

Standing Committee on Copyright and Related Rights

Twentieth Session
Geneva, June 21 to 24, 2010

Examples of Practices and Other Measures for the Benefit of Persons with Print Disabilities

Document prepared by the Secretariat

1. The Annex of the present document contains updated information on examples of practices collected by WIPO related to the needs of persons with print disabilities.
2. This document has been prepared following the request of WIPO Member States to the Secretariat, at the nineteenth session of the Standing Committee on Copyright and Related Rights (SCCR) held in December 2009, regarding the preparation of an information document on examples of such practices and other measures at national level.
3. This information will be made available at the WIPO Visually Impaired Persons Initiative website (VisionIP) and will be update periodically at:
http://www.visionip.org/vip_resources/en/best_practices/

[Annexes follow]

ANNEX I

Kenya

Recognition of the needs of visually impaired people in Kenya was given a significant boost when a librarian in Kenya went blind in the late 1990s. He remained in employment after receiving rehabilitation training but, more significantly, the needs of visually impaired people unable to read the printed word were subsequently considered at a national level. He is now about to graduate with a Masters degree in Library and Information from Kenyatta University.

The Kenya Society for the Blind (KSB) and the Kenya National Library Service (KNLS) discussed the possibility of developing "Braille Corners" in Public Libraries in Kenya. As a result of a grant from the Department for International Development in the United Kingdom, managed through the British Council, the UK Royal National Institute for the Blind was able to run workshops in Kenya to familiarize KNLS Management and Librarians with the needs and requirements of visually impaired people. Then, Braille Corners housed in Public Libraries at Provincial and District level across Kenya began to be rolled out. Africa Braille services, FORCE foundation and Sightsavers have thereafter partnered with KNLS in various trainings and workshops. The UK Rotary Club, in collaboration with its Thika branch, donated 100 audio book navigators and two laptops so that visually impaired persons users can now borrow leisure reading materials as well as informational material to read at home.

At the present time there are 42 Braille Corners serving over 10,000 registered users. The Library provides other facilities for blind users, in particular Perkins Brailers. Where a registered user is unable to visit the library, a family member may collect books for them so long as the family member can present the registered membership card.

The Nairobi Main Library has 900 titles available in Braille, large print and audio and the stock increases each year. This Library has developed additional services for schools. There are 15 schools within 200 kms. of the library that benefit from an outreach service under which a new stock of accessible books is delivered to each school each month and the old ones are retrieved and recycled to other schools where there are visually impaired children.

Other institutions such as the Kenyatta University Library and Daystar University provide services for blind users. The latter is closely working with KNLS for inclusion of visually impaired persons in the university life. The World Bank Public Information Center has a major role in the provision of information and communications technologies services for the blind, including Internet access and research tools.

[Annex II follows]

ANNEX II

Lesotho

The Library of the National University of Lesotho (NUL) started admitting blind students in 1997. Then, when a visually impaired student came to the library with a request for a book she would like to read, the book would be checked out to the Special Unit of the Faculty of Education where it would be transcribed into a Braille copy for that student. The Unit was the only office with expertise and relevant equipment. In April 2009, the Library inaugurated its own service for library patrons with disabilities. A suite of equipment included an embosser, a reader and a printer, all of which were accessed with special assistance and guide. In Lesotho, there is no exception to copyright specifically permitting such assistance to visually impaired people, but there is a broad private copying exception in copyright law which should cover transcription to provide a personal copy in response to a request from a student.

EIFL-IP¹, an independent foundation that leads, negotiates, and advocates for the wide availability of electronic resources by library users in transition and developing countries, including the investigation of copyright issues affecting blind and visually impaired people, has raised awareness of the limitations of relying on such exceptions alone which may restrict re-use of the material by the library for the benefit of visually impaired students. EIFL-IP has highlighted the wealth of information available in Braille and other accessible formats, in particular in digital form, in other countries and the advantages of avoiding duplication of effort if material is shared, but that in order to benefit from the sharing, suitable provision needs to be made in copyright law in Lesotho.

NUL is cooperating with a number of offices and organizations within Lesotho in various initiatives so that its information facilities contribute meaningfully to the success of learners with disabilities.

[Annex III follows]

¹ The eIFL-IP website can be found at http://www.eifl.net/services/services_ip.html

ANNEX III

United Kingdom

Joint lobbying by the publishing industry, the Royal National Institute of Blind People (RNIB)², and the National Library for the Blind (NLB)³ led to a Visually Impaired Persons (VIP) Copyright Act which was enacted into the United Kingdom law in October 2002.

Before 2003 rightholders permission was required for every title to be transcribed into an alternative format. Improving efficiency and simplifying processes for customers and the industry was a shared priority. A carefully written copyright exception that balanced the needs of all stakeholders was desirable to prevent a number of earlier problems:

- Publishers were not always able to grant the necessary permissions, and sometimes had to refer requests on to literary agents, other publishers and authors. In some cases no-one was sure who actually held the rights.
- There could be some confusion if more than one charity supporting people with print disabilities approached the publisher for permission to create accessible versions of the same title. Smaller publishers without dedicated permissions teams could be overwhelmed by the volume of requests and might not always respond in a timely fashion. Sometimes publishers seemed to simply ignore permission requests despite several reminders.
- There was inconsistency about payments, with most giving permission seeking nothing, but a few asking for payment.
- Collections of short stories and poetry and anthologies could be particularly difficult to license as there was sometimes a need for permission to be obtained from all the contributors.
- Permissions could include various terms, such as on the geographical extent of loans, the number of copies that could be made and the time needed before permission could be sought again.

Even before the VIP Copyright Act, some of these problems began to ease as, for example, some of the larger publishers had started to offer blanket permission, but challenges remained and the process of seeking permission was a huge administrative burden not only for institutions that produced and/or distributed materials for the visually impaired, but also for smaller and medium sized publishers and for accessible format producers.

² The RNIB website can be found at <http://www.rnib.org.uk/Pages/Home.aspx>

³ The National Library for the Blind (NLB) was a public library, founded 1882, which aimed to ensure that people with sight problems had the same access to library services as sighted people. NLB merged with the Royal National Institute of Blind People (RNIB) in 2007 to improve efficiency and simplify processes for customers and the industry.

The 2002 legislative change introduced an exception to copyright when an appropriate version was not commercially available. It also enabled rightholders to set up licensing schemes to override the exception so long as the licensing scheme was not more restrictive in what was permitted than the exception. The Copyright Licensing Agency (CLA) is one organization that sets up a licensing scheme that covers the production of alternative formats of books, journals, and magazines. A separate scheme operated by the Music Publishers Association (MPA) exists for sheet music.

In 2004, stakeholders met under the auspices of the UK government to review progress in meeting the reading needs of people with print disabilities. All agreed that, despite the 2002 VIP Copyright Act, no discernible increase in the number of accessible publications could be detected. Instead, it was agreed to commission a series of partnership projects to investigate ways to increase the number of accessible editions available to those with print disabilities. The first initiative was a government-backed Feasibility Project to investigate the potential for bringing about a significant increase in accessible book products for blind and partially sighted people. The project was funded by the Publishers Licensing Society and the RNIB and involved stakeholders for an array of other trade bodies including the Publishers Association, the Booksellers Association, and the Society of Authors. All the partners were committed to work on the project as they support the overall objective of increasing the availability of accessible products. The project was successful and reported in 2006. A series of follow-up projects were launched including the FOCUS project which embedded large print titles in bookshops throughout the UK and the Accessible Learning Resources Project (still underway) which is investigating sustainable ways of supporting school students in obtaining accessible books and other learning materials. A regular round-up of news from the UK is published in a quarterly Publishing Accessibility Newsletter⁴.

[Annex IV follows]

⁴ The Publishing Accessibility Newsletter website can be found at <http://www.publisherscontentforum.org.uk/>

ANNEX IV

Brazil

Brazilian copyright law permits Braille and other accessible formats for visually impaired people to be made so long as the activity is non-commercial. The Dorina Nowill Foundation for the Blind (FDNC)⁵ is a charity which acts under the exception to copyright to produce works in particular formats. It is probably Latin America's largest producer of Braille books and is the largest Brazilian producer of DAISY and audio-books. As well as supplying books to visually impaired people in Brazil, the Foundation produces an audio-magazine which is sent to Portuguese-speaking visually impaired people in Portugal, the United States of America and France.

Accessible copies are distributed by the Foundation in Brazil either directly to visually impaired people known to the Foundation, or indirectly through other organizations. For accessible copies in an electronic format, distribution is carefully controlled with the recipients. The digital books production system used by FDNC offers publishers a full report of the books delivered with each book full users list.

The work of the Foundation has for many years been facilitated by agreements that have been reached with publishers. Under these agreements, publishers have been supplying the Foundation with electronic files of books so that the Foundation can use these as the starting point for making accessible copies rather than a printed text which would need to be scanned. Whereas scanning is reasonably easy for leisure reading material, educational material which includes diagrams, tables and so on is much more difficult to scan satisfactorily.

In the last three years, the Foundation has developed an online (Web) platform to manage all issues involved in the DAISY production work. This platform, called Dorina DAISY Platform (DDP), can receive and store files from the publishers allowing them to access reports and logs of all actions taken by editors and identify all users to whom the books are delivered, in real time. DDP is now in use by a recently created Brazilian DAISY production network and is the basis of the DAISYLATINO production network. It manages each Institution's work and users independently and uses dedicated hosting in a secure environment. Its book request management module can track each client requests and delivery status. This kind of solution is building a trusted network between publishers and Institutions.

[Annex V follows]

⁵ The FDNC website can be found at www.fundacaodorina.org.br

ANNEX V

Canada

CNIB is a nationwide, registered charity providing community-based support, knowledge and a national voice to ensure Canadians who are blind or partially sighted have the confidence, skills and opportunities to fully participate in life. The CNIB Library⁶ offers eligible individuals across Canada access to a fully digital library service which includes Braille, printbraille, DAISY audio books, descriptive video, newspapers and magazines, as well as online services. CNIB is Canada's largest producer of alternative format materials.

Since 1997, when a new exception was introduced into Canadian copyright law, a non-profit organizations acting for the benefit of persons with a perceptual disability can make a copy or sound recording of a work in a format specially designed to meet the needs of that person without infringing copyright. The CNIB Library acts under the exception to copyright to update analogue accessible formats to digital copies, as well as making accessible copies of works acquired for the first time. Its retroactive activity includes converting 4-track audiocassette tape to the DAISY format or hard copy braille to electronic braille. A second exception in Canadian copyright law relating to maintenance or management in general of a library's permanent collection is also helpful. This exception⁷ permits a work to be copied in an alternative format if the original is currently in an obsolete format or the technology required to use the original is unavailable.

In October 2007, Library and Archives Canada (LAC) announced the Initiative for Equitable Library Access (IELA). The mandate of IELA is to create the conditions for sustainable and equitable library access for Canadians with print disabilities. Specifically, LAC was asked to develop and cost a strategy for implementing nation-wide partnerships, activities and services to meet the long-term library and information access needs of Canadians with print disabilities. The IELA consultation process continues with stakeholders across Canada, including individuals with print disabilities, consumer organizations of persons with disabilities, representatives of the library, print publishing and alternative format publishing communities.

Currently, the CNIB Library and sister organizations internationally are working collaboratively on a project to develop a strategy for a virtual global accessible library to allow alternative format producers to share their content in order to reduce unnecessary and costly duplication and provide more accessible content in a trusted environment for those with print disabilities around the world. This project is sponsored jointly by the DAISY Consortium and the IFLA Libraries Serving Persons with Print Disabilities Section.

[Annex VI follows]

⁶ The CNIB website can be found at <http://www.cnib.ca/library/index.htm>

⁷ See Section 30.1(1)(c) of the Copyright Act as amended to 3 March 2006 available at <http://laws.justice.gc.ca/en/C-42/230536.html#rid-230548>

ANNEX VI

United States of America (I)

The United States has had longstanding voluntary arrangements between publishers and authorized entities⁸ to provide accessible versions of copyrighted works to the visually impaired. In 1996, legislation was adopted to provide an exception in the Copyright Act for this purpose. The Chafee Amendment, codified in Section 121 of the U.S. Copyright Act, limits the exclusive rights of reproduction and distribution by allowing authorized entities to provide copies or recordings of previously published, nondramatic literary works in specialized formats exclusively for use by “blind or other persons with disabilities.”⁹ The U.S. system does not provide for remuneration of rightholders. Certification is required before works are made available to users through use of the statutory exception.

Services are provided pursuant to the Chafee Amendment (and in some cases additional voluntary arrangements with publishers) by authorized entities in the United States including the National Library Service for the Blind and Physically Handicapped (NLS)¹⁰, Recording for the Blind & Dyslexic (RFBD)¹¹, and Bookshare¹². Authorized entities can provide materials for eligible members of both the general reading public and students at all education levels.

The Individuals with Disabilities Education Improvement Act (IDEA) of 2004 introduced a number of provisions relating to the education of children with disabilities and included amendments to the Chafee Amendment to cover instructional materials provided to the visually impaired pursuant to the IDEA. The central purpose of the amendments was to impose a National Instructional Materials Accessibility Standard (NIMAS), so that the electronic files collected for use by State and local educational agencies to create accessible versions of adopted textbooks would be consistent and uniform across the country, and would be created in the versatile XML-based format that allows a variety of accessible format versions of the work to be derived from such source files.

The legislation also established the National Instructional Materials Access Center (NIMAC)¹³. This Center has the statutory obligation to “receive and maintain a catalog of print instructional materials prepared in the National Instructional Materials Accessibility Standard (NIMAS) made available to the Center by the textbook publishing industry, State educational agencies, and local educational agencies.” It must also develop and implement procedures to protect against copyright infringement of the instructional materials that publishers are required by law to provide to the Center.

Publishers who sell their books into a school system must agree to provide NIMAS electronic files for such works to the NIMAC. State or local educational agencies that choose to coordinate with NIMAC then arrange to have the instructional materials from the publisher produced or rendered in the required specialized formats. The 2004 IDEA also

⁸ “Authorized entities” is the term used in the United States for trusted intermediaries
⁹ See 17 U.S.C. § 121 available at <http://www.copyright.gov/title17/92chap1.html#121>
¹⁰ The NLS website can be found at <http://www.loc.gov/nls/>
¹¹ The RFBD website can be found at <http://www.rfbd.org/>
¹² The Bookshare website can be found at <http://www.bookshare.org/>
¹³ The NIMAC website can be found at <http://www.nimac.us/>

amended the U.S. Copyright Act so that a publisher does not infringe copyright by providing electronic files of the content of print instructional material to NIMAC.

Another initiative pursued in the U.S. in recent years has involved voluntary collaboration among stakeholders to improve the availability of textbooks in accessible formats for higher education students. The AAP announced in March 2006 the launch of the Alternative Format Solutions Initiative (AFSI) to address material used in post-secondary education¹⁴. Colleges and universities, students, disabled student support services, professionals, national and state disability advocacy groups and technology providers are all involved in AFSI with the aim of creating a national framework to provide print-disabled post secondary students with specially formatted course materials on a timely basis.

One result of the AFSI initiative is the development of the AccessText Network¹⁵, which was announced in 2008. The AccessText Network is a membership exchange network to facilitate and support the nationwide delivery of alternative files for students with diagnosed print-related disabilities. AccessText will be a conduit between publishers and post-secondary institutions' disability programs, and will serve as the national nucleus for post-secondary distribution of approved alternative textbook file exchanges, training, and technical support. It will be developed by the Alternative Media Access Center at the University of Georgia.

The American Printing House for the Blind (APH)¹⁶ will also collaborate with the AccessText Network to improve college textbook accessibility. The expectation of the joint project is to support students with disabilities transitioning into postsecondary environments. The focus of the collaboration will be linking the APH *Louis* database, which contains information on 200,000 titles in accessible formats for elementary and secondary school students as well as titles on the postsecondary level, with the AccessText Network, which offers colleges direct access to leading publishers.

[Annex VII follows]

¹⁴ See AAP press release at

<http://www.publishers.org/press/releases.cfm?PressReleaseArticleID=321>

¹⁵ The website of AccessText can be found at <http://www.accesstext.org/index.php>

¹⁶ The website of APH can be found at <http://www.aph.org/>

ANNEX VII

The Netherlands

Dedicon¹⁷ Netherlands produces alternative format materials under a tripartite agreement with the Federation of Dutch Publishers (NUV) and the National Office for Public Libraries (SIOB). This agreement states the terms and conditions under which Dedicon is able to produce and distribute copyright protected materials for the print disabled. This reflects the integration of what used to be the domain of the libraries for the blind into the domain of the public libraries. Accessible reading is beginning to become an integral part of the public library services.

Under this agreement there is no distinction between types of accessible format, although there is a small distinction between leisure titles and study materials as the latter are exempted from a licence fee. The NUV has advised all members to cooperate and allow production and distribution of material in alternative formats for people with a print disability. In turn, Dedicon is required to ensure that accessible copies are only used by people with a print disability, although this covers not only visually impaired people but also people with other handicaps such as spasm or dyslexia.

To make production of text files and Braille copies easier, Dedicon is able to request the digital file from publishers. Publishers either give these files to Dedicon or sell them for a small fee. Dedicon considers that a standard format for the digital files is easy to convert to the accessible formats. Nonetheless, for reasons of time efficiency, in many cases Dedicon decides not to ask for the digital file but to scan the printed book itself.

Despite the comprehensive agreement between Dedicon, NUV and SIOB, some problems were, however, encountered in the production of some accessible formats. For example, publishers were sometimes reluctant to agree to the distribution of accessible digital texts of leisure reading material, or authors of the book disagreed with the way the books were narrated.

The changes to copyright law in the Netherlands, made in September 2004, removed almost all the barriers by providing a new exception to copyright which is mirrored in the agreement between Dedicon, NUV and SIOB. Dedicon has announced its intention to produce a certain title into alternative format to the copyright holder/publisher. The publisher can prevent this production only if there is already an accessible version commercially available on the market. In practice this opt-out clause is hardly ever invoked by the publisher. However, with the developing market for commercially available talking books, Dedicon witnesses a slight rise in criticism and objections coming from the talking book producers.

On the whole, the new legislation makes the quick production and delivery to print impaired people of new books in accessible formats possible in almost all cases. Dedicon continues to pay publishers a small license fee for leisure reading books, and for all copies that are being sold to the public libraries.

¹⁷ The Dedicon website can be found at <http://www.dedicon.nl/>

As done for the production of accessible material for use by handicapped people in the Netherlands, Dedicon is also able to assist print impaired people in other countries. Dutch is, however, not a widely spoken language but there is some demand for books and magazines in Dutch from people in Belgium (Flanders) and Dutch emigrants in the United States of America Canada, Australia and New Zealand. Foreigners with a print impairment are allowed to subscribe to the Dutch library for the print impaired services. Dedicon has an arrangement with NUV which permits it to sell accessible copies of books to libraries for the print impaired abroad. However, under the arrangement these copies are exclusively for use by people with a print disability. This safeguard prevents activity that would be detrimental to publishers.

[Annex VIII follows]

ANNEX VIII

Russian Federation

The making of accessible copies for visually impaired people in the Russian Federation is underpinned by an exception to copyright. This permits reproduction of publications in Braille or other special formats for visually impaired people so long as the activity is undertaken on a not-for-profit basis. The exception does not permit electronic copies to be made as these are not a special format for the blind, but is otherwise comprehensive in its coverage so that talking books as well as Braille copies of any published material can be made for example.

With some leadership from the Russian State Library for the Blind (RGSB)¹⁸ in Moscow, there is a well-developed and professionally run network of 72 libraries for the blind across the country. These Russian Special Libraries for the Blind make full use of what is permitted by the exception to copyright producing copies of books in alternative formats for their visually impaired readers. These copies are sent where they are needed throughout the country, without the users being required to pay.

RGSB is connected with databases of the largest libraries all over the world. Every year the fund is replenished with 40,000 units of different types of issues in traditional and alternative formats. The efficient distribution system for accessible copies made by this network of libraries also covers users in a number of other countries, including Germany, Israel, the United States of America and Australia.

[Annex IX follows]

¹⁸ The RGSB website can be found at <http://www.rgsb.ru/en/std/>

ANNEX IX

France

BrailleNet¹⁹ is a non-for-profit agency created in France in 1997 in order to develop ways in which the Internet could be used for the social, educational and cultural inclusion of visually impaired people.

BrailleNet is full member of W3C and a partner of the *Comité National de l'Édition Adaptée* (CNEA) which represents most of the main francophone transcribers producing materials in alternative formats for visually impaired people, and of the *Confédération Française pour la Promotion Sociale des Personnes Aveugles ou Amblyopes* (CFPSAA).

BrailleNet manages the Internet server *Hélène*²⁰ which gathers in one database the files provided by publishers and the e-files supplied by specialized centres which produce materials adapted for visually impaired people. The server collects mainly francophone works, including works of literature, textbooks and documentation.

The server is managed by the *Institut National de Recherche en Informatique Appliquée* (INRIA), in Grenoble, and the *Centre de Calcul et de Recherche* (CCR) in *Université Pierre et Marie Curie*, in Paris; supported by the French Ministry of Culture and Communication, and funded by private sponsors.

The files stored in the *Hélène* server can be used by certified organizations in order to adapt the material for visually impaired people. For example, e-files can be used to produce large print or Braille books. Security features are built into the access arrangements to protect rightholders' interests.

In the past, BrailleNet signed contractual agreements with publishers regarding acquisition and use of e-files for the server *Hélène*. These contracts granted rights to make accessible copies worldwide for partners of BrailleNet, including recipients in Belgium, Switzerland, Canada and some countries in Africa. Today, French copyright allows nonprofit organizations to benefit from an exception to produce materials for visually impaired people.

¹⁹ The BrailleNet website can be found at <http://www.brailenet.org/>

²⁰ The *Hélène* website can be found at <http://www.serveur-helene.org/>

At the beginning of 2006, BrailleNet opened a digital library for visually impaired people²¹. Patrons can read encrypted e-books via three platforms: IRIS (a Braille computer manufactured by Eurobraille), a PC with e-token or a Victor Stream Reader (manufactured by HumanWare).

[Annex X follows]

²¹ The *Hélène* Library website can be found at <http://www.serveur-helene.org/>

ANNEX X

United States of America (II)

A nonprofit enterprise, Benetech, sponsors the Bookshare²² initiative in the United States of America. Bookshare was set up as an online community through which books that have been scanned by members and supporters can be shared with others who are visually impaired or otherwise print-disabled. This activity removes significant duplication of efforts and is possible because Bookshare can act under the special exception to rights in U.S. copyright law that permits, subject to certain conditions, the reproduction of publications into specialized formats for disabled people. Bookshare also obtains original digital copies of books directly from publishers and these, together with the files of scanned books, are converted by the organization into DAISY digital talking books and Braille Ready File (BRF) digital Braille. This accessible material is then distributed to schools, libraries and end users who have a print disability.

Bookshare follows a security strategy of seven elements to minimize the risk of abuse whilst maximizing the benefits to people with a disability. Briefly, these seven elements are:

- Users must show they qualify by supplying signed certification completed by an appropriate professional.
- Users must sign a contractual agreement forbidding copyright infringement by redistribution of material.
- Accessible copies include a copyright notice acknowledging the source and forbidding further reproduction or distribution and use by people who are not Bookshare users.
- Books are supplied with encryption and users are supplied with a custom decryption password which only decrypts content delivered for that user.
- Downloaded material is fingerprinted when it is decrypted by a user so that the source of any subsequent copyright violations can be traced.
- Bookshare maintains a database of all transactions, encryption codes and fingerprints.
- A security program monitors all transactions and can suspend a user detected to be undertaking excessive downloading or other unusual activity.

To date, Bookshare's activities have largely been confined to supplying digital books within the U.S. as it is underpinned by the copyright exception. However, Bookshare is actively working to expand its operations to be able to circulate accessible books outside the U.S. territory. It already has global rights on over 10,000 titles granted by dozens of publishers and recently launched Bookshare India in partnership with Indian publishers and disability non-governmental organizations. Outside the U.S., Bookshare's focus is on finding reliable local partners to handle disability certification, user support and local publisher relations. Bookshare's experience of getting agreements with publishers has gained momentum, with the majority of titles on the New York Times bestseller lists typically covered by blanket permissions agreements. Bookshare has partnered with numerous university presses, often by agreeing to fulfill the legal obligations of publishers to provide accessible copies to post-secondary institutions. Where there has been active

²²The website of Bookshare can be found at <http://www.bookshare.org/web/Welcome.html>

engagement in discussions, Bookshare has been quite successful in getting agreements. There are limitations, however, largely in getting into discussions in the first place.

[Annex XI follows]

ANNEX XI

Denmark

Danish copyright law allows the Danish National Library for Persons with Print Disabilities (Nota)²³ to produce and distribute Braille, audio and other accessible formats to visually impaired people, people with dyslexia and other people who have a handicap that prevents them from reading printed material. This exception applies to any books that have been published in Denmark (but not books that have only been published abroad). Distribution is possible only to individuals who have been able to document the character of their disability in writing. In addition end users have to agree in writing that everything they receive from the Nota is for strictly personal use and will be destroyed after use. Membership of the library does not depend on nationality and therefore Nota is able to distribute materials to individuals in other countries too.

Nota relies on the copyright exception but also it has a formal agreement with publishers and reports high levels of trust. The trust that exists depends on maintaining good practice and ongoing channels of communication and negotiation. The agreement with publishers means that talking books, Braille books and Braille music can be distributed to both persons with disabilities and institutions serving the blind, both in Denmark and abroad. The agreement with publishers does not permit electronic books and digital talking books to be distributed to organizations, and provide effective measures to prevent possible abuse of the materials produced by Nota. Each electronic book and digital talking book has an unique ID or watermark and records are kept by Nota so that any abuse can be traced back to the individual who has been supplied with the accessible copy.

[Annex XII follows]

²³

The website of Nota can be found at <http://www.dbb.dk/English/>

ANNEX XII

EUAIN

The European Accessible Information Network (EUAIN)²⁴ project was established in 2004 by Dedicon (Netherlands) when a core group of organizations involved in accessible content production came together on a European level to seek greater clarity and systematization for this field. During the project phase, EUAIN received funding from the European Commission.

The EUAIN Foundation has the aim of promoting e-Inclusion as a core horizontal building block in the Information Society. Thus, the existence of EUAIN is itself an example of how collaborative activity can improve understanding about the needs of print disabled people with respect to accessible material. It also explores copyright issues that might need to be addressed in order to achieve greater accessibility. The EUAIN project partners are committed to the provision of accessible information and include publishers, service providers and academic institutions.

EUAIN is active within the European Union promoting the “accessibility from scratch” philosophy, working together in this as trusted intermediary with the European Commission and the Federation of European Publishers.

EUAIN provides extensive resource for those concerned about accessible information on its web portal. For example, by advertising and promoting accessibility standards, EUAIN helps those developing information products to build accessibility for those with a print disability into the system right from the beginning, instead of the traditional approach of adding those features later. After being established as a separate entity, the EUAIN’s focus will be extended towards a practical framework in which the accessibility can be realized with a minimum effort from content providers and specialized libraries.

Amongst other things, EUAIN partners share their experiences to demonstrate how the aim of building in accessibility from the start has been met (or what problems have been encountered). Case studies available on the EUAIN Training and Resource Centre²⁵ include:

- the simultaneous release in the UK of a popular work of fiction in normal print, large print, Braille, audio and digital talking book by collaboration between the United Kingdom RNIB, publishers and others;
- work by the Dutch Library for the Blind to convert 37 newspapers automatically to accessible XML formats, making them available at the same time if not before the printed editions;
- the Cairn project, set up by two French and two Belgian publishers, supported by others, to unify access to scientific journals in human and social sciences on the internet.

²⁴ The website of EUAIN can be found at <http://www.euain.org/>

²⁵ The website on the EUAIN Training and Resource Centre can be found at <http://www.euain.org/?q=node/8>

The case studies give detailed information about what is being done, including information about the accessible information processes used, the standards, software and so on.

[End of Annex XII and of document]