Controlled Digital Lending (CDL)

Issues & Opportunities for Sheet Music Collections

Amanda Wakaruk, Lucinda Johnston, Sean Luyk Sarah Severson, Sharon Farnel IAML 2023, Cambridge UK

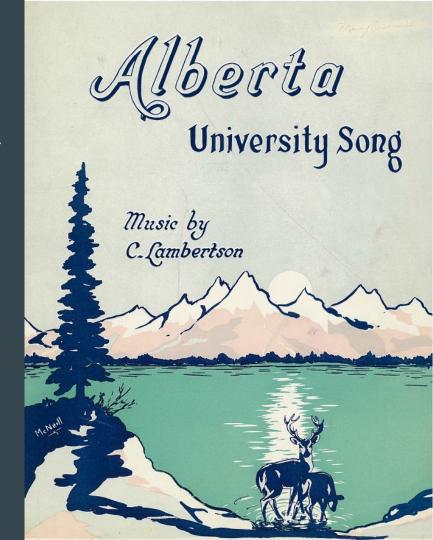
Outline

- Walder G.W. White collection background
- Collection Metadata
- Sheet Music Consortium
- Digitization
- Controlled Digital Lending
- Canadian Copyright and Risk Assessment

Walder G.W. White Sheet Music Collection

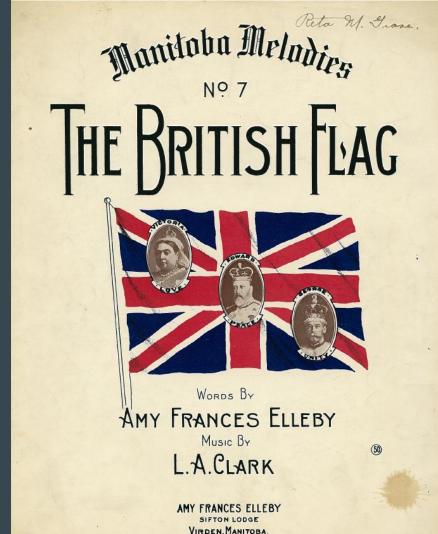
Background

- Acquired in 2011 from collector Walder G.W. White
- Contains over 6,000 items
- Imprints: primarily Canada, U.S., U.K.
- Dates: 1840s 1970s
- Unique Canadian prairie content (Alberta, Saskatchewan, Manitoba)

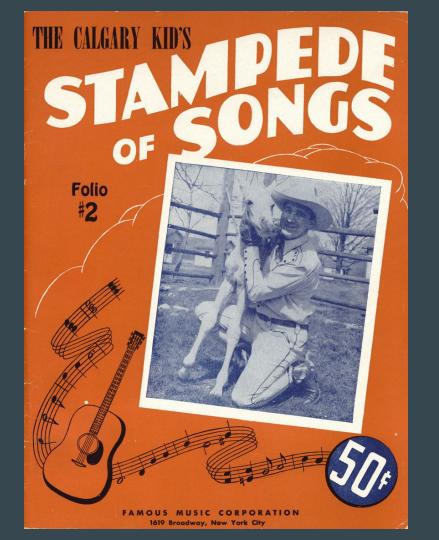


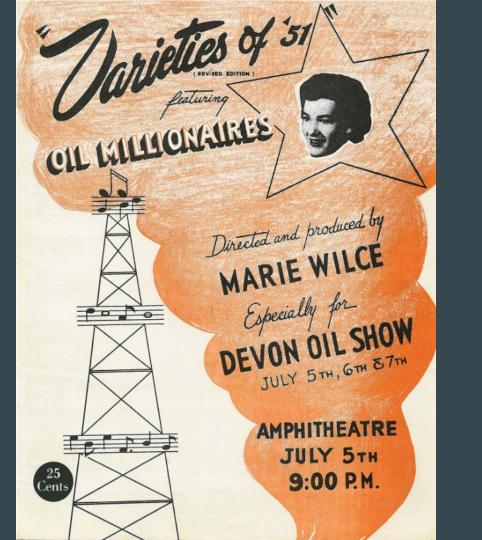
Project Timeline

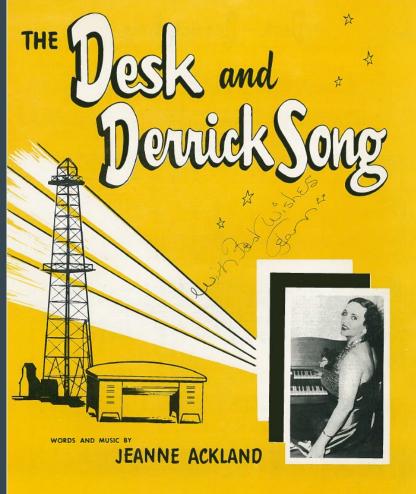
- Described 2013-2018
- Support from Young Canada Works (YCW) program
- Students: Colette Leung, Quincy Hiscott, Adam Cohen
- Staff: Carmen Loconte, Luc Fagnan
- Digitization project approved March 2023









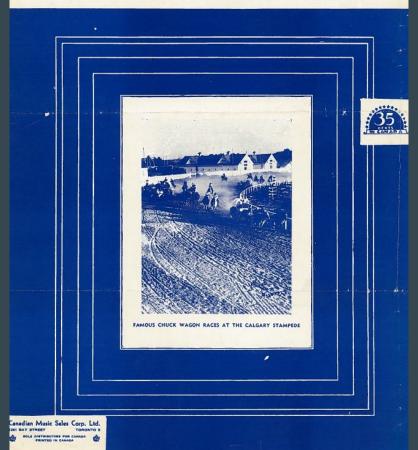


Price \$1.00

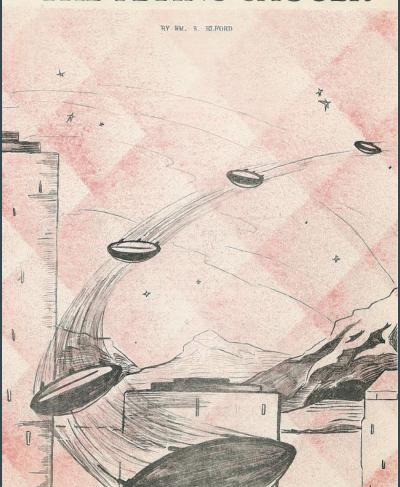
CALGARY SQUARE DANCE

DEDICATED TO CALGARY ON ITS 75th ANNIVERSARY 1950

Music by S. JAC. FRIEDENBERG



THE FLYING SAUCER



Journal of the International Association of Music Libraries. Archives and Documentation Centres Fontes & Musicae January-March 2016

OIL SHOWS, RODEOS, AND UFOS: A CANADIAN PRAIRIE SHEET MUSIC COLLECTION

Sean Luyk and Colette Leung

Often regarded as ephemeral and overlooked as a worthy object of study, sheet music has become increasingly valued for the insight it provides about the time and place in which it was written. Sheet music reveals a wealth of information not only about musical style, but also about the people who enjoyed and collected it. The cover art, advertisements, and lyrical content provide a glimpse into the social and cultural codes of its time of writing. This is especially true in light of the growing availability of digitised sheet music. There are currently over 200 free, subscription, and for-fee digital sheet music collections available on the Web, including the Sheet Music Consortium (SMC), which aims to further increase the accessibility of sheet music through metadata harvesting and linked data initiatives.

Collection Metadata

В	С	D	Е	F	G	Н	I	J	К
DATE =	COMPOSER =	TITLE =	ARTIST ON COVER =	LYRICIST =	MOVIE =	MUSICAL =	OTHER COMMENT =	SPECIAL INTEREST	CONDITION =
1950	LOUIGUY	LA VIE EN ROSE	OLD PLAIN	EDITH PIAF FR. MACK DAVID ENG.			198.1		GOOD
	HARRY STONE, JACK STAPP	CHATTANOOGIE SHOE SHINE BOY	RED FOLLEY				3 in cov. GWEN M. LEE gwen m. lee		GOOD gd gd
1949	HANK WILLIAMS	THERE'LL BE NO TEARDROPS TONIGHT	TONY BENNETT					signed	VERY GOOD
1951	FREDERICK LOEWE		LEE MARVIN, CLINT EASTWOOD, JEAN SEBERG	ALAN J. LERNER		PAINT YOUR WAGON	186.0		GOOD
1.007175-01	IRA SHUSTER,ED. G. NELSON	TEN LITTLE FINGERS AND TEN LITTLE TOES		HARRY PEASE, JOHN- NY WHITE			ARTH.H.WARNER MABELLE CLARKE	TRANSP. TENNES SEE	POOR
1923	HAROLD DIXON	WHERE THE MILL STREAM WINDS ITS WAY	JOHN W. SCOTT	CLAUDE SACRE					FAIR
	JOHN REDMOND, JAMES CAVANAUGH, FRANK WELDON	CHRISTMAS IN KILLARNEY	TWO DANCING					CHRISTMAS	GOOD
/	ARTHUR JOHNSTON, SAM COSLOW	COCKTAILS FOR TWO	PIANO	NO WORDS			FRANKIE CARL ARNGEMENT		VERY GOOD
1949	DICK LIEBERT	COME DANCE WITH ME	MARIO LANZA	GEORGE BLAKE	THE SEVEN HILLS OF ROME				GOOD
1926	CON CONRAD	HI HO THE MERRIO	GEORGE B. NOLAN	LEW BROWN, BENNY DAVIS			ART-LEFF		POOR
1950	BRUNO COQUATRIX	COUNT EVERY STAR	GISELE	SAMMY GALLOP			2 in cov. DELLA CALHOUN, roy nerada		GOOD good
	EILY BEADELL, NELL TOLLERTON	CRUISING DOWN THE RIVER	DARKIE WICKEN				2 in cov. JOANNE HAWKES, gwen m. lee		GOOD fair

Α	В	С	D	E	F	G	Н	1	J
Identification Number	Walder White Accession Number	Title	Alternate Title	Multiple Copies	First Line	First Line of Chorus	Title of Larger Work	Series Title	Collection Title
SM 004673	3981	Lilacs and love			The garden of My heart has room For one sweet bloom	I dream of Lilacs And Love While whippoorwills sing above,			The University of Alberta Libraries Sheet Music Collection
SM 004674	3982	Afraid to say hello : since you said goodbye			We were so happy together right from the start.	Once a perfect pair now we're perfect strangers			The University of Alberta Libraries Sheet Music Collection
SM 004677	3985	First lullaby			"Hush-a-bye my baby Darling don't you cry!"	Someone took the rhythm from the rippling river	Apple sauce (Musical play)		The University of Alberta Libraries Sheet Music Collection
SM 004764	4070	Humpty dumpty heart			I suppose you think you're daring, Doing what you intend.	Who's giving that line to you? You think it's divine, do you?			The University of Alberta Libraries Sheet Music Collection
SM 004771	4077	Echo of a serenade	Te quiero dijiste		At sunrise At twilight I dream of the night I held you so tightly	Birds that sing at dawning Heralding the morning			The University of Alberta Libraries Sheet Music Collection
SM 004788	4094	How green was my valley			I still remember your parting kiss, For consolation I often reminisce	How Green Was My Valley, How blue were my skies,			The University of Alberta Libraries Sheet Music Collection
SM 004799	4105	B-I-Bi : B-i-Bi, B-o-Bo, Bi-Bitty-Bi, etc.	(Bee)-(Eye)-(Bye)		The Joneses had a get-together, The gathering was large, But things got duller than the weather,	B-i-Bi, B-o-Bo, B-i-Bit-ty-Bi, B-o-Bo-Bit-ty-Bi-Bo-B-U-Boo-Bit-ty-Bi-Bo -Boo-Boo.			The University of Alberta Libraries Sheet Music Collection
SM 004834	4120	It's "\/" for victory			From far and near ev'ryone will hear a	It's V for Victory, Victory for you and			The University of Alberta Libraries Sheet

Composer	Arranger	Lyricist	Performer	Dedicatee	Other Name	Cover Artist	Cover Lithographer	Publisher Name
Carr, Con ; Larrson, Ted		Carr, Con ; Larrson, Ted	Allen, Eddie					Canadian Music Sales Corp. Ltd.
Arlen, Jerry		Taylor, Larry	Kenney, Mart, 1910-2006; Mart Kenney's Western Gentlemen			Immerman, R. H.		Canadian Music Sales Corp. Ltd.; Reis & Taylor Inc. (by arrangement with)
Arien, Jerry		layloi, Lairy	Gentiemen			n.		with
Popplewell, Jack ; Carr, Michael, 1905-1968		Popplewell, Jack ; Carr, Michael, 1905-1968	Lynn, Vera, 1917-					Peter Maurice Music Co. Ltd.
Van Heusen, Jimmy, 1913-1990		Burke, Johnny, 1908-1964						Southern Music Publishing Co. Inc.
Grever, Maria, 1885-1951		Palmer, David						Southern Music Publishing Co. Inc.
Silver, Abner, 1899-1966		Davis, Benny, 1895-1979	Lynn, Vera, 1917-					The Peter Maurice Music Co. Ltd.
Russell, Bob, 1914-1970 ; Freeland, Judy ; Freeland, Beverly		Russell, Bob, 1914-1970 ; Freeland, Judy ; Freeland, Beverly	Chester, Bob, 1908-1977;					Charles Rinker Music Publishing Co.; Music Dealers Service Inc. (sole selling agent)
Lee, Sair; Lowe, Ruth,		Loo Sair-Lowa Duth 101/ 1091						Canadian Music Sales Corporation

Т	U	V	W	X	Y	Z	AA	AB	AC
Publisher Place	Publisher Number	Plate Number	Topical Subject		Form/Genre/St yle		Instrumentation	Place-name Subject	Other geographic subject
Toronto, Canada		Lilacs And Love-2	Love ; Lilacs ; Nature ; Loyalty		Ballads		Guitar ; Piano ; Voice		
Toronto, Canada ; New York, N.Y.			Unrequited love; Separation (Psychology); Fear; Sadness		Ballads		Guitar ; Piano ; Voice		
London, England		The first lullaby	Lullabies		Lullabies ; Ballads		Accordion ; Piano ; Ukulele ; Voice		
New York, N.Y.			Love		Ballads		Guitar ; Piano ; Voice		
London, England		S. M. P. 233	Love ; Music		Fox trots ; Ballads		Accordion ; Banjo ; Guitar ; Piano ; Ukulele ; Voice		
London, England			Love ; Separation (Psychology)		Ballads		Accordion ; Piano ; Ukulele ; Voice		
New York, N.Y. ; New York, N.Y.			Entertaining ; Music ; Singing ; Family		Ballads		Guitar ; Piano ; Voice		
Taranta Canada			Victory ; World War,		Marches ;		Piano ; Voice ;		

AD	AE	AF	AG	AH	Al	AJ
Cover Subject	Other/Relate d version	Notes	Date	Language	Prairie	Canadian Performer / Content / Other Notes
Allen, Eddie, 1920-2003 Portraits		Based on Tchaikowsky's Opening Theme from Piano Concerto No. 1 Opus 23.; Eddie Allen, featured vocalist of The Happy Gang.; Back cover advertisement for "New Canadian Song Folio".	1941	English	No	Canadian songwriters.; Canadian performer.
Kenney, Mart, 1910-2006 Portraits ; Abstract drawings Drawings			1941	English	No	Canadian performer.
Lynn, Vera, 1917 Portraits		Featured with enormous success by Vera Lynn in Geo. Black's "Apple Sauce" at the London Palladium.	1941	English	No	
Globes Drawings ; Chains Drawings			1941	English	No	
Guitars Drawings ; Shawls Drawings ; Sun Drawings		A very beautiful foxtrot.; Music sheet opens in reverse direction.; Verse and introduction featured on back cover.; Reduced paper size of sheet music.	1941	English	No	
Lynn, Vera, 1917 Portraits ; Trees Drawings ; Houses Drawings ; Mountains Drawings		Reduced paper size of sheet music.	1941	English	No	
Chester, Bob, 1908-1977 Portraits		Inside cover features Extra Material.	1941	English	No	
		Words and Music and Sair Lee and Ruth Lowe, composer of "I'll Never Smile Again". ; Inside back cover features advertisement for "Canada's Greatest	10/1	English	No	Inside back cover features Canadian content

Results 1 - 10 out of 46 Results Per Page:10 v

C-A-L-G-A-R-Y and that spells "Calgary"

Publisher Rotary Club of Calgary

Date 1926

Repository The University of Alberta Libraries Sheet Music

Collection

VIEW ONLINE

More

Publisher

Calgary square dance

Canadian Music Sales Corp. Ltd. (sole distributors for

Canada)
Date 1950

Repository The University of Alberta Libraries Sheet Music

Collection

More

Beneath the stars: Canadian waltz

Publisher H. O. Tavender

Date 1931

Repository The University of Alberta Libraries Sheet Music

Collection

More

Not Available Online

Not Available Online



The flying saucer

Not Available Online

Publisher Wm, B. Elford Date 1950

Repository The University of Alberta Libraries Sheet Music

Collection

View: MODS Dublin Core RDF Plain Text
Contribute: metadata and comments

Titles

Title The flying saucer

Title My friends keep poking fun at me, and make life hard to bear, Because

I said I'd seen a Saucer speeding through the air.

Title I say, sir, I saw, sir, I saw a Flying Saucer It zipped and zoomed and

zig-zagged up on high.

Creators

Creator Elford, William B.
Creator Elford, William B.

Publication Information

Place Vermillion, Alberta, Canada

Publisher Wm, B. Elford Copyright Date 1950 1950

Subjects

Topic Belief and doubt

Topic Unidentified flying objects

Topic Unidentified flying objects -- Illustrations

Topic Mountains -- Illustrations
Topic Settlements -- Illustrations

Topic Settlements -- Illustrations

Genre Ballads Language English

Physical and Online Location Identifier 143

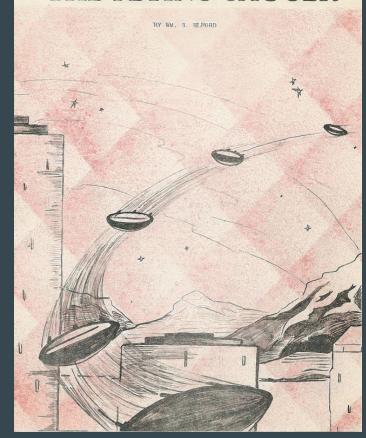
Plate Number Flying Saucer-2-

Notes

Note The Walder G.W. White Sheet Music Collection

Note T.p. hand-drawn. Note Piano, Voice

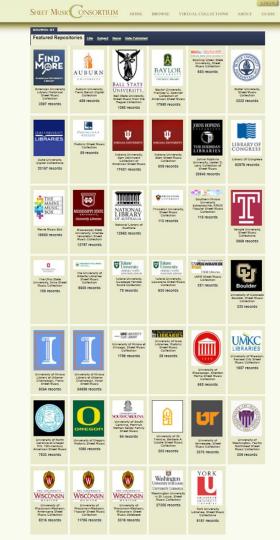
THE FLYING SAUCER



Sheet Music Consortium

Sheet Music Consortium

- Catalogue of sheet music from 36 institutions in the US, Canada and Australia, comprising over 340,000 records
- About ²/₃ of the collection has been digitized for online viewing
- Created with support from the Institute of Museum and Library Services, with a goal of open collection of digitized sheet music.
- Uses the <u>Open Archives Initiative</u> <u>Protocol for Metadata Harvesting</u>



Digitization

Digitization proposal & selection

Digitization selection criteria

- Value (Research, teaching and learning)
- Uniqueness / Rarity
- Use
- Preservation
- Access
- Continuity / Critical Mass
- Collaboration
- Development

Feasibility

- Rights and privacy considerations
- Metadata requirements
- Physical condition
- Technical requirements

Stage 1: Initial suggestion Request to digitize item, collection or group of Initial digitization items or collections by emailing digitization@ualberta.ca or filling out the request / inquiry proposal form. May be initiated by: Test fit to principles UofA affiliated individual or group and criteria Member of the community Gather more data Digitization Librarian leads preliminary investigation and makes decision based on a "test fit" to UAL's principles and criteria as outlined in our digitization strategy Stage 2: Full investigation Together with stakeholders, Digitization Proposal Librarian leads an investigation into the Gather more data and Development: feasibility and suitability of the project. resubmit Document the Develops a full proposal for selection feasibility and criteria and prioritization stage. Stage 3: Selection and Flag for later Selection process prioritization consideration Depending on the scope and complexity, the Digitization Team makes decisions, and prioritizes projects, considering proposals and established criteria, Prioritization for digitization queue Stage 4: Project planning Once approved, Digitization Librarian works with team to develop project plan: establishing scope, milestones, timelines, and workplan. Development of project plan Stage 5: Project implementation and production Digitization and associated activities Digitization carried out according to the plan and adjusted as necessary.

Digitization



Boxes of rehoused sheet music



Internet Archive Scribe v-cradle scanner

Controlled Digital Lending (CDL)

What is Controlled Digital Lending (for sheet music)?

- Digital equivalent of traditional library lending
- Digital copy of sheet music held in the library collection, made available in a controlled digital environment
- Own-to-loan ratio respected and file is read only for a limited loan period; no downloading, copying, etc. enabled
- Restricts access beyond what is technologically possible or expedient in order to mitigate copyright risk

Canadian Copyright and

Risk Assessment

Copyright is an enclosure mechanism and the Canadian *Copyright Act* is a policy instrument created by parliament.

The Act provides rights holders with the sole right to produce, reproduce, perform, or publish works subject to copyright.

The Act provides users with limited rights (comparatively) to make use of those works.



Rights Holders' Economic Rights

3 (1) For the purposes of this Act. copyright, in relation to a work, means the sole right to produce or reproduce the work or any substantial part thereof in any material form whatever, to perform the work or any substantial part thereof in public or, if the work is unpublished, to publish the work or any substantial part thereof, and includes the sole right

- (a) to produce, reproduce, perform or publish any translation of the work,
- (b) in the case of a dramatic work, to convert it into a novel or other non-dramatic work,
- (c) in the case of a novel or other non-dramatic work, or of an artistic work, to convert it into a dramatic work, by way of performance in public or otherwise,
- (d) in the case of a literary, dramatic or musical work, to make any sound recording, cinematograph film or other contrivance by means of which the work may be mechanically reproduced or performed,
- (e) in the case of any literary, dramatic, musical or artistic work, to reproduce, adapt and publicly present the work as a cinematographic work.
- (f) in the case of any literary, dramatic, musical or artistic work, to communicate the work to the public by telecommunication.
- (g) to present at a public exhibition, for a purpose other than sale or hire, an artistic work created after June 7. 1988, other than a map, chart or plan,
- (h) in the case of a computer program that can be reproduced in the ordinary course of its use, other than by a reproduction during its execution in conjunction with a machine, device or computer, to rent out the computer program.
- (i) in the case of a musical work, to rent out a sound recording in which the work is embodied, and
- (i) in the case of a work that is in the form of a tangible object, to sell or otherwise transfer ownership of the tangible object, as long as that ownership has never previously been transferred in or outside Canada with the authorization of the copyright owner.

and to authorize any such acts.

General Users' Right

29 Fair dealing for the purpose of research, private study, education, parody or satire does not infringe copyright.

Criticism or review

- 29.1 Fair dealing for the purpose of criticism or review does not infringe copyright if the following are mentioned:
 - (a) the source; and
 - (b) if given in the source, the na News reporting
 - (i) author, in the case of a we

 - (iii) maker, in the case of a s
 - (iv) broadcaster, in the case

- 29.2 Fair dealing for the purpose of news reporting does not (ii) performer, in the case of infringe copyright if the following are mentioned:
 - (a) the source; and
 - (b) if given in the source, the name of the
 - (i) author, in the case of a work.
 - (ii) performer, in the case of a performer's performance.
 - (iii) maker, in the case of a sound recording, or
 - (iv) broadcaster, in the case of a communication signal.

Copyright Risk Assessment: Step 1, Public Domain Status

Public Domain Status = How much of the collection is protected by copyright?

No copyright protection = No copyright infringement risk

Copyright term for literary works (including sheet music) in Canada is based on the life of the author plus 50 (now 70) years past the year of death of the author/creator.

- Existing metadata identified authors, death dates
- Often multiple creators for a single piece of sheet music
- National treatment under Berne Convention (for works not first published in Canada)
- Assessing public domain status was an extremely time-intensive process.

Copyright Risk Assessment: Step 2, Economic Rights / Fair Dealing

Items deemed public domain = 2,769

Items deemed in-copyright = 3,916

Is the dealing fair?

- Purpose?
- Character?
- Amount?
- Alternatives?
- Nature of the work?
- Effect on the work?

Copyright Risk Assessment: Step 2, Economic Rights / Fair Dealing

Items deemed public domain = 2,769

Items deemed in-copyright = 3,916

Is the dealing fair?

- Purpose? education, research, etc.
- Character? *broadly disseminated but use is restricted*
- Amount? *necessary for purpose*
- Alternatives? *none*
- Nature of the work? *publicly disseminated*
- Effect on the work? *it depends on the work*

How can we both fulfill the library's mission to connect users with sheet music and reduce the risk of harming the rights holder?

Copyright Risk Assessment: Step 3, Mitigation Measures

- 1) Controlled Digital Lending
 - a) One user at a time
 - b) Limited loan period
 - c) No downloading, copying, etc. enabled
- 2) Removed all sheet music that is commercially available
 - Assessment was a time-intensive process that sometimes required searching four web sites / databases and will be repeated every five years
 - b) This is a more conservative approach than libraries lending print materials
- 3) Provide copyright and contact information, at both the collection and item level

Copyright Risk Assessment: Note About Moral Rights

Risk of moral rights infringement deemed extremely low as attribution will be provided for all works and no work will be altered beyond format shifting.

Moral rights

14.1 (1) The author of a work has, subject to section 28.2, the right to the integrity of the work and, in connection with an act mentioned in section 3, the right, where reasonable in the circumstances, to be associated with the work as its author by name or under a pseudonym and the right to remain anonymous.

Library Mission Risk Assessment

Known mission risks:

- Underused, relatively inaccessible collections do not serve the library's purpose to support education and research
- Not digitizing collections puts library materials at risk of damage or destruction due to decay, accidents, library closures, and/or natural disasters

Facebook post, July 14, 2023

PUBLIC SERVICE ANNOUNCEMENT, PLEASE READ IF LOCAL TO SF BAY
AREA!!!
Sharing from a friend:

i illella.

The music portion of the Notre Dame de Namur library, 1500 Ralston Ave., Belmont, CA, comprising over 10,000 books, is going to be destroyed soon, as they haven't been able to get another library to take them. So everyone is invited to come take them.

They have:

Much music reference books, including the entire Groves Dictionary of Music and Musicians, books on every musical subject.

AVAILABLE RESOURCES

Biographies, books by composers, theory, musicology, composition, ethnomusicology...

Scores, including many Dover scores, piano reductions of scores

Complete works series of Mozart, Beethoven, etc Music (classical, Broadway and pop) Piano, vocal, chamber music of all kinds, operas, opera libretti,

Broadway show piano/vocal scores, solo music for all instruments with piano accompaniment.

Music instruction books

The library is open all day and pretty much deserted, as it is at night, sadly. You can contact Caryl Hodges at chodges@ndnu.edu or Aspasia Normantas at anormamntas@ndnu.edu.

Feel free to pass on the word-anything remaining of the collection will be destroyed.

Risk Management: Quantifying Tolerance

Consequence

Reputation (negative media attention): intensity, duration; brief to >2 wks

Infrastructure (financial losses): negligible <\$250K to high >\$5M

Education/Research (cannot provide): time and number of people affected

Human Resources (ability to recruit): comparative

Safety/Security: health effects, injuries, fatalities

High	Level 3	Level 4	Level 4	Level 4	Level 4
Major	Level 2	Level 3	Level 3	Level 4	Level 4
Major Modera Minor	te Level 2	Level 2	Level 2	Level 3	Level 3
Minor	Level 1	Level 1	Level 2	Level 2	Level 3
Negligit	ble Level 1	Level 1	Level 1	Level 1	Level 2
20	Rare	Unlikely	Moderate	Likely	Almost

Risk treatment is required for all risks above Level 1.

Likelihood

Rare: not in 10 years

Unlikely: not at Cdn uni in 10, other uni in 5 yrs

Moderate: once in 10 yrs Cdn uni, 5 yrs other uni

Likely: once in 10 yrs at org, 5 yrs other Cdn uni, 2 yrs other uni

Almost Certain: once in 5 yrs at org, 2 yrs other Cdn uni, 1 yr other uni

Next Steps

- Summer 2023: Currently working on determining which items are commercially available to determining the appropriate access level before digitization
 - o 2 students (Sean Gleason, Michaela Morrow) finalizing commercial availability check process, to identify
 - Additional public domain works
 - Works that are commercially available
 - Working through 4425 items;
 - Hope to add more students in the Fall
- Fall 2023: Can start digitizing in the Fall as the commercial availability checks are completed
- 2024: Expect the digitizing to be complete

Questions?

- Amanda Wakaruk Copyright & Scholarly Communications Librarian | amanda.wakaruk@ualberta.ca
- Lucinda Johnston Music Liaison Librarian | lucinda.johnston@ualberta.ca
- Sean Luyk Digital Curation Librarian | sean.luyk@ualberta.ca
- Sarah Severson Digitization Librarian | sarah.severson@ualberta.ca
- Sharon Farnel Head, Metadata Strategies | sharon.farnel@ualberta.ca