

**Transportation Librarians Roundtable**  
**May 9, 2019**  
**Transcript**

Please stand by for real-time captions.

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I think we will go ahead and get started and hopefully everybody can hear me okay. On the behalf of myself I want to welcome all of you to today's transportation librarians Roundtable and we are already in you may. Appreciate you joining us and this is Bob Cullen, the information resource manager . The presentation today is intellectual property management and transportation, and our distinguished speaker for today is Jason Bittner of applied research associated Inc.. I will give more of an introduction for Jason in a minute or two. In the meantime, I would like to turn the microphone over to Samantha so she can go over some of the usual ground rules that we need to keep in mind for the day. The microphone is all yours Sam.

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Thanks Bob and welcome everybody. Before we get started, I have a few logistical announcement. We are being recorded including the question-and-answer session, and the related materials will be available after it. You can enjoy the audio presentation through your phone and if you are using the phone, please remember to mute your computer speakers by clicking in the top menu bar of your screen that will change from green to white. While we encourage you to use the sound to ask questions in the question-and-answer portion, remember Star 6 to meet your phone. Lastly if you need to step away or take another call, please don't put the phone lines on hold because we will hear your hold music. For anyone who may need a benefit, we have live captioning which should be viewable in the captioning pod at the right hand side of your screen. It will also be available at the end of the presentation. You can see the chat pod at the bottom left to type in questions at any time and we will be monitoring the question to bring attention to the speakers. Thank you for listening and I will hand it back to Bob.

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Thank you, Sam. Before I officially introduce our speaker for today, I did want to say something with respect to the Q&A format for today and now not to disrupt the flow of introducing Jason, but because I am bound to forget unless I say something now. In terms of the format here as Sammy just indicated and all of you know anyway, the usual format is for the speaker to go to the presentation, and then we have time afterwards, hopefully ample time, to have questions and answers as well as any comments that you might want to share about the topic. Generally, that is what we are going to do today. However, when Sam and I had to drive in with Jason earlier this week, he indicated that he is receptive to having the opportunity to answer any questions that might come up during the course of the presentation itself. In other words, rather than on muting and asking the questions by phone, stay on mute, but during the course of the presentation if there is something that does come up that you would like to bring up or ask about with respect to a particular slide, Jason is on at the time, feel free to use the chat function and Sam and I will be closely monitoring that, and we will go ahead whenever possible to bring it to Jason's attention during the presentation, and he will try to address it then and there. Of course, like I said we will still have a Q&A area and Sam and I, I think we will have to be on guard for is any potential overflow. In other words, if there is too many questions at any time, we might had to be a little selective. Generally, to let you know that Jason is very brave working without a safety net, and like I said, receptive to that kind of option. Most certainly if it is something that needs to be clarified then and there, and I think somebody needs to be on mute. But I did want to let all of you know about that in advance. Without further delay, and I'm hoping that everybody can be muted, but let me form introduce our speaker. Like I said the presentation today is intellectual property management and transportation.

This is something that I know is a very strong issue of concern for many of us, and this was specifically something brought up during our open discussion forum last year in August. The request was expressed by several of you at that time that it would be great to have somebody help walk us through this list of issues as far as copyright as far as intellectual properties are concerned. Jason's name did specifically come up at that time. We have Jason today to help us walk to that forest. Let me introduce Jason. First of all Bob Cullen is the principal and employee owner of applied research Associates Inc. He has worked with the transportation library and research community for over 20 years in his duties out of range from the assistant in development of guides for the Minnesota Department of Transportation to establishing the library connectivity pool fun while he was deputy director of the Wisconsin transportation center at the University of Wisconsin. Jason served on the panel overseeing the transportation research, and he currently shares the section on research and education for TRV. He was a principal investigation person for the program that targeted [indiscernible], for the state Department of Transportation. Jason is based in Madison, Wisconsin where he lives with his wife, three daughters, dogs, and a tank full of fish. I would say that is a full household and certainly a happy one. Congratulations to go to Jason because he has a daughter who will be graduating from high school next month and starting her studies here in the nation's capital at American University. Congratulations to Jason and his daughter. Finally when he is not trying to solve transportation challenges, Jason enjoying things like gardening, and he cannot be denied that he has plenty of where the and constructed things to do even his spare time. We are very fortunate to have Jason with us today to share his expertise and his enthusiasm, and without any more delay on my part, I would like to formally hand the microphone over to him. The audience is all yours Jason.

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Thank you Bob, I appreciate asking me to present on the subject and I wanted to thank Samantha for helping to arrange a get everything in order. I have to admit I feel a bit embarrassed to be called the expert, especially after Bob forwarded me a couple of things where you heard from some people who can truly be called the experts and tremendous people that went before us, especially the worst that Nancy seems presented to us. My intention today is to really focus on a few matters that are emerging in the transportation community and provide some perspective on them from where I sit, and to highlight the key issues that I believe are relevant to running a transportation research center as it relates to intellectual property and specifically to date we will spend a lot of time talking about copyrights. I mentioned in my introductory statement that I have a house full of women that I live with, and my wife is an attorney, and when she heard I was giving this talk on intellectual property issues, even when I started to get involved in intellectual property, she kind of laughed at me, and when I took a little bit of offense to that, she presented it as this,. Ever since I became a consultant my job is to be on other people's watches to tell them what time it is. For me to talk on intellectual property in the context of being a consultant, who really makes a living on maybe borrowing other people's intellectual property was a surprise to her. Hopefully you will be able to get some new information from what I present, and I am looking forward to the Q&A at the end, and certainly if there is anything you want to ask about as we go through, as Bob mentioned, feel free to kick that into the chat box, and we can go from there. I want to start with some basic also intellectual property, and it's rich, at least here in the United States, [indiscernible], they are based out of what Congress can provide in the U.S. Constitution, article 1, section 8, clause 8, in that state to promote the progress of science that Congress has the right to pass laws that secure for a limited time period the exclusive right to individuals writings and discovery. That clause [indiscernible], it has ended up being documented through copyright acts in 1790, which had a limited time period of how long a copyright to be in place, 14 years, and moving up through the copyright act of 1976 which sort of modernized our practice, copyright in the United States, and it has been modified through some of the digital copyright acts, and the case law around that. It really defined everything about how we manage intellectual property and what it means in the United States in particular. I will spend a little bit time later on in the presentation talking about what that means in the

global environment as well. The concept of IP management is a way of providing an orderly use of the intellectual property and being able to have a systematic way of preserving and protecting intellectual property rights. When I talk about IP management, that is what I am talking about. So nearly my entire life has been wrapped up in these five simple questions. Certainly the professional version of my life is focused on these things, defining a problem, collect information, and inking about the ramifications of that action and putting all of that on a time schedule. 11 management practices really are no different at all. Here we want to figure out what our needs are, and we want to identify the impact and think about a schedule. As I mentioned earlier, my goal today and mostly not to embarrass myself by conveying what I think I know, but also to really open the discussion about what I think we need as a transportation community, what we need to know, and think about how we address any of those gaps that are between what we need to know and what we currently know about IP management . First, I want to dive deep into the key principles of what copyright means and why we want to spend time thinking about this in the transportation community. As I mentioned copyright laws allows the author of an original work, whether or not the article or a research report, the exclusive right to reproduce, distribute, adapt, perform, or display their work. Copyright protection is automatic, and the author retains exclusive rights at the moment the copyrighted work has been fixed into a tangible medium. Like what written work has been saved on the computer hard drive or printed. They are both formally called the intangible median. There is no need for notice publication or registration if there is some modicum of creativity, and some weight that you can express the way this was an original work, and it was actually able to be put down and received with the aid of a machine or device, or written down. The copyright office right now is undertaking the public study on more rights for authors and what that means in the context of today, specifically on the rights of attribution and integrity. A lot of the time one of the things that we see in copyright is this sort of notice environment. You will see it somewhat on the slide, but it is really not noticed and it is not necessarily to put the copyright notice out there and his recent -- as recent of March 1989, the real advantage of using the copyright notice in the works that we prepare and produce, other than the notice you are claiming the copyright here. It does make it more difficult for someone who might be infringing on that claim, to make an expression they really had no knowledge this was a copyrighted document. So putting the notice out there it's really the important part. It has four primary components, the notice, the copyright symbol, the year of the publication, it becomes important as in the U.S. Constitution, there is a specific time frame for copyright protection, and the person or entity that claims the copyright, and there is an optional statement. You will see on the bottom of my slide, the words ARA proprietary, and they really mean nothing in the grand scheme of things because essentially all that it is doing is putting others on notice that this information is proprietary, and if you try to use it for monetary gain, that would be disallowed in the law, and you would subject yourself to litigation. However the same words all rights reserved are not. They are limitations on the copyright that could be included in there, and the proprietary claim is really one that has no additional bearing, and you could say all rights reserved. Will start to really optional, and the key part is the front end, unless you want to specify a specific use that is available for copyright. I will tell you a little bit about some of those special cases as we go forward. So what will I tell you about in the special cases? The three main areas that the transportation community, that has the most issues with as far as copyright goes are works for hire, the concept of public domain, and fair use. I know that the slide, and I have an info graphic that is probably difficult to see on the slide deck, and hopefully you can search for this on the web. I really like the idea of this in the context of discussing plagiarism, and putting some kind of severity on the plagiarism violations. It is a respected tool, the citations there, and of walking to a flowchart of what is fair use, and what is the public domain, and how it is supplied in the context of barring authority from the Internet. I am going to start with the concept of works for hire. When copyrighted work is created by an employee within the scope of their employment, there are differences in the way the copyright ownership is handled across the planet. In the United States under

the work made [indiscernible], the employer is always treated as the author, and the employee has no right to anything created while they are employed. In the rest of the world, the individual creators to start with the rights, but they can be on the transfer to the employer if their employment agreement provides the list. One of the ways this has emerged as an issue in the transportation community is in the context of the definitions provided by the office of management and budget for [indiscernible], and the relationship with University partners in that case is determined a vendor relationship when those funds are sent, they are not included as a [indiscernible], which would trigger a bunch of different regulations and responsibilities. By the definition of this being a vendor, in theory, all work that would be funded through the dollars could be described as contracted works for hire, and dependent upon how your state D.O.T. view that, there could be some issues if they are not already addressing contracts. Ultimately a contract can overrule any of those rights. As a research community, one of the key things to look at is what is designated in writing in the contract, and ideally, it is handled before any of that contract is created. The best practice is to include a copyright transfer in the contract language, and make it very clear who owns it. If a work is created by the independent contractor, and he signs the written agreement, you basically sign away all of the rights, and then the organization can own the copyright if the language says that it allows the copyright to be phoned by the person or organization, it can be included and what that is available for purchase or relicensing, or for other environments. Typically in the United States as I mentioned, the primary ownership is with the employment organization, or basically the sponsoring organization, the one who has the money. Fair use was one of the things that was on the list of interested areas that came about from the earlier discussions that you all had a what topics you might want to see addressed in this Roundtable. Fair use is in the fallback position for a lot of how copyright materials can be used in research, parity, commentary, and what you will see even in this presentation is several images or concepts I have used [indiscernible], in the context of being able to provide some commentary [indiscernible]. The four factors that are considered for whether or not something is fair use, is a purpose and character of the use, which fair use, using copyright work for education, research, news reporting, scholarship, and commentary, as being protected under the fair use doctrine. This essentially covers most personal clause, news outlets, school usage, presentation materials, and training sessions, editorial usage of copyrighted material, so it is important to keep in mind this is one of only the four factors and whether or not the character and purpose of the use is allowable or not, and if you stand to make a profitable gain from taking someone's material in any of those settings, it is likely going against their use. If I put something into a textbook or a book that I sell, without proper attribution, and between licenses, or other means of illegally transferring the use of that material, then it is likely going to get the fair use doctrine. The nature of the copyrighted work really boils down to the worthiness. Copyright doesn't protect ideas, it just protects the work itself. If there is very little creativity in the work, it is more likely to be deemed their use if it is used, and if it is just a set of facts, that probably is not going to be detected. The issue for the transportation community, because of the emergence of things like infographics, sort of permeate a lot of that research community, and just taking facts and presenting them in a different graphical format, if you think back to how a copyrighted work is granted a copyright, that information certainly fits the bill of having some modicum of originality and being presented in a different fashion even though they are just facts. The general rule is more likely to be considered fair use the more factual than the created copyright work is. Amount and sustainability is the third factor, and this one is pretty vague because there are no hard-line limits, and I will present some of the general philosophies or feedback on my next slide. When you consider the widespread use of the Internet and the use of cutting and pasting, there is some relevance to this factor for both text and images. By the nature of us green capture, you can take the whole image even though you could cut out a small portion, and claim that you are only using a tiny fraction of the imagery. The most concrete application of the copyright images being used in fair use implications is when a [indiscernible], like a parody. If you take that information and put it into a

standalone interpretation, you create something new, and therefore, its own entity. The final factor on the fair use doctrine is the effect upon the value of the work. Ultimately, if you are going to make money on it, using someone else's created work, the less likely you are going to be protected under the fair use. Bob mentioned that my daughter has decided to go to American University, and it is going to cost me a lot of money, so I am looking for all the ways I can possibly legally maximize my monetary gain over the next several years so that I don't end up in the poor house. We do strive to seek a balance between the rights of the rights holder and the general fit and welfare of the public, so there is some room for negotiation as it is not cut and dry. If you have everything to gain and they will not benefit or could be harmed, they are likely not to decide in your favor. Ultimately, the outcome of the story is if you are using a screen capture of copyrighted work to educate, comment, or criticize a topic, that is probably fair use. It generally comes down to money, and if you are going to profit from it, you might be in violation of fair use. You will see throughout my presentation, I walk the fine line of fighting were some of the imagery that doesn't belong to ARA even though we have labeled it as a ARA proprietary document and ultimately I don't think the slide deck will make me enough to buy my dollar lunch, and we will go from there. So how do you think about and what are my observations on the fair use guidelines the end? Really there are a lot of checklists out there they go to some this material, and I strongly recommend you obtaining those two employees are students and people you work with, to go through the checklist, and I mentioned that the fourth clause on the copyright notice, it can have some specific instructions on how to write that material, or how to use that copyright legally. If it is posted, follow them. If it is not posted, credit the source, and it is much better to link the source rather than copying information over. I mentioned that one of the criteria is the amount and substantially how much as a whole you are using, and how much is too much, and a good rule is greater than 10% is too much. The courts have generally viewed that as not a hard threshold, but a near threshold on how much leeway there is. Ultimately if you are acting in good faith with honest and sincere intentions and you honor the material, the courts will generally not cited against you. Some primary topics that I want to talk about, is the Internet is not public domain and the key observation is that the availability on the Internet as a whole, is not equated to the public domain. Information can be protected even if it is widely available on the Internet. Why would you have a public domain? Essentially to build upon other work, and to use that as a starting point to encourage innovation and the furthering of the topic. So how do something get into the public domain? Four primary ways and the first is the copyright has expired and as of 2019, the copyright has expired for all works published in the United States before 1924. In other words if it was published before January 1 of 1924, you are generally free to use it in the United States without permission. This applies whether or not it was attributed to an individual author, a group of others, or an employee. Copyright protection always does expire at the end of the calendar year that it would expire. Copyright protection, even if an item would've started on June 1, when it goes to the end of the year, that copyright extends to the end that year. Copyright owners could fail to renew a copyright, and they could deliberately place it in the public domain in dedication to the public domain. The fourth way that something ends up in the public domain is that a copyright law does not protect that type of work. It could be a presentation of factual material, or a blog post that links to some other copyrighted material, and that blog post would be entered in the public domain in that category. You can of course dedicate IP to the public domain and as an owner, and it allows for some low-cost access, and allows for promoting or expanding education through ideas, inventions, and discoveries, and you can restrict others from trying to make a claim, and it does enable some competitive limitation in improving on that concept. Fanfiction is one that is frequently cited as far as competitive invitation goes in expanding on an idea that might have some IP ownership. Different states do this differently and it states like North Carolina and others, there is a different expectation of how items get into the public domain, and California Georgia, and South Carolina or little bit more restrictive on how items can get into the public domain. Said if you reject, this is Bob, and if it is okay at this junction, you mentioned a

couple of things. First of all, apart from your presentation, it just occurred to me that someone might not be following the chat function and if you are listing on the phone, please make sure that you can get rid of that background noise. Please make sure that your phone is muted, and I will make this public service announcement by way of phone. Thank you for your patience with that Jason. I did want to bring up a comment that had been brought up by the Wyoming D.O.T., and her comment was that we used joint copyright language, and they are in while me, and that Wyoming D.O.T., and the, if the contract want to get the rights-of-way to the employee, they can, but they cannot give away that Wyoming D.O.T. rights. I don't know if you have anything to say to that.

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I will jump in and it is a great question. I have something that we are going to hit in just a minute, and I am going to get on that, but then we can have a continued conversation on that, and thank you very much for that question.

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You are right, and that was applied for another presentation that you are giving the week after next, and I will be happy to highlight that toward the end of the hour.

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I will mention that a little bit toward the end of my talk today. Like always, it is a little bit cognition. I wanted to make a couple of comments on some emerging issues in the transportation research community as they relate to copyright permissions in journals, and early in my career, I had a faculty member that I worked with tell me there was no way I could plagiarize myself and if I had written it once, I could take that material again. Now, I don't know. I am not so sure about that. With the way that copyright permission in general has worked, and things that I signed away over the years relatively without thinking about it, it is still relatively, some things are relatively undecided for research progress. Copyright licenses typically do not extend to copyrightable material that our research deliverable like research publications, ideally, a state is protected as long as they are posting research deliverables that was specifically called for in the contract. Takedown notices that have been made by some journals, it really is deeper than that, even if the language remains pretty similar. The original copyright owner, has the right to post that, the sponsor has a right to post that, especially when it is a clear project deliverable, but it does get a little bit dicier when you are talking about things like routine progress reports, or attachments, or appendices to documents that are not specifically called for as research deliverable. One of the best practices that I would encourage if you think about clearly defining all deliverables as you go about, as you go about the research project because you can run into some of those issues. Copyright ownership, initially, the authors own the copyrights and it is the listed authors. But there is also joint ownership, and as what was alluded to, joint ownership of copyright provides some protection for both. A co-owner can only transfer the intercept that he or she owns. They cannot transfer the entire copyright, and the copyright app provides for joint ownership when the work is prepare by more than one author with the intention that the contribution be merged into inseparable or interdependent parts of the whole. If joint ownership exists, the author of the joint work are always recognized as co-owners, and they have the right. A publisher can only prove that a joint owner of the material if they acted as a collaborator of the work. One such example of a collaboration would be when an employee of the publisher or a freelancer, hired by the publisher, and some graphics or illustrations or substantially edited some of the story, then there could be a claim on the publisher's behalf. Another situation that could arise is if the work is created in its entirety by the employees of a publisher such as the earlier example of using an info graphic to display a message, and that info graphic in and of itself, could be considered to be a companion part of that published article, and joint ownership would arise. Cement the subject and I think part of the reason that my wife likes to laugh at me when I start trying to tell her about intellectual property issues is that everything gets a little bit dicier because as a copyright owner, you have other rights as well. License and assignment and transfer, each of these are different

terms, and they are focused around how exclusivity applies. Some publishers are looking for that type of unconditional relationship with some authors. When only some of the rights associated with the transfer, that is a license. An exclusive license exists when the transferred rights can only be exercised by the owner and no one else. A license allows others to exercise the same right, then it is not or is nonexclusive. The way this can kind of be explained a little bit more, and I guess in simpler terms, is that the transfer of an exclusive right can be contrasted against the nonexclusive license, and the [indiscernible] license is generally characterized by the retention of the license right by the licensor. If the copyright person gives you permission, [indiscernible], do you have a nonexclusive license. If the copyright granted you all the rights that they have with respect to whatever issue, that if she gives anyone else the right to make a copy, she is in violation of your exclusive rights. In the United States, this transfer is unique in one respect compared to the rest of copyright law. Authors and their heirs, or their heirs, can terminate the transfer of copyrighted ownership 35-40 years after that copyright is made. It doesn't exist [indiscernible] transfer holder. Before I move into some state D.O.T. strategies, I wanted to mention one more special case, and that is in the context of video streaming. Also in the modern era were you might have streaming service, that you personally subscribe to, and you have a right to use that material for personal activities, and where it gets dicey is if you use it in the classroom or some other kind of instructional setting, and ultimately by subscribing to a service such as a brand name like Netflix, the licensing terms are provided in their agreement, and they take precedent over any copyright or fair use claim, so it is important to understand that when you are using material from a streaming source, it does have a separate classification, and it would be important to keep those terms in mind. Again generally speaking, the fair use clause does tend to apply even, and it is unlikely, you would be facedown unless she was trying to have some financial gain associated with what your activity was part cement Jason, this is Bob again and I wanted to use this point in the presentation to bring up a question that Bob Sweet is asking and it does have relevance to the ongoing top. Will you be talking about 11 beyond copyright?

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Only in the context now of the IP management process because of the nature of what led down the path, I would like to focus on copyright as it is related to research management. The rest of the talk I am going to shift toward some of the state D.O.T. strategies as far as what IP management means to state, and Bob it is a good preview or a good question in the context of what was mentioned in the chat box there is a webinar coming up that will focus on additional IP issues. So some of the work I have been involved with lately with the state D.O.T. with respect to thinking about if an IP strategy is necessary , and one of the question that we get asked frequently are what are the risk to a state D.O.T. with respect to a IP issue, and some of the key ones are around there research project developing databases and making sure that you have access to the necessary documentation, and the specialty software that gets developed, and making sure that the rights of the developer as well as the state D.O.T. rights are clearly defined in the contract, and the inappropriate or unauthorized use of state D.O.T. IP through external agencies, or use of reports and graphics, or even use within the agency, and the global branding of the program, and there is some liability if state D.O.T. employees use others' ideas without consent and he could put that state D.O.T. at risk. There is a possibility of third party making claims to state D.O.T. IP think they are developed at the state and potentially turned into commercial products. In this report, the groundwork was laid out for the development of the IP management process, and there are really four key factors in that IP management model, a legal dimension, where they really focus on controlling and identifying all of the assets within the agency. It is really a good first step in identifying what the potential assets are. There is a technical dimension that is concerned with understanding the application of those assets, the field of application will likely impact which forms of IP protection that are considered or that are even Apple. -- Applicable. The [indiscernible] protection from being adopted or implemented, and the question of how ready the agency is to adopt that approach. Ministate D.O.T.

being that's back many -- ministate D.O.T.'s, and the revenue to protecting and preventing the IP from being used in a broad sense. The economic dimension is concerned with the IP agencies, general public and other agencies. It can be an expensive endeavor and there is a process that could be put in place not only from a legal perspective of hiring attorneys to protect and enforce IP rights, but the lifecycle has a significant influence on what strategies might be in place. If there is a license, there is a cost associated with licensing, and a calls for monitoring for compliance. Finally, as I already alluded to a little bit, the organizational dimension is thinking about that organizational culture, and at a minimal, it would include education, training employees, as well as contractors own IP issues. If you want to embrace an 11 strategy, all of the key factors need to come in. What is gained through a state approaching IP management? You really do allow yourself to protect the trial IP rights of your own staff and others, including your contractor community, and you can shield, and I think an important thing is to identify the contributions that the community as a whole by D.O.T. employees. If you wanted to embark on an IP management strategy, how do you start? There are some key steps that I will address in the next slide, really understanding that some of these concepts are very simple in practice, establish a team for looking at how IP is addressed in your state, and what the relationships are with your primary performing organizations. Also looking at the management systems and legacy reports that you have in place. The first step is really to start inventorying copyright, and the commonsense things come in and asked before Stephen, and avoid the traps -- ask before stealing, and avoid the traps. The IP management guide outlines the key steps and again thinking about the context of who is going to be responsible for IP issues within the state, and thinking about how you can document the IP that is created, and really understand what is there, and identifying how you want to promote the material. Is this something that should be in the public domain and is it an opportunity for commercialization? Are there software packages that can be developed and Audi maintained the right? The four step is monitoring the results and ultimate performance for 799 present this basic flowchart as a model policy. You can see that it starts with an executive level intellectual property policy, and that information flows throughout the organization, with the designated piece in the middle, the IP management oversight unit becomes the key clause in establishing a IP management approach. With that , I wanted to open up any kind of discussion that we might have in addition, or thoughts on the things that I presented today. I do again want to remind folks there is a webinar on IP management issues, and we will talk more about some of the lessons learned about trying to implement IP management strategies in state D.O.T. settings. Also, some lessons learned from that activity as well as assess the other principal forms of copyright that we run into an hour world, patents in particular will be included in that conversation. With that I am open for some comments or questions that anyone might have.

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Thank you, Jason. Any comments or questions, we have some time for that in addition to the comments and questions that were raised during the course of this past hour. Again, I really appreciate the willingness of Jason and flexibility to take the comments and questions as they came along. I do want to clarify Jason, that May 21st presentation?

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Yes. Cement that is what was posted about before and she helpfully included a link, and if anyone wants to go back up, she included the information there.

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I believe that anyone who is a state D.O.T. employee, that is complementary registration.

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Great. Speaking up Enid, I wanted to bring up another comment that she posted here not too long ago, and now we have music now, and I'm tired of talking over the music. Please check your phones. Enid is referencing a code of federations and East that's back and give state D.O.T.'s copyrighted works for



landing and research funds Palmer --. I wanted to bring that to everyone's attention and I don't know if you had anything to comment about that.

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She is right and the sponsoring organization can claim copyright.

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Okay. While we are waiting for some other comments, I did want to thank you for such a great presentation, and sorry about the noise challenges. They do make life a little bit more interesting, but I appreciate you moving forward in spite of that. Jason, first of all, I had a comment and the question. My comment is I really appreciate the lay of the land in terms of this world of intellectual property management, and I especially appreciate the fair use guidelines and that is help me to get out and learn because that is one area of copyrights that I have been admittedly not as strong about. I found that particular helpful during the course of your presentation. The question that I had and I wanted to get back to something that you said early on, that the U.S. copyright office is in the process of undertaking a public study, and you said it is the moral right, could you elaborate further? What exactly is the study going to be about, and is there a timeframe for it?

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The last that I heard, and there are more updates, and I should have checked it, but in November, they will still reviewing the document, and I think it started before a lot of the administration changes, and that result has not been necessarily high on the list. My understanding of the intent of the study was to really look at how, and maybe put some clear principles in place, or suggest that Congress put some clear principles in place on what the rights of the authors are with respect to the work being used, in whole or in part because in the modern era, content generation tries a lot of advertising revenue for websites, and there is very limited rules in place that provide linkages to copyrighted material and putting them on your site. While they are properly attributed, but with the intention of driving people to look at the ads with respect, I think that was one of the key drivers of that study on copyrightable material.

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Thank you. We have a couple of more minutes before we need to start wrapping up, so again, if anybody has any questions or comments for Jason, please feel free to share the by phone or by the chat function. I do have to ask you this Jason, what got you very much immersed into this area, this particular issue? Was there any particular expense, good or bad, or a particular individual which really got you hooked on this, and wanted you to delve more deeply into it?

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It is a good question and I think it is one of things that you fall into an area in a push you further into it. Report 799, the intellectual property guide for state D.O.T. and transportation agencies, was produced by applied research Associates, and when I left academia and ended up as a consultant, that was one of the documents that I looked at, and I worked in some angles there, although I have been involved in the library community for a while, and I have been concerned even in the transportation knowledge network of kind of sharing information, promoting the sharing of information, and intellectual property, and there is a number of things that cross, and the other thing that came up when I was at a research center in Florida, and a lot of the transit agencies had been receiving and was center focused on transit and a lot of the transit agencies in Florida had been receiving letters from patent control, and their business model is to buy a patent, and they have no intention of ever using the patent for anything, but their business model is set up on infringement, and selling for a small amount than what the defense would pay. Several agencies in Florida had received that, and this area was one of concern. I started getting intrigued by the subject, and kind of fell into it. I wish I had more personal stories, and the closest I got, is that members told me I cannot plagiarize myself, and that was something I needed to know. I could rewrite whatever I wanted and This message is intended only for the use of the Addressee

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