Except as otherwise noted, the tasks detailed below will be produced under the direction of Kenneth Crews as co-investigator, and deliverable dates are generally at the end of each six-month period. Outputs will be delivered earlier as individual items are completed during each term.

Year 1: July-December 2000

Activity:
The principal activity will be to scale the magnitude of, and to lay the foundation for, the project as it will be pursued and refined during the coming years. The most important tasks will be the creation of a preliminary bibliography of existing literature and an outline of relevant issues.

Output:
(1) Preliminary bibliography of IP related publications for the creation and implementation of digital library systems. This bibliography will, naturally, be a continuing and evolving element of the entire project.
(2) Outline of major issues in copyright law and affiliated IP law for further investigation and analysis.

Deliverable Date: December 31, 2000

Year 2: January-June 2001

Activity:
Other investigators on this project are eager to implement various stages of development and accordingly have asked for early identification of categories of works that are in the public domain, and the use of which is not restricted by copyright law. Particularly useful in the early stages of the project will be the development of instruments or frameworks to assist co-investigators with identifying works that may be in the public domain and free of copyright restrictions. The principal activity during this time will therefore be a fuller examination of issues identified in the earlier outline that affect the possibility that a work may be in the public domain.

Because these issues are affected not only by US law, but also by the laws of other nations where works originate and are accessed, this aspect of the project will necessarily include some implications of foreign and international law. During this time, the investigator will be in residence at the Max Planck Institute in Munich, Germany and should have access to extraordinary resources related to foreign and international law.
Secondarily, this investigator will work closely with other co-investigators to develop scenarios that reflect common applications and aspirations for the creation of the DML; such scenarios will identify factual situations that are relevant to the meaning and application of the law, as well as other aspects of the overall DML project.

Output:
(1) White paper examining the copyright status of works and methods for applying the law to determine whether a work is in the public domain.
(2) Formulation of background information, frameworks, and decision tools to assist legal counsel and other decision makers who need to implement IP procedures.
(3) Continuation of the bibliography of IP resources.
(4) Isolation of certain variables (conditions) for the design and implementation of the DML in a manner consistent with the requirements of copyright law. This task will necessarily be selective at this early stage and will evolve through early years of the study. For example, parameters for complying with certain copyright statutes may be fairly explicit, while the application of fair use will necessarily be subject to extensive research and analysis before isolating meaningful variables.
(5) Contributions to scenarios that will be developed by other co-investigators (principally Mary Wallace Davidson and Kris Bancolini) to frame the central functions, purposes, and uses of the DML.
(6) Preparation and distribution of summaries of relevant news developments and developments in the law as events warrant; this task will continue throughout the term of the project.

Deliverable Date: June 30, 2001
Preliminary documentation related to identifying public-domain works will be delivered during February 2001 to provide early assistance to other co-investigators. Complete, initial draft of the white paper will be delivered in April 2001. Scenarios will be delivered by March 30, 2001.

Year 2: July-December 2001

Activity:
This period will begin in-depth analysis and articulation of complex IP issues specifically related to the application of digital media to music. This task has become more complex and important in recent years with the passage of the Digital Millennium Copyright Act (1998), the addition of a performance right for sound recordings in digital transmissions (1995), and the litigation against MP3 and Napster.

Output:
(1) One or more white papers, and possibly publishable studies, on specific issues of central importance to the creation of a digital music library. The likely matter of immediate attention will be the Audio Home Recording Act (1992) and its implications in the Napster case and this DML project.
(2) Continuation of analysis of applicable copyright statutes, and especially the application of fair use to the DML, and the identification of relevant variables.

Deliverable Date: December 31, 2001

Year 3: January-December 2002

Activity:
Most of the effort to this time will center on the identification and analysis of critical issues in IP law. This phase will shift more toward the isolation and testing of solutions to problems raised by the legal issues. A framework for this analysis can be built around the concerns isolated by the scenarios drafted by investigators in Year 2. Further, this phase of the project will involve detailed presentations of findings to other investigators on this project and to a broader audience of interested parties developing DL systems elsewhere. This phase of the project will necessarily require initial contact with officials from licensing agencies and with the U.S. Copyright Office to explore opportunities and possible application of licensing regimes.

Output:
Presentations and papers related to the pragmatic application of relevant law and the role of private licensing and collective licensing to secure permissions for the utilization of protected works in the DML. From the scenarios, this phase of the project will identify parameters and variables that can affect the outcome of the legal analysis and application. This process should also lead to further development of resources to aid decision makers with application of the law as well as decision tools to facilitate the systematic application of the law.

Deliverable Date: December 31, 2002

Year 4: January-December 2003

Activity:
The previous years will lay the foundation of the legal research and generate initial studies of central issues. This period will focus on consolidation of the project and the creation of generalizable findings related to the application of IP law to the creation and utilization of digital libraries in general and digital music libraries in particular. Specifically, the study will emphasize identification of possibilities for using protectible works within the law and examine possibilities for licensing of works for uses not allowed by law. A generalized and consolidated approach will also reveal the gaps and deficiencies in the law and in licensing systems; a crucial aspect of this study overall will be not only to examine the applicability of law and licensing, but to isolate the specific manner in which the law may or may not serve the education and research objectives of a digital library system.
The principal activity of this year will be the expansion and completion of analysis and writing, as well as conference presentations.

Deliverable Date: December 31, 2003

Year 5: January-June 2004

Activity:
These months will bring the culmination of the project, and perhaps the most important activity will be the finalization of publications that stem from the earlier studies. The broader implications of IP studies conducted as part of this project should be relevant and important to DL projects not only at IU, but at other research institutions as well. These studies should also be instructive for other DL projects funded by NSF and other government agencies. Publications and formal presentations will allow findings to be most widely disseminated, and for the benefits of the NSF funding to be most widely utilized.

Output:
Publications and presentations based on consolidated working papers, and relating findings to user needs and the objectives of DL development. Final formulation of recommendations for the application of IP law to the development of the DML.

Deliverable Date: June 30, 2004