Jewish Chronicle</u>	Paying Access Online
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<u>Lloyd's List (1990–</u>	Paying Access Online
<u>Manx National Heritage (1792–1960)</u>	Paying Access Online
<u>National Library of Israel (19th–20th centuries)</u>	Free Access online
<u>Nineteenth Century Serials Edition (six 19th-century British publications)</u>	Free Access online
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Wills 2– hmctsformfinder	Not accessible online
Wills 3– probatesearch	Free Access online
Wills 4– nationalarchives	Free Access online
Archives 1 - archiveshub	Free Access online

Archives 2 – aim25	Free Access online
Archives 3 - nationalarchives	Free Access online
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Audio Books (literary works) – Souces List	Accessibility
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Writers' Guild of Great Britain	Free Access online
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Publishers Association	Free Access online
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Publishers Licensing Society	Not accessible online
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Public Lending Right register	Not accessible online
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Unpublished literary works - Sources List	Accessibility
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Standalone Visual Art – Sources List	Accessibility
UK orphan works register	Free Access online
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Water mark search or image recognition software	Paying Access Online
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CEPIC	Free Access online
Library of Congress	Free Access online
DACS	Free Access online
Artists Collecting Society	Free Access online
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Garden Media Guild	Free Access online
Guild of Food Writers	Free Access online
Travel Writers UK	Free Access online
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DACS	Free Access online
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Sound recordings – Music – Sources List	Accessibility
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PACT	Free Access online
Music Producers Guild	Free Access online
BPI	Not accessible online
Music Industries Association	Free Access online
FOCAL	Free Access online
British Film Institute	Free Access online
British Library	Free Access online
National Library of Scotland	Free Access online
National Library of Wales	Free Access online
ISAN (International Standard Audiovisual Number)	Free Access online
ISWC (International Standard Music Work Code)	Free Access online
ISRC (International Standard Recording Code)	Free Access online
PRS for Music	Not accessible online
PPL	Free Access online
Video Performance Limited	Free Access online
Association of Independent Music	Not accessible online
Association of Professional Recording Services	Free Access online
The British Academy of Songwriters, Composers and Authors	Free Access online
English Folk and Dance Song Society	Free Access online
Equity	Free Access online
International Music Managers Forum	Not accessible online
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Musicians Union	Not accessible online
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PACT	Free Access online
FOCAL	Free Access online
British Film Institute	Free Access online
British Library	Free Access online
National Library of Scotland	Free Access online
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ISAN (International Standard Audiovisual Number)	Free Access online

ISWC (International Standard Music Work Code)	Free Access online
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Lloyd's List (1990–)	Paying Access Online
Manx National Heritage (1792–1960)	Paying Access Online
National Library of Israel (19th–20th centuries)	Free Access online
Nineteenth Century Serials Edition (six 19th-century British publications)	Free Access online
Genealogy websites 1	Free Access online
Genealogy websites 2	Free Access online
Wills 1– searching for family members or connections of the author	Not accessible online
Wills 2– searching for family members or connections of the author	Not accessible online
Wills 3– searching for family members or connections of the author	Free Access online
Wills 4– searching for family members or connections of the author	Free Access online
Archives 1	Free Access online
Archives 2	Free Access online

Archives 3	Free Access online
Archives 4	Free Access online
Archives 5	Free Access online
Treasury solicitors	Free Access online
Film (production company) – Sources List	Accessibility
EU Orphan works' register	Free Access online
UK Orphan works' register	Free Access online
British Film Producers Association	Free Access online
PACT	Free Access online
FOCAL	Free Access online
British Film Institute	Free Access online
British Library	Free Access online
National Library of Scotland	Free Access online
National Library of Wales	Free Access online
ISAN (International Standard Audiovisual Number)	Free Access online
BECS	Not accessible online
Directors UK	Not accessible online
Motion Picture Licensing Company	Free Access online
British Board of Film Classification	Free Access online
Imdb	Free Access online
Video Performance Limited	Free Access online
Equity - Variety's artists Federation	Free Access online
Actors Guild	Not accessible online
Screen Actors Guild	Not accessible online
Directors Guild	Not accessible online
WATCH (Writers, Artists and their Copyright Holders)	Free Access online
Charity Commission	Free Access online
The Entertainment Identifier Registry (EIDR)	Free Access online
Copyright Hub	Not accessible online
Halliwell's Film Guide	Free Access on site
AJR Journal (1946–)	Free Access online
British Library Newspapers	Free Access on site
British Library Online Newspaper Archive	Partial Access Online
The British Newspaper Archive	Free Access on site
Colburn's United Service Magazine (1829–?)	Free Access online
Daily Mirror (1903–); Daily Express (1900–), Sunday Express (1976–); Daily Star (all 2000–), Daily Star Sunday (2002–)	Paying Access Online
Daily Mail Digital Archive	Free Access on site
Financial Times Digital Archive	Free Access online

Foxearth and District Local History Society newspaper archive (1745–1950)	Partial Access Online
Gazettes Online: London, Edinburgh, Belfast	Free Access online
Georgian and early Victorian regional newspapers (1750's–1870's)	Free Access online
Guardian (1821–) and Observer (1791–)	Free Access on site
Guardian Century (1899–1999)	Free Access online
Historical Newspapers	Paying Access Online
Illustrated London News archive (1914–1919)	Free Access online
Internet Library of Early Journals	Free Access online
Isle of Wight County Press (1884–)	Paying Access Online
Jewish Chronicle	Paying Access Online
Lancashire Evening Post (1990–2009)	Free Access online
Lloyd's List (1990–	Paying Access Online
Manx National Heritage (1792–1960)	Paying Access Online
National Library of Israel (19th–20th centuries)	Free Access online
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Wills 3– searching for family members or connections of the author	Free Access online
Wills 4– searching for family members or connections of the author	Free Access online
Archives 1	Free Access online
Archives 2	Free Access online
Archives 3	Free Access online
Archives 4	Free Access online
Archives 5	Free Access online
Treasury solicitors	Free Access online
Film (Author level) - Sources List	Accessibility
WATCH (Writers, Artists and their Copyright Holders)	Free Access online
Directors Guild	Not accessible online
The Broadcasting, Entertainment, Cinematograph Theatre Union	Not accessible online
UNITE	Not accessible online
Talent agents	Free Access online
BAFTA	Not accessible online
Copyright Hub	Not accessible online
AJR Journal (1946–)	Free Access online
British Library Newspapers	Free Access on site

British Library Online Newspaper Archive	Partial Access Online
The British Newspaper Archive	Free Access on site
Colburn's United Service Magazine (1829–?)	Free Access online
Daily Mirror (1903–); Daily Express (1900–), Sunday Express (1976–); Daily Star (all 2000–), Daily Star Sunday (2002–)	Paying Access Online
Daily Mail Digital Archive	Free Access on site
Financial Times Digital Archive	Free Access online
Foxearth and District Local History Society newspaper archive (1745–1950)	Partial Access Online
Gazettes Online: London, Edinburgh, Belfast	Free Access online
Georgian and early Victorian regional newspapers (1750's–1870's)	Free Access online
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Wills 1– searching for family members or connections of the author	Not accessible online
Wills 2– searching for family members or connections of the author	Not accessible online
Wills 3– searching for family members or connections of the author	Free Access online
Wills 4– searching for family members or connections of the author	Free Access online
Archives 1	Free Access online
Archives 2	Free Access online
Archives 3	Free Access online
Archives 4	Free Access online
Archives 5	Free Access online
Treasury solicitors	Free Access online
Arts Council of Great Britain	Not accessible online
Assistant Directors Association	Free Access online
The British Copyright Council	Not accessible online
Educational Recording Agency	Not accessible online

British Council Films Department	Not accessible online
Film Export UK	Not accessible online
FOCAL International	Free Access online
GreeningFilm	Not accessible online
Greenshoot	Not accessible online
KFTV Formerly Kemps	Free Access online
The Knowledge	Free Access online
Women in Film and Television	Free Access online
Creative England	Not accessible online
Film London	Free Access online
Scottish Documentary Institute	Free Access online
Stage Plays (music) – Sources List	Accessibility
EU Orphan works' register	Free Access online
UK Orphan works' register	Free Access online
British Film Producers Association	Free Access online
PACT	Free Access online
FOCAL	Free Access online
British Film Institute	Free Access online
British Universities Film and Video Council	Free Access online
British Library	Free Access online
National Library of Scotland	Free Access online
National Library of Wales	Free Access online
ISAN (International Standard Audiovisual Number)	Free Access online
BECS	Not accessible online
Directors UK	Not accessible online
Motion Picture Licensing Company	Free Access online
British Board of Film Classification	Free Access online
Imdb	Free Access online
Video Performance Limited	Free Access online
Equity - Variety's artists Federation	Free Access online
Actors Guild	Not accessible online
Screen Actors Guild	Not accessible online
Agents	Free Access online
Equity - Variety's artists Federation	Free Access online
Actors Guild	Not accessible online
Screen Actors Guild	Not accessible online
Samuel French	Free Access online
Nick Hern Books	Not accessible online
Oberon Books	Free Access online
WATCH (Writers, Artists and their Copyright Holders)	Free Access online

AJR Journal (1946–)	Free Access online
British Library Newspapers	Free Access on site
British Library Online Newspaper Archive	Partial Access Online
The British Newspaper Archive	Free Access on site
Colburn's United Service Magazine (1829–?)	Free Access online
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Genealogy websites 1	Free Access online
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Wills 1– searching for family members or connections of the author	Not accessible online
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Archives 1	Free Access online
Archives 2	Free Access online
Archives 3	Free Access online
Archives 4	Free Access online
Archives 5	Free Access online
Treasury solicitors	Free Access online
Audio Books (Sound) – Sources List	Accessibility
EU Orphan works' register	Free Access online

UK Orphan works' register	Free Access online
PACT	Free Access online
FOCAL	Free Access online
British Film Institute	Free Access online
British Library	Free Access online
National Library of Scotland	Free Access online
National Library of Wales	Free Access online
ISAN (International Standard Audiovisual Number)	Free Access online
ISWC (International Standard Music Work Code)	Free Access online
ISRC (International Standard Recording Code)	Free Access online
Oral History Society	Not accessible online
Oral History Association	Not accessible online
Publishers Association	Free Access online
ISBN (International Standard Book Number)	Free Access online
AJR Journal (1946–)	Free Access online
British Library Newspapers	Free Access on site
British Library Online Newspaper Archive	Partial Access Online
The British Newspaper Archive	Free Access on site
Colburn's United Service Magazine (1829–?)	Free Access online
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Guardian Century (1899–1999)	Free Access online
Historical Newspapers	Paying Access Online
Illustrated London News archive (1914–1919)	Free Access online
Internet Library of Early Journals	Free Access online
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Manx National Heritage (1792–1960)	Paying Access Online
National Library of Israel (19th–20th centuries)	Free Access online
Nineteenth Century Serials Edition (six 19th-century British publications)	Free Access online

Genealogy websites 1	Free Access online
Genealogy websites 2	Free Access online
Wills 1– searching for family members or connections of the author	Not accessible online
Wills 2– searching for family members or connections of the author	Not accessible online
Wills 3– searching for family members or connections of the author	Free Access online
Wills 4– searching for family members or connections of the author	Free Access online
Archives 1	Free Access online
Archives 2	Free Access online
Archives 3	Free Access online
Archives 4	Free Access online
Archives 5	Free Access online
Treasury solicitors	Free Access online
Unpublished Film and Sound Recordings – Sources List	Accessibility
EU Orphan works' register	Free Access online
UK Orphan works' register	Free Access online
PRS for Music	Not accessible online
AJR Journal (1946–)	Free Access online
British Library Newspapers	Free Access on site
British Library Online Newspaper Archive	Partial Access Online
The British Newspaper Archive	Free Access on site
Colburn's United Service Magazine (1829–?)	Free Access online
Daily Mirror (1903–); Daily Express (1900–), Sunday Express (1976–); Daily Star (all 2000–), Daily Star Sunday (2002–)	Paying Access Online
Daily Mail Digital Archive	Free Access on site
Financial Times Digital Archive	Free Access online
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Guardian (1821–) and Observer (1791–)	Free Access on site
Guardian Century (1899–1999)	Free Access online
Historical Newspapers	Paying Access Online
Illustrated London News archive (1914–1919)	Free Access online
Internet Library of Early Journals	Free Access online
Isle of Wight County Press (1884–)	Paying Access Online
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Manx National Heritage (1792–1960)	Paying Access Online
National Library of Israel (19th–20th centuries)	Free Access online

Nineteenth Century Serials Edition (six 19th-century British publications)	Free Access online
Genealogy websites 1 - nationalarchives	Free Access online
Genealogy websites 2 - ancestry	Free Access online
Wills 1– courtribunalfinder	Not accessible online
Wills 2– hmctsformfinder	Not accessible online
Wills 3– probatesearch	Free Access online
Wills 4– nationalarchives	Free Access online
Archives 1 - archiveshub	Free Access online
Archives 2 – aim25	Free Access online
Archives 3 - nationalarchives	Free Access online
Archives 4 - discovery	Free Access online
Treasury solicitors	Free Access online

THE NETHERLANDS

Published Books- Source List	Accessibility
Koninklijke Bibliotheek	Full Access Online
Nederlands Uitgeversverbond	Not Accessible Online
Vereniging van Zelfstandige Uitgevers	Full Access Online
Vereniging van Schrijvers en Vertalers	Not Accessible Online
Vereniging van Letterkundigen	Not Accessible Online
Vereniging van Educative Auteurs	Full Access Online
LIRA	Not Accessible Online
TekstNet	Full Access Online
Het Nederlands Genootschap van Tolken en Vertalers (NGTV)	Full Access Online
WATCH	Full Access Online
Authorsdb	Full Access Online
Dichtkunst Nederlands	Full Access Online
Poeziecentrum	Full Access Online
Nederlandse Poezie Encyclopedie	Full Access Online
FOB database	Full Access Online
International Standard Text Code	Full Access Online
COPAC	Full Access Online
World Cat	Full Access Online
Bibliotheek.nl	Full Access Online
International Name Identifier	Full Access Online

Books in print	Online Access (Subscription)
Achieven Nederlands	Full Access Online
Titelbank	Full Access Online
Zoek een Book	Full Access Online
Just Books	Full Access Online
Stichting Reprorecht	Not Accessible Online
Thuis kopie	Not Accessible Online
Leenrecht	Not Accessible Online
PRO (Publicatie- end Reproductierechten Organisatie)	Not Accessible Online
International Publishers Rights Organisation	Not Accessible Online
ARROW	n/a (unknown)
European Observatory	Full Access Online
Magazines and Newspapers- Source list	Accessibility
Koninklijke Bibliotheek	Full Access Online
Nederlands Uitgeversverbond	Not Accessible Online
Vereniging van Zelfstandige Uitgevers	Full Access Online
Vereniging van Schrijvers en Vertalers	Not Accessible Online
Vereniging van Letterkundigen	Not Accessible Online
Vereniging van Educative Auteurs	Full Access Online
LIRA	Not Accessible Online
TekstNet	Full Access Online
Het Nederlands Genootschap van Tolken en Vertalers (NGTV)	Full Access Online
WATCH	Full Access Online
Authorsdb	Full Access Online
Dichtkunst Nederlands	Full Access Online
Poeziecentrum	Full Access Online
Nederlandse Poezie Encyclopedie	Full Access Online
FOB database	Full Access Online
International Standard Text Code	Full Access Online
COPAC	Full Access Online
World Cat	Full Access Online
Bibliotheek.nl	Full Access Online
International Name Identifier	Full Access Online
Books in print	Online Access (Subscription)
Achieven Nederlands	Full Access Online
Titelbank	Full Access Online
Zoek een Book	Full Access Online
Just Books	Full Access Online
Stichting Reprorecht	Not Accessible Online
Thuis kopie	Not Accessible Online

Leenrecht	Not Accessible Online
PRO (Publicatie- end Reproductierechten Organisatie)	Not Accessible Online
International Publishers Rights Organisation	Not Accessible Online
Road	Full Access Online
ISSN Register	Online Access (Subscription)
Journal Database	Full Access Online
Nederlandse Vereniging van Journalisten	Not Accessible Online
FreeLancers Associatie (voor ondernemende journalisten)	Not Accessible Online
NDP Nieuwsmedia	Not Accessible Online
CLIP	Not Accessible Online
Visual Works- Source List	Accessibility
Koninklijke Bibliotheek	Full Access Online
Nederlands Uitgeversverbond	Not Accessible Online
Vereniging van Zelfstandige Uitgevers	Full Access Online
Vereniging van Schrijvers en Vertalers	Not Accessible Online
Vereniging van Letterkundigen	Not Accessible Online
Vereniging van Educative Auteurs	Full Access Online
LIRA	Not Accessible Online
TekstNet	Full Access Online
Het Nederlands Genootschap van Tolken en Vertalers (NGTV)	Full Access Online
WATCH	Full Access Online
Authorsdb	Full Access Online
Dichtkunst Nederlands	Full Access Online
Poeziecentrum	Full Access Online
Nederlandse Poezie Encyclopedie	Full Access Online
FOB database	Full Access Online
International Standard Text Code	Full Access Online
COPAC	Full Access Online
World Cat	Full Access Online
Bibliotheek.nl	Full Access Online
International Name Identifier	Full Access Online
Books in print	Online Access (Subscription)
Achieven Nederlands	Full Access Online
Titelbank	Full Access Online
Zoek een Book	Full Access Online
Just Books	Full Access Online
Stichting Reprorecht	Not Accessible Online
Thuis kopie	Not Accessible Online
Leenrecht	Not Accessible Online
PRO (Publicatie- end Reproductierechten Organisatie)	Not Accessible Online

International Publishers Rights Organisation	Not Accessible Online
ARROW	n/a (unknown)
European Observatory	Full Access Online
Road	Full Access Online
ISSN Register	Online Access (Subscription)
Journal Database	Full Access Online
Nederlandse Vereniging van Journalisten	Not Accessible Online
FreeLancers Associatie (voor ondernemende journalisten)	Not Accessible Online
NDP Nieuwsmedia	Not Accessible Online
CLIP	Not Accessible Online
DuPho	Full Access Online
BNS (beropesvereniging Nederlandse stripmakers)	Not Accessible Online
Botanische Kunstenaars Nederland	Full Access Online
BBK (Beropesvereniging van Beeldende Kunstenaars)	Not Accessible Online
Vereniging Bedrijfscollecties Nederland	Not Accessible Online
Kunsten '92	Full Access Online
Maatschappij Arti et Amicitiae	Full Access Online
PICTORIGHT	Full Access Online
Beeld en Geluid	Full Access Online
Audiovisual works- Source List	Accessibility
Beeld en Geluid	Full Access Online
STOP-NL (independent producers)	Not Accessible Online
NVPI (De branchevereniging van de entertainmentindustrie)	Not Accessible Online
OTP (De vereniging van Onafhankelijke Televisie Producenten)	Access Online (Partial)
MPAA (Motion Pictures Association of America)	Not Accessible Online
NVF (Nederlandse Vereniging van Filmdistributeurs)	Not Accessible Online
SVVP (De Stichting Verdeling Videoproducenten)	Not Accessible Online
NBF (Nederlandse Beroepsvereniging van Film- en Televisiemakers)	Full Access Online
Dutch Director's Guild	Full Access Online
Netwerk Scenarioschrijvers	Full Access Online
NOVA (Nederlandse Organisatie van Audiovisuele Amateurs)	Not Accessible Online
PAM (Portal Audiovisuele Makers)	Not Accessible Online
BZO (beroepsvereniging van zelfstandige ondertitelaars)	Full Access Online
Vakbond voor Musici en Acteurs (NtB)	Not Accessible Online
ACT (Belangenvereniging voor acteurs)	Not Accessible Online
artiestenverloningen.nl	Not Accessible Online
Popauteurs	Full Access Online
BCMM	Not Accessible Online

Het Nieuw Genootschap van Nederlandse Componisten (Nieuw Geneco)	Full Access Online
Nederlandse Muziek Uitgevers Vereniging	Full Access Online
Vereniging voor Muziekhandelaren en - uitgevers Nerland (VMN)	Full Access Online
STAP	Not Accessible Online
Stichting Platform Multimediaproductanten	Not Accessible Online
EYE	Full Access Online
Europeana	Full Access Online
Nationaal Archief	Not Accessible Online
Digital Collection of the Rijksdienst voor het cultureel erfgoed	Full Access Online
ISAN	Full Access Online
ISMN	Full Access Online
ISWC	Full Access Online
IFPI's ISRC	Not Accessible Online
CEDAR	Not Accessible Online
Thuiskopie	Not Accessible Online
LIRA	Not Accessible Online
Leenrecht	Not Accessible Online
BUMA- STEMRA	Full Access Online
NORMA	Not Accessible Online
SENA	Not Accessible Online
VIDEMA	Not Accessible Online
SEKAM	Not Accessible Online
Service Bureau Filmrechten	Not Accessible Online
International Documentation on Audiovisual works (IDA)	Not Accessible Online
VEVAM	Not Accessible Online
All Music	Full Access Online
Imdb	Full Access Online

ITALY

Published books – Source list	Accessibility
Orphan work register	In progress
Registro Pubblico delle opere protette	Free access on site
Associazione Italiana Editori	Free access online
Federazione Nazionale Editori Indipendenti	Free access online
Federazione Autori	Not accessible online

Associazione Italiana Editori Musicali	Not accessible online
Scrittori Associati di cinema e televisione italiani	Not accessible online
Writers Guild Italia	Free access online
OPAC Sistema Bibliotecario Nazionale	Free access online
Legal Deposit, Catalogo Biblioteca Nazionale Centrale Roma	Partial access online
Legal Deposit, Catalogo Biblioteca Nazionale Firenze	Partial access online
Catalogues -Biblioteca Nazionale di Firenze's associates libraries	Partial access online
Biblioteca Nazionale di Napoli	Partial access online
Catalogues -Biblioteca Nazionale di Napoli's associates libraries	Partial access online
Catalogo Biblioteca Nazionale Braidense	Partial access online
WATCH -Writers and their Copyrighth holders	Free access online
Catalogo CLEARedi	Free access online
SIAE -banca dati	Free access online
SIAE -elenco autori non reperiti	Free access online
Anagrafe Nominativa dei professori e dei ricercatori e delle pubblicazioni scientifiche	In progress
Alice iBuk banche dati editoria italiana	Not accessible online
Banca dati dell'agenzia ISBN per i libri pubblicati e gli editori	Paying access online
Federazione unitaria scrittori	Not accessible online
Virtual International authority files- VIAF	Free access online
ARROW system	Free access online
Rgistro imprese	Paying access online
Catalogo Fondazione Feltrinelli	Free access online
HBP (Heritage of the Printed book database) sviluppato da CERL -consortium of European research libraries	Not accessible online
CERL -Thesaurus (portale patrimonio bibliografico europeo)	Free access online
Biblioteca Digitale Italiana -cataloghi storici	Free access online
Biblioteca Apostolica Vaticana	Free access online
ANPOSDI -associazione poeti dialettali italiani	Free access online
Il Club dei Poeti	Not accessible online
Il Club degli Scrittori	Not accessible online
ICWA -Italian Children's Writers Association	Free access online
Biblioteca Italiana	Free access online
Online database and catalogues	Free access online
Authors and books info database	Free access online
General Internet Searching	Free access online

Agenzia letteraria internazionale	Free access online
Marco Vigevari Agenzia Letteraria	Free access online
Luigi Bernabò Associates	Not accessible online
Grandi e Associati	Free access online
Herzog	Not accessible online
Edelweiss	Free access online
Martin Eden Agenzia Letteraria	Not accessible online
Agenzia letteraria Paradigmi	Free access online
Segni di Carta	Not accessible online
Thesis	Not accessible online
ISNI International Standard Name Identifier	Free access online
Genealogy Websites	Paying access online
Genealogy Websites	Free access online
Registro dei Testamenti -Ministero Giustizia	Not accessible online
Inkitt -piattaforma per la pubblicazione di romanzi e racconti	Free access online
Database accademici e scientifici	Not accessible online
BiblioSan	Free access online
BiblioSan	Free access online
Rgistro imprese	Not accessible online
BiblioSan	Free access online
Biographical research	Free access online
Biographical research	Free access online
Repertori biografici	Free access online
Encyclopedia	Free access online
Accademia di Storia dell'arte sanitaria	Free access online
Centro di ricerche socio-culturali	Not accessible online
Accademia Nazionale della Scienza detta dei XL	Free access online
Associazione Nazionale per gli Interessi del Mezzogiorno d'Italia	Free access on site
Ateneo Veneto	Partial access on site
Centro di cultura e storia amalfitana	Free access online
Centro Studi sul Classicismo	Free access online
Centro internazionale di etnostoria	Not accessible online -last check 1/2016
Centro Nazionale di Studi Rosminiani	Free access online
Ciriec (Economia pubblica, sociale e cooperativa)	Not accessible online -last check 1/2016
Accademia Nazionale San Luca	Partial access online
Centro Pio Rajna	Free access online
Fondazione Arnoldo e Alberto Mondadori	Free access on site
Fondazione Luigi Micheletti	Free access online
Fondazione Carlo Donat-Cattin	Free access online

Fondazione casa Oriani	Free access on site
Centro culturale valdese (page in Italian)	Free access online
Fondazione Centro di documentazione ebraica contemporanea	Free access online
Fondazione Calamandrei	Not accessible online
Fondazione centro studi filosofici di Gallarate	Not accessible online -last check 1/2016
Fondazione Gianbattista Vico	Free access online
Fondazione fratelli Rosselli	Free access online
Fondazione Studi Storici Filippo Turati	Free access online
Fondazione Enérgeia	Free access online
Fondazione Filippo Burzio	Free access on site
Fondazione Giacomo Brodolini	Free access on site
Fondazione Giacomo Matteotti	Free access online
Fondazione Giovanni Gorla	Free access online
Fondazione Pastore	Free access online
Fondazione Giuseppe Vagno	Free access online
Fondazione Modigliani	Free access on site
Fondazione Gramsci Emilia-Romagna	Free access online
Fondazione Guido e Roberto Cortese	Free access online
Fondazione Ignazio Silone	Free access online
Istituto per la storia dell'età contemporanea	Partial access online
Istituto Internazionale di storia economica Datini	Partial access online
Fondazione memorie Giuseppe Garibaldi Onlus	Free access online
Istituto Veneto di scienze, lettere ed arti	Free access on site
Museo Galileo	Free access online
Società studi valdesi	Partial access online
Istituto per la storia del risorgimento italiano	Partial access online
Istituto per la storia dell'azione cattolica	Free access online
Istituto per la storia religiosa e sociale	Free access on site
Società Europea di cultura	Free access on site
Istituto Italiano di Studi Filosofici	Free access online
Istituto Italiano per gli Studi Storici	Free access online
Istituto Italiano per l'Africa e l'Oriente	Not accessible online
Istituto Lombardo	Partial access online
Istituto Luigi Sturzo	Free access online
Istituto di Studi Romani	Partial access online
Istituto Nazionale di Studi sul Rinascimento	Partial access online
Istituto Nazionale per la storia del movimento di liberazione in Italia	Free access online
Fondazione Luigi Einaudi per studi politica economia	Free access online
Centro Studi Gobetti	Free access online
Società filologica friulana	Free access online

Unione Accademica Nazionale	Free access online
Istituto di Studi Pirandelliani	Free access online
Istituto di Studi Politici	Free access online
Istituto di Studi Storici Salvemini	Free access online
Fondazione per le scienze religiose Giovanni XXIII	Free access online
Fondazione Nenni	Free access online
Fondazione Romolo Murri	Not accessible online
Domus Galileiana	Free access online
Società internazionale per lo studio del medioevo latino	Free access online
Accademia della Crusca	Free access online
Agenzie di ghostwriting	Not accessible online
Newspapers, magazines, journals and other periodicals – Source list	Accessibility
Orphan work register	In progress
Registro Pubblico delle opere protette	Free access on site
OPAC Sistema Bibliotecario Nazionale	Free access online
ISNI International Standard Name Identifier	Free access online
Legal Deposit, Catalogo Biblioteca Nazionale Centrale Roma	Partial access online
Legal Deposit, Catalogo Biblioteca Nazionale Firenze	Partial access online
SIAE -banca dati	Free access online
SIAE -elenco autori non reperiti	Free access online
Italian national centre ISSN	Free access online
Banche dati International Serial Number per i periodici	Not accessible online
Federazione italiana editori giornali	Free access online
Associazione nazionale stampa periodica specializzata	Free access online
WATCH -Writers and their Copyright holders	Free access online
Genealogy Websites	Paying access online
Genealogy Websites	Free access online
Registro dei Testamenti -Ministero Giustizia	Not accessible online
Ordine dei Giornalisti -associates directory	Free access online
Federazione nazionale stampa italiana (sindacato unitario dei giornali italiani)	Not accessible online
Science Writers Italy	Not accessible online
General Internet Searching	Free access online
Database accademici e scientifici	Not accessible online
BiblioSan	Free access online
BiblioSan	Free access online
BiblioSan	Free access online
La Stampa (Archive 1867-2005)	Free access online
Corriere della Sera (Archive 1992-Today)	Free access online

la Repubblica (Archive 1984-Today)	Free access online
Il Messaggero (Archive 1880-Today)	Paying access online
L'Unità (Archive 1924-today)	Free access online
La Gazzetta dello Sport (Archive 1997-today)	Free access online
Archivio Internazionale	Paying access online
Emeroteca Italiana (newspapers/journals articles collection archive)	In progress
Emeroteca Roma	Free access on site
Emeroteca Digitale Braidense (newspapers/journals collection late '800, beginning '900, mainly from Lombardia. NOTICE: to view the materials is necessary to install a specific plug-in)	Free access online
Biblioteca Nazionale di Napoli: directory Italian digitized newspapers/journals libraries	Free access online
Holmes Biblioteca digitale IULM	Not accessible online
14-18 Immagini della Grande Guerra	Not accessible online
Chracas Digitale	Free access online
Riviste Digitali AMS	Free access online
Sottocoperta	Free access online
Emeroteca Digitale Toscana	Free access online
Biblioteca Nazionale di Napoli: international digitized newspapers/journals libraries	Free access online
Les gazettes Européenne du 18° siècle	Not accessible online
Hemeroteca Digital	Partial access online
Direzione Generale degli Archivi	Free access online
Associazione Nazionale Stampa online	Not accessible online
Audipress: indagine sulla lettura dei quotidiani e dei periodici in Italia	Free access online
Biographical research	Free access online
Biographical research	Free access online
Repertori biografici	Free access online
Istituto per la scienza dell'Amministrazione Pubblica	Free access online
Fondazione Nuova Spes	Partial access online
Fondazione La Malfa	Free access online
Archivio Disarmo	Free access online
Fondazione Lelio e Lisli Basso	Free access online
Associazione Stampa agroalimentare	Not accessible online
ARROW system	Free access online
Agenzie di ghostwriting	Not accessible online
Agenzie di ghostwriting	Not accessible online

Archivio Diaristico Nazionale	Partial access online
Agenzie di ghostwriting	Not accessible online
Other sources	Free access online
Visual works – source list	Accessibility
Registro imprese	Not accessible online
Orphan work register	In progress
Registro Pubblico delle opere protette	Free access on site
Associazione Italiana Editori	Free access online
Federazione Nazionale Editori Indipendenti	Free access online
Federazione Autori	Not accessible online
Associazione Italiana Editori Musicali	Not accessible online
Scrittori Associati di cinema e televisione italiani	Not accessible online
Writers Guild Italia	Free access online
OPAC Sistema Bibliotecario Nazionale	Free access online
Legal Deposit, Catalogo Biblioteca Nazionale Centrale Roma	Partial access online
Legal Deposit, Catalogo Biblioteca Nazionale Firenze	Partial access online
WATCH -Writers and their Copyrighth holders	Free access online
Catalogo CLEARedi	Free access online
SIAE -banca dati	Free access online
SIAE -elenco autori non reperiti	Free access online
Anagrafe Nominativa dei professori e dei ricercatori e delle pubblicazioni scientifiche	In progress
Alice iBuk banche dati editoria italiana	Not accessible online
Banca dati dell'agenzia ISBN per i libri pubblicati e gli editori	Paying access online
Virtual International authority files- VIAF	Free access online
ARROW system	Free access online
Banche dati International Serial Number per i periodici	Paying access online
Banche dati International Serial Number per i periodici	Not accessible online
Catalogo Generale dei Beni Culturali	Partial access online
Federazione italiana editori giornali	Free access online
Associazione nazionale stampa periodica specializzata	Free access online
Photographic archive on movies	Free access online
Api Images (photographic archive)	Free access online
Alinari (photographic archive)	Free access online
Conny Van Kasteel (photographic agency)	Free access online
Conny Van Kasteel (photographic agency)	Free access online
Contrasto (agency)	Free access online
Effigie (photos for books production and archive)	Free access online
Archives fotogramma and giacomino foto	Not accessible online

Fototeca Gilardi (historical archive)	Partial access online
ICP	Paying access online
Milano Panoramica directories	Free access online
Olycom	Free access online
Omega	Not accessible online
Parallelo Zero -archive, production, reportage	Free access online
Photomovie	Not accessible online
Pubbliaerfoto	Not accessible online -last check 1/2016
Luisa Ricciarini (archive specialized in arts)	Free access online
Realyeasystar (focused on travels and nature)	Not accessible online
Richiardi (sports)	Not accessible online
Simephoto (archive and production)	Free access online
Sgp Italia	Free access online
Guido Alberto Rossi	Free access online
Infophoto (production and archive, specialized for photo-reporters/journalists)	Free access online
L'immaginario (food and beverage)	Free access online
LaPresse (multimedia agency, archive and production)	Free access online
Marka archive	Free access online
Tomasi (archive and production)	Not accessible online
Associazione Nazionale Fotograf Professionisti	Free access online
Archivio Forografico Italiano	Partial access online
Gabinetto Fotografico Nazionale	Partial access online
Archivio fotografico Luce	Free access online
Associazione Nazionale Fotografi Matrimonialisti	Free access online
Associazione Fotografi Professionisti	Free access online
Ordine dei Giornalisti -associates directory	Free access online
Associazione Nazionale Fotoreporter	Free access online
Associazione Autori di Immagini	Free access online
Archivio Storico illustrazioni Capti	Free access online
Associazione disegno industriale	Free access online
Consiglio Nazionale degli Architetti, Pianificatori, Paesaggisti, Conservatori	Free access online
Accademia della Medicina di Torino	Free access online
Associazione Nazionale Archivi Architettura Contemporanea	Partial access online
Albo italiano Pittori, Scultori, Grafici	Free access online
Fondazione piemontese Antonio Gramsci	Not accessible online
Fondazione Istituto Storico Giuseppe Siotto	Not accessible online
Fondazione La Quadriennale di Roma	Partial access online
Fondazione Memoria della Deportazione	Partial access online

Fondazione Morra	Partial access online
Fondazione Carlo Collodi	Not accessible online
Fondazione Pierini Stampalia	Partial access online
Istituto di Storia e Arte del Lazio Meridionale	Not accessible online
Istituto Storico Italiano per l'età Moderna e Contemporanea	Free access online
Società Europea di cultura	Free access on site
Società geografica italiana	Free access on site
Istituto Alcide Cervi	Free access online
Archivio monografico arte italiana (conemporary art)	Free access online
Fondazione Camillo Caetani	Partial access online
Centro universitario europeo per i beni culturali	Not accessible online
Fondazione Ezio Franceschini	Partial access on site
Archivio Olivetti	Free access on site
Musei Digitali d'Italia	Free access online
General Internet Searching	Free access online
Enciclopedia Arte Italiana (dal '900)	Free access online
Genealogy Websites	Paying access online
Genealogy Websites	Free access online
Registro dei Testamenti -Ministero Giustizia	Not accessible online
Archivio Storico della Scala (bozzetti, figurini etc.)	Free access online
Audio-visual works – source list	Accessibility
Orphan work register	In progress
Registro Pubblico delle opere protette	Free access on site
Legal Deposit, Istituto Centrale per i beni audiovisivi e sonori	Partial access online
Associazione Nazionale Industrie Cinematografiche e Audiovisive Multimediali	Free access online
Associazione Produttori televisivi	Free access online
Associazioni animazione italia	Free access online
Fondazione antipirateria audiovisiva	Free access online
Unione Italiana Editoria Audiovisiva	Not accessible online
Associazione Fonografici Italiani	Free access online
Produttori Musicali Indipendenti	Free access online
Federazione industria musicale italiana	Free access online
Istituto Luce (archivio cinematografico)	Free access online
Elenco Biblioteche Italiane	Free access online
Istituto Centrale per il Catalogo Unico delle biblioteche italiane e per le informazioni bibliografiche	Free access online
Research tool to find national libraries (promoted by Ministry of Culture)	Free access online

International Standard Audiovisual (material) number	Free access online
International Standard Recording Code	Not accessible online
International Standard Music Work code	Free access online
SIAE -banca dati	Free access online
SIAE -elenco autori non reperiti	Free access online
IPAA (diritti artisti)	Not accessible online -last check 1/2016
Artisti7607 (collecting society)	Not accessible online
Itisright (Collecting society)	Free access online
Mei (collecting society)	Free access online
SCF (consorzio fonografici) -collecting society	Free access online
Nuovo Imaie (collecting society)	Not accessible online
Associazione dei Fonografi Italiani	Free access online
Associazione Danzatori Italiani	Not accessible online -last check 1/2016
Associazione Musicisti Italiani	Not accessible online
AIDAC (associazione italiana dialoghisti adattatori cinetelevisivi)	Not accessible online
?Associazione Italiana doppiatori attori pubblicitari	Free access online
Associazione Nazionale Attori Doppiatori	Free access online
Archivio Multimediale delle Colonne Sonore	Free access online
RAI (raicinema database)	Free access online
MPLC -motion picture licensing corporation (DATABASE)	Free access online
R.A.S.I. (collecting society)	Not accessible online
Archivio Piccolo Teatro	Free access online
RAI general archive	Free access online
Archivi di Stato italiani	Free access online
Archivi Moda	Free access online
Biblioteca nazionale degli inediti	In progress
Portale musica inedita italiana	Free access online
Sindacato Attori italiani (CGIL -sezione attori)	Not accessible online
CNR (RCS radio activities)	Not accessible online
Ecoradio	Not accessible online
Association of more than 200 catholic-oriented radios	Free access online
Radio Popolare	Free access online
Radio LatteMiele	Not accessible online
M2O	Not accessible online
Radio 105	Free access online
Radio Capital	Not accessible online
Radio 101	Not accessible online
Radio Cuttà Futura	Not accessible online
Radio DeeJay	Not accessible online
Radio Italia anni 60	Not accessible online

Radio Italia	Not accessible online
Radio Radicale	Free access online
RDS	Not accessible online
Search tool to find radios	Free access online
Search tool to find radios	Free access online
Wikipedia -Deejay italiani	Free access online
Operabase -database for operatic performances	Not accessible online
Associazione tutela artisti lirico sinfonici e giovani musicisti italiani	Not accessible online
AICI -Associazione istituzioni culturali italiane	Free access online
Archivio Nazionale Cinematografico della Resistenza	Free access on site
Fondazione Ugo e Olga Levi	Free access on site
Consorzio per la ricerca scientifica e la tecnologia	Not accessible online
Archivio audiovisivo del movimento operaio e democratico	Free access online
Istituto Nazionale di Studi Verdiani	Partial access online
Istituto di Bibliografia Musicale	Free access on site
Istituto Internazionale Jacques Maritain	Free access on site
Società romana di storia patria	Free access on site