

Text Chat Transcript of March 12, 2013 Webinar: Ebooks and Libraries

Lending ebook devices – a legal update from IMLS:

<http://blog.librarylaw.com/librarylaw/2013/03/lending-ebook-devices-a-legal-update-from-imls.html>

Video of eBook Technology (iPad versus Nook) accessibility:

https://www.youtube.com/watch?v=_CNQCrowbUI

Debbie Martin: So the CT law does not apply to school libraries?

Lianne Flax: Macmillan will not sell to consortiums, academic libraries, and K-12 libraries either, to make it more confusing.

Candace LeDuc: <http://www.facebook.com/thebig6ebooks>

Ophelia Lo: macmillan now sells thru Overdrive

Christine Rodriguez: from today's "Library Link": <http://www.thedigitalshift.com/2013/03/copyright/why-we-miss-the-first-sale-doctrine-in-digital-libraries/> Why We Miss the First Sale Doctrine in Digital Libraries [Library Journal]

stacy wesley: Can we get the slides to this later?

Eileen O'Shea: the archive will be available here: http://infopeople.org/training/ebooks_and_libraries

Jenny Davis: What constitutes a "used ebook?" Would they need to be donated?

Sarah Vantrease: what are the default copyright rights?

Arleen Talley: What is the difference between something in the public domain and something in the "creative commons"?

David Dodd: OverDrive does allow (and I believe always has allowed) for libraries to upload their local authors' works.

Emily Blodgett: public domain means copyright has expired (ie it was published before 1924)

Nancy Gresko: We are a federated Library System with 21 independent libraries. The System (the admin. unit) has been funding access to eBooks for two years. This year we decided to move from our current eBook vendor to a new vendor. Six libraries are negotiating a new contract with the current vendor. This vendor is offering the content that we (the System) has purchased to this new group. The vendor has done this without our knowledge or approval. Can this content be transferred to this new entity legally? How does this vendor have the authority to do this? If allowed, what would stop us from offering those titles to another library in a different area and getting paid for them? Please help.

Matt Hill: David- Overdrive allows this, but only in PDF format, not EPUB or Kindle, last time I checked

Les Kong: Les Kong: What about ILLing of eBooks?

Lisa Lindsay: Les—Overdrive limits to within the library service area

David Dodd: True about the format limits, though they keep saying they'll add other formats in OverDrive...for local content.

craig peterson: drm question? is it legal for a library to promote an outside software that allows epub books to be downloaded on kindles?

Anthony Halstead: i feel like i'm in the wrong webinar. are we going to discuss readers?

Sarah Vantrease:@craig - aren't apps ok? eg a nook app for a kindle?

Sarah Vantrease:we used amazon's kindle apps on our library ipads.

Judy Daniluk:Apps let you use EPUBs on a Kindle Fire. The eInk Kindle doesn't use apps. You always need to say which Kindle you're talking about.

Lisa Lindsay:Sarah/Craig—Kindle Fire is only Kindle option for app use.

Melanie Duncan:If app isn't available through Kindle Fire store, sideloading it on device could negate the warranty.

craig peterson:there are apps to download kindle books on other devices, but i'm asking about the other way: epub books onto kindles, including touches, thereby circumventing amazon.

Les Kong:Les Kong: Our ADA Compliance folks on our campus only allowed us to purchase iPads due to accessibility issues—we lend out iPads for students to read eReserve Texts via CourseSmart.

Lisa Lindsay:why no more nook instead of nook and Kindle?

Lisa Peters:currently isn't the iPad the only "eReader" available that is fully?

Lisa Lindsay:my Paperwhite has no text to speech, is that Kindle new trend?

Les Kong:Les Kong: Our campus also recommended we make available styluses as well as wireless keyboards for accessibility issues.

Anita Falltrick:Kindle Keyboards have text-to-speech menus and ebooks

Kathy Robins:We have people sign an ereader agreement that says they will pay \$100 if the ereader is lost. Can we ask for more money for an iPad?

Matt Hill:Kindle keyboards aren't considered as fully accessible as the iPad, even though it has some text to speech

Maricela Leon-Barrera:I too am interested in finding out what are the fully accessible devices? Is it only ipads?

Les Kong:Les Kong: Our library has students sign financial responsibility form if iPad is lost or not returned, replacement cost of \$500!

Melanie Duncan:I don't consider my Kindle Fire accessible for a visually impaired person. No audio cues .

Patti Peterson:You could use an iPod touch with the Nook app for less money than an iPad.

David Mixdorf:If books are available though state commission for the blind wouldn't that take care of the equal access?

Elizabeth Joseph:do you know exactly where you found the video of the blind person comparing the nook and the ipad

Sarah Vantrease:@David that's what i've been wondering....

Julie Erickson:The IMLS advisory on e-book reader lending from here http://pld.dpi.wi.gov/files/pld/pdf/ebook_guidance.pdf has a statement "The Department of Justice operates a toll-free, technical assistance line to answer questions with regard to the requirements of federal laws protecting the rights of individuals with disabilities. For technical assistance, please call (800) 514-0301 (voice) or (800) 514-0383 (TTY). Specialists are available Monday through Friday from 9:30 AM until 5:30 PM (ET) except for Thursday, when the hours are 12:30 PM until 5:30 PM. These

specialists have been trained specifically to address questions regarding accessible electronic book readers”.

Melanie Duncan:@Kathy Robins: I would think you could expect them to pay the replacement cost of the device. Our library card agreement says the patron is responsible for replacing anything checked out on their card.

Les Kong:Les Kong: Patti - good point, something to consider for the future.

Robyn Truslow:I am missing much of what is being said but am seeing a lot of negativity about Kindles in terms of accessibility...we have the original Kindles that have a keyboard, text-to-speech and audible navigation. I get that the new Fires and newer Kindles are not accessible but the older ones are, I think.

Dan Rooker:We have 5 Kindle DX devices which we loan, but we have a single Amazon account. When we purchase an e-book title, it downloads to all 5 devices, since Amazon allows up to 6 devices to be attached to a single account. Accessibility issues aside, is there a problem with this for libraries?

Laura Baker:Here is the link to the video http://www.youtube.com/watch?v=_CNQCrowbUI

Stacey Malek:It was my understanding that offering books through state programs is not considered equal access

Jean Chapin:Question about circulating eReaders: we would like to circulate nooks and accessible ipod touches in combination, as per the Sacramento Public Lib. agreement. Do you think that is acceptable, or should we be circulating accessible devices only?

Anthony Halstead:Can Mary address David's comments above? Or why simply having a print copy as well wouldn't do the same thing.

Julia Mitschke:Dan: we have multiple kindles but our interpretation of the one loan-one user principle is that we need to have a separate Amazon account for each device and purchase separate copies of the titles for each device

Sarah Vantrease:@dan & julia, i think sac public library loans a single book over multiple devices

Rebecca Kane:Any idea if the tablets designed for kids have accessibility features ie. Nabi?

toni samuel:Is it legal to check out multiple kindles to students with books I have purchased through amazon with private funds?

Cris Muniz:Will the comments everyone is typing in be available for viewing in the archive? There is a lot of good stuff being said on chat side so I was wondering if anyone knows.

Eileen O'Shea:yes, we will be saving the chat and posting it on the webinar archive page.

Eileen O'Shea:lots of good info in chat!

Anthony Halstead:@Julia Mitschke - Amazon may have this rule but B&N is *really* pushing the 6-1 ratio for purchases.

Ryan Claringbole:Should also address "library service area" in contracts with some vendors.

Patti Peterson:Jean if you circulate them in equal numbers it should be ok.

Eileen O'Shea:that ebook scorecard from ala: http://www.districtdispatch.org/wp-content/uploads/2013/01/Ebook_Scorecard.pdf

David Mixdorf:<http://nlc.nebraska.gov/tbbs/collections.aspx>

Eileen O'Shea:IFLA matrix: <http://www.ifla.org/files/assets/hq/topics/e-lending/thinkpiece-matrix.pdf>

andrea herman:Not with DRM it's not!

Judy Poe:does anyone make adobe digital editions available to their patrons within the library? Is there any problem with this?

Linda Yamamoto:Anyone know if it's OK to loan Sony e-readers?

Kathy Marrah:As far as we know Adobe Digital Editions only allows access to the device it is registered to

Shelly Euser:If the library provides ADA devices for those in need such as the iPad; can non-ADA patrons complain this device is not available to them?

Heather Braum:Are Android tablets like the Asus Transformer, Nexus 7, and the Samsung Galaxy—do they have accessibility issues?

Sarah Vantrease:@Judy - we have a public computer with ADE at our library. patrons can use their accounts to download their e-books and then connect their Nooks to the computer to transfer the book.

David Mixdorf:these are braille readers not print copies

Kathy Marrah:Sarah, how do you do this?

Rebecca Kane:Nexus 7 is my other hope for circling a tablet to kids

Sarah Vantrease:@Kathy not sure how it works technically. our IS department set it up. we reboot between customers

Judy Poe:@Sarah, can't other patrons also access those files?

Katherine werth:Judy, we offer ADE for patrons. You'll have to re-register the software for each patron (Adobe ID must match patron device) If a book is checked out via computer, a patron would have to return it using our computer also.

Sarah Vantrease:@Judy no the ADE clears between use

Kathy Marrah:Sarah, would they share how they made it possible?

Freya Anderson:Is the Nexus 7 fully accessible? Not sure it is based on my own experience with it.

Maricela Leon-Barrera:In regards to devices, would a Google Nexus 7 be accessible? What would we consider when loconsidering a device, should we look at the IMLS advisory you mentioned?

Mary Rogers:The only way you could have ADE on a public computer is if you have a way of making sure the "syncing" of the device is wiped after each use since that is how ADE works

Dan Rooker:Thanks!

Sarah Vantrease:What if the devices are donated by a patron, full of ebooks?

Lisa Peters:is there a list of fully accessible devices?

Sarah Vantrease:What if the same patron donates six devices from one account, with each book on all six devices?

Les Kong:Thank you, Mary, Eileen, and InfoPeople!

Mary Pelton:For ADE if you CTRL SHIFT D it removes authorization between users.

Mary Rogers:Cool never knew that about ADE!

Susan Pierce:Amazon TOS say that ereaders must be reset when sold.

Sheila Evans:isn't it true that members of the public really don't "BUY" ebooks either? isn't that just a license to use it?

Renee Zurn:I have emails from both Amazon and B&N that say I can have one book on six devices. It sounds like this isn't legal permission.

Kathy Marrah:Mary I didn't know that either!

Freya Anderson:But would the library be party to that license?

Jenny Davis:Can you speak more about used ebooks? What exactly constitutes a used ebook, and if it does become legal to loan them, how would libraries acquire them?

Elizabeth Joseph:can you respond to this coment - If the library provides ADA devises for those in need such as the iPad; can non-ADA patrons complain this device is not available to them?

Les Kong:We make those ADA devices available to all.

Anita Falltrick:We rec'd the same emails from Barnes and Noble and Amazon and I made sure they knew we were a library.

Sarah Vantrease:@Anita, us too.... so who will get sued first? =P

Annette Osenga:is accessibility determined in part by publisher of the ebook?

Renee Zurn:Yes, Eileen, I identified my library, gave my title, and was using my library email.

Sarah Vantrease:So Mary you're saying that libraries can't circulate e-readers that were donated by patrons and already loaded with e-books?

Anita Falltrick:Yes. 1 copy on 6 devices.

Elizabeth Joseph:do you have an update on the epub3 format

Martha Church:Thanks for the info - gotta run!

Inga Labeaune:The Sacramento settlement includes something like, So if you are starting a lending program, its best to have all devices be accessible, right? Rather than start with a mix of some nooks and some ipads/ipods, right?

Maricela Leon-Barrera:I'm wondering about the Nexus 7, what is the best way to test accessibility? Is there a ADA compliant device list?

Dan Rooker:Why does the ADA make libraries purchase only accessible devices but the books we buy are not accessible to the blind or to persons with hand-mobility issues—and we're not "required" to offer every print title in audio format?

Kathy Robins:Barnes and Noble was agreeable to putting 1 ebook on multiple devices for library patron use.

Elizabeth Muether:I like Dan's question.

Betty Giorgi:Yes B and N said we do that.

Lisa Peters:Mary-Wouldn't libraries who set up an Amazon account use a "company" or "organization" account set up? Isn't that one of the options?