



Journal of Copyright in Education and Librarianship

ISSN 2473-8336 | jcel-pub.org

Volume 5, Issue 1 (2021)

Book Review: Library Licensing: A Manual for Busy Librarians

Sandra Aya Enimil

Enimil, S. A. (2021). Book Review: Library Licensing: A Manual for Busy Librarians. *Journal of Copyright in Education and Librarianship*, 5(1), 1-3.

<https://doi.org/10.17161/jcel.v5i1.15813>



© 2021 Sandra Aya Enimil. This open access article is distributed under a [Attribution-NonCommercial 4.0 International \(CC BY-NC 4.0\)](https://creativecommons.org/licenses/by-nc/4.0/).

Book Review: Library Licensing: A Manual for Busy Librarians

by Corey Halaychik and Blake Reagan. Santa Barbara: ABC-CLIO, LLC, 2020. x+ 210 pp. ISBN: 978-1-4408-7076-7. \$65.00.

Review by Sandra Aya Enimil, Copyright Librarian and Contracting Specialist, Yale University

Library Licensing strives to help library staff comprehend licenses for content and materials. It targets academic librarians, but librarians who deal with licenses and agreements in other types of libraries will benefit from the information shared in this work. The book, written by two people (including one with a law degree) with experience at academic institutions, is a quick and straightforward read for librarians who may be new to reviewing contracts and provides thoughtful tips to more seasoned library professionals.

The COVID -19 global pandemic shined a light on inequities that exist in many of our systems. The library community was not spared the glare of challenges in navigating our licenses and collections. In 2020, as the world quickly moved online, libraries were forced to halt access to physical collections. For many institutions, shuttering their physical spaces made reliance on electronic materials the only alternative to continue to provide information and resources. Electronic resources (e-resources), which are almost exclusively managed by contracts, were ways that libraries continued to serve communities and helped students and instructors continue their courses and research. Unfortunately, e-resources did not provide the balm some expected. Librarians had to be transparent in explaining the limitations on what many thought was the solution to closed facilities, e-resources. These limitations were due to budgetary and contractual obligations. Libraries suffered budget cuts as the pandemic raged on and many library e-resource contracts limit how many digital copies are available or can be accessed by library users at the same time.

During the beginning months of the pandemic, vendors provided free access and suspended some long-standing restrictions to a lot of electronic content. This vendor access was intended to show solidarity with educational institutions, instructors, and students. That access slowly went away over the ensuing months, even as institutions remained closed and access to physical materials was not possible.

Librarians in acquisitions, collection development, copyright, and e-resources had to make sure the ways they wanted or needed to provide electronic access to materials was permissible under their negotiated contracts. The pandemic world, where access was provided solely online if possible and not at all if circumstance did not allow, meant that accessing electronic content, in useful ways for library constituents was paramount. To make sure contracts or licenses provide material in useful ways, one must have a good foundation for understanding agreements.

Library Licensing is intended to be an approachable overview of how to understand and manage contracts in academic libraries. The first chapter, the introduction, provides an overview of contracts and the necessary components of agreements. It also seeks to lower the bar for librarians who may be intimidated in creating and negotiating contracts.

Chapters two and three walk through language considerations and the organizational structure of contracts. Chapter two takes a detour to discuss contract management software and ways to possibly integrate license information into other library systems before discussing typical clauses in multiple types of agreements. The discussion on management software might be better placed in a later chapter on managing contracts. Chapter three continues the focus on common terms and clauses that should be important to any library. Terms regarding accessibility, interlibrary loan, authorized uses and users, are among the content discussed in this chapter. One particularly useful section discusses online terms of use and click-through licenses, providing a practical guide to understanding the implications of these terms.

Chapter four is titled “Managing Contracts.” One might expect the chapter to review management software and integration with library systems, but the authors had a different type of management in mind. This section looks at specific types of contracts using a variety of scenarios and agreements. This chapter covers special transactions, such as intellectual property, confidentiality, release forms, among other topics.

Chapter five seeks to pull together all the content from the prior chapters in a discussion regarding layout and structure of contracts. The authors also have a slim section in chapter five on negotiating. The authors may argue that the elements of negotiating are presented throughout the book, but this section could have been a

full chapter on its own. While the overall content of the chapter is helpful as it is, negotiating anything is where most people, not just librarians, struggle. Because of the importance, as highlighted by the global pandemic, of understanding library licenses, the negotiations process is often where terms are set and agreed upon. While many vendors or publishers have set agreements, librarians should be encouraged to counter and push back on terms that are problematic for their institutions or the community where the resource will be used. To negotiate, librarians need guidance and tools that can help them make counter arguments and offers to vendors. Perhaps further scholarship by these authors could provide more focus on negotiation strategies.

There is room for enhanced discussion on negotiation and the organizational structure of the book could be improved. However, each chapter provides helpful guidance on reviewing contracts, understanding contract language, and executing agreements. There are examples and sample contract language to illustrate points. In addition, the book includes several appendices with templates for a variety of agreements (including a sample lease for an apartment rental). At a time when use of e-resources has increased exponentially and when, at the time of this review a variant of the COVID-19 virus threatens to shut down the world again, it is imperative that librarians have a solid understanding of their rights and obligations under contracts. *Library Licensing* provides an entry point for new librarians and may be a practical refresher for other librarians charged with contract review and licensing.

Sandra Aya Enimil (she/her) is the Copyright Librarian and Contracting Specialist at Yale University Library. At Yale, Sandra is the Chair of the License Review Team and provides consultation on licenses of all types for the Library. Sandra also provides information and resources on using copyrighted materials and assists creators in protecting their own copyright. Sandra collaborates with individuals and departments within the Library and across campus. She has given numerous presentations on various aspects of copyright. Sandra is committed to diversity, equity, and inclusion (DEI) and is interested in the intersection of DEI and intellectual property. Sandra earned her Law and MSLIS degrees from the University of Illinois at Urbana-Champaign. Sandra has BAs in Political Science and Psychology from the University of Michigan and an MA in International Relations from the University of Ghana.