

Interesting copyright times

JUST AS the *Freelance* went to press the UK government responded to Ian Hargreaves' report on changes to copyright law. It supported all the Professor's proposals, including a "Digital Copyright Exchange". This could be as simple as a voluntary database of who has rights in what work; some want a "one-click shop" for buying licenses online, which raises questions. What if your least favourite political party bought a licence for use that was detrimental to your honour and reputation?

Hargreaves rejected the notion of US-style "fair use" that would mean people went ahead and used your work and neither of you knew whether it was legal until you sued.

The NUJ responded immediately, regretting the government's failure to take up the crucial issues left out of Hargreaves's brief. These include your right to be identified and to defend the integrity of your work. These "moral rights" are essential

before any action on either an Exchange or "orphan works" can be contemplated.

Meanwhile, the Irish government is reviewing the country's copyright law, examining – surprise! – fair use and a Digital Copyright Exchange. The NUJ in Ireland has submitted a strongly-worded response. "Irish copyright law does not go far enough in its protection of creators," it says: "no employer owns the originality of any journalist, whether that originality reflects the diligence of a reporter's research or a particular prose style. Yet these elements are invested in the work the journalist does for the employer. Therefore, the author must be seen as the copyright holder, even when the author is an employee."

In other corners of the creators' rights forest, Judge Denny Chin has given Google and US authors and publishers a deadline of 15 September to come up with a revised,

"opt-in" scheme for compensation for books put online through <http://books.google.com>

The UK Court of Appeal has ruled that newspaper headlines and extracts can be protected by copyright – in a case brought by the Newspaper Licensing Agency, which concentrates on paying money to owners rather than to freelances. Belgium's supreme court upheld a similar decision against Google News in May; in July the search engine agreed to stop hiding Belgian papers from its standard web search.

And the UK Supreme Court has ruled that internet service providers must block access to sites that offer links to illicit copies of films – a concept that raises a number of technical problems, which we shall explore online.

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• For the full response and updates on authors' rights issues see www.londonfreelance.org/ar

Eurojourno award

The European Commission's EU Journalist Award for articles on "discrimination and diversity issues" has prizes including €5000-worth of vouchers for kit and travel. You need to be nominated by a colleague; the deadline for entries is **10 November**. See <http://journalistaward.stop-discrimination.info> for details.

BBC rates

The NUJ has agreed annual revisions of rates for BBC News, Radio Features and Talks. For details see www.londonfreelance.org/fl/1108bbc.html

Pic credits protected in 3 US states

THE APPEAL court of the US Third Circuit, for Delaware, New Jersey and Pennsylvania, has ruled that picture credits are protected under the country's Digital Millennium Copyright Act (DMCA).

In 2006 Peter Murphy was hired by *New Jersey Monthly* to photograph Craig Carton and Ray Rossi, then of New Jersey radio station WKXW, who have been described as "shock jocks". Someone at the radio station scanned the picture, without Peter Murphy's credit, and posted it online with an invitation for viewers to manipulate it.

The court's 30-page judgement of 14 June emphasises its rejection of the argument that "copyright management information" actually means "electronic copyright management information" or alternatively "automatic copyright management information". So, in plain English: removing any byline or credit is illegal (within that Court's jurisdiction).

• See links at www.londonfreelance.org/fl/1107dmca.html



Old Wapping stares

NUJ officials and activists leafleted around News International's Thomas More Square site in Wapping, East London, on 21 July. Organisers from the NUJ Freelance Office and LFB members were among those on hand to offer support at a drop-in legal clinic, for both NUJ members and non-members. This followed the sudden closure of the *News of the World*, putting around 200 News International staff on gardening leave, with regular *NotW* freelances expected to lose work too. The NUJ was "derecognised" at News International in 1986, when Murdoch moved his titles to Wapping, although there are understood to be more than 100 NUJ members working across News International titles. NUJ freelances who do regular work for NI titles are asked to contact the membership department on 020 7278 7916 to ensure their details are up to date. Any NUJ freelances who are owed money by *NotW*, or who have worries about future shifts, should contact the Freelance Office on 020 7843 3735 for advice. Photo © Matt Salusbury

Puffing at Huffington

The dispute between unpaid bloggers and the *Huffington Post*, valued at \$315 million by America Online, continues. "Ms. Huffington is creating a new editorial business model built on the desperation of the twenty-first century journalist," says sports writer Dave Zirin: "It's a business model that enriches itself by sell-

ing the snake-oil that, for a writer, 'building your brand' is an end unto itself... I think it's dangerous for the future of our craft and I ain't gonna work on Arianna's farm no more. The virtual picket line should be respected for this reason alone." The *Huffington Post* launched a UK edition at the beginning of July: see www.huffingtonpost.co.uk – if you've dealt with HuffPost UK please tell us how it went. What rights do they want? What do they pay? How are they about negotiating rights? You can submit a report directly, in confidence, to www.londonfreelance.org/rates/submit.php or email HuffPo@londonfreelance.org.

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Articles whose inclusion in this print edition of the *Freelance* space did not permit include:

- South Yorkshire Times (Doncaster) to strike
- Journalists' safety conference in Northern Ireland, September
- Can the media be co-operative? Conference report
- German courts say: pay journalists fairly
- Sky's limit – small demo amid the News International ruckus
- Support the struggle of the interns – LFB meeting report
- Syndication in another nation – guide to working with an international syndication agency
- Mo Wilson Memorial Award for Documentary Photography – new award for photojournalism students
- Nevada judge rules infringement is fair use
- How was Pride for you? Photographers let us know of any contact with stewards at London Gay Pride on 2 July
- All these stories and more can be found on the website www.londonfreelance.org/fl