

Probleme konventioneller Bibliotheken

- ◆ Anzahl an Büchern nimmt stetig zu
- ◆ immer weniger Kapazität in den Bibliotheken
- ◆ Bücher werden immer älter und beginnen zu verfallen
- ◆ Bücher sind schnell entliehen wegen begrenzter Anzahl an Kopien
- ◆ es ist sehr zeit-, und personalintensiv neue Bücher zu bestellen, die Lieferung zu überprüfen, sie zu katalogisieren und einzuordnen

Urheberrechtliche Probleme Verwaister Digitaler Bibliotheken

Albrecht, Steffen



Urheberrechtliche Probleme Verwaister Digitaler Bibliotheken:

Verwaiste Werke - Vom rechtlichen Problem zur rechtspraktischen Herausforderung bei der Nutzung vorbestehender Inhalte Albrecht, Steffen, 2017-11-24 Orphan works can prevent the culturally desirable use of pre existing content This work treats the problem in a fundamental way It describes the international developments and different approaches to solving the problem Specifically it discusses how the German regulation 61 ff UrhG not only allows the better use of pre existing content but also how it makes it possible to influence copyright practice *Verwaiste Werke* Simon Lauck, 2016-11-08 Simon Lauck untersucht ob die Richtlinie 2012 28 EU über die Nutzung verwaister Werke und ihr deutsches Umsetzungsgesetz 61 ff UrhG die gesetzgeberischen Ziele tatsächlich erreichen können Trotz dieses rechtspolitischen Ansatzes will diese Arbeit auch Praktikern eine Hilfe sein Vor ihrer rechtspolitischen Bewertung wird jede einzelne Vorschrift der Richtlinie und der deutschen Umsetzung unter Berücksichtigung des internationalen Rechts ausgelegt Der Autor kommt zum Ergebnis dass die Richtlinie ihre hohen Ziele nicht vollständig erfüllen kann Gleichzeitig zeigt er auf wo und wie in dieser Richtlinie und dem deutschen Urheberrechtsgesetz nachgebessert werden kann um verwaiste Werke im Rahmen der Zielsetzung der Richtlinie besser nutzen zu können **Urheberrechtliche Probleme bei der Nutzung verwaister Werke am Beispiel digitaler Bibliotheken** Britta Wankler, 2015 In der modernen Informationsgesellschaft ist es längst eine Selbstverständlichkeit dass Wissen jederzeit per Mausklick aus digitalen Bibliotheken abgerufen werden kann Urheberrechtlich geschützte Werke dürfen aber grundsätzlich nur mit Zustimmung der Rechtsinhaber digitalisiert und online gestellt werden Die Betreiber digitaler Bibliotheken sehen sich daher mit urheberrechtlichen Problemen konfrontiert wenn ein Rechtsinhaber nicht ermittelt oder nicht ausfindig gemacht werden kann das betreffende Werk also verwaist ist Die Autorin untersucht welche Nutzungsmöglichkeiten das geltende Urheberrecht für verwaiste Werke eröffnet und wie der Zugang zu diesen Werken erleichtert werden könnte **Aus Politik und Zeitgeschichte**, 2009 *Das neue Urheberrecht und seine Probleme für Bibliotheken und öffentliche Büchereien* Bernhard Sinogowitz, 1962 *Die Digitalisierung und Verbreitung verwaister und vergriffener Werke* Rolf Kaulich, 2017 Die große Hand des Urheberrechts symbolisiert die untrennbare Verbindung des Urhebers zu seinen Werkschöpfungen auch wenn diese Schöpfungen als vergriffen oder verwaist gelten Die Nutzung verwaister und vergriffener Werke spielt für die Bewahrung des kulturellen Erbes und den Aufbau digitaler Bibliotheken eine wesentliche Rolle Aus diesem Grund wurde mithilfe der europäischen Bestimmungen der Richtlinie 2012 28 EU und der entsprechenden Umsetzungsgesetze die Barriere der fehlenden Möglichkeit der Rechteklärung überwunden und der Rechtsrahmen für die Digitalisierung und Verbreitung verwaister Werke geschaffen Ungeachtet des nicht unwesentlichen Umstandes dass die Rechteinhaber der vergriffenen Werke im Grunde bekannt und auffindbar sind und infolgedessen die Rechteinhaber den potentiellen Nutzern grundsätzlich auch unmittelbar Nutzungsrechte einräumen könnten wurde die Nutzung vergriffener Werke nunmehr auch über den Weg der vermuteten treuhänderischen Rechtswahrnehmung ermöglicht über verschiedene

Auslegungsmethoden leitet der Autor allgemeingültige Definitionen der Begriffe verwaiste und vergriffene Werke her zeigt wesentliche Widersprüche im Regelungssystem auf benennt Mängel in den Schutzanforderungen und bietet rechtspolitische und dogmatische Lösungen an **Bibliothek und Urheberrecht** Edelgard Müller, 1974

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