

# Consortium of College and University Media Centers

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Executive Office, 121 Pearson Hall - MRC, Iowa State University, Ames, IA 50011-2203  
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May 9, 1997

Mr. Peter N Fowler  
Chair, NI/Conference on Fair Use  
Office of Legislative and International Affairs  
U.S. Patent and Trademark Office, Box 4  
Washington, DC 20231

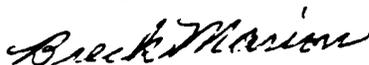
Dear Mr. Fowler:

The Consortium of College and University Media Centers (CCUMC) worked closely with associations representing educators and copyright owners for the purpose of creating fair use guidelines for educational multimedia. These now adopted guidelines are designed to be used by faculty and students when they create their own multimedia projects. As you know, CCUMC represents hundreds of institutions of higher education and its members are those working daily in the technology trenches and are those faced with the day-to-day decisions regarding copyright and fair use issues. The Consortium has, therefore, a vital interest in the development of equitable and understandable guidelines for the use of other technologies in education.

The creation of fair use guidelines necessarily involves a series of compromises inasmuch as fair use does not have a precise definition either in the copyright law or in the courts themselves. We believe the creation and implementation of reasonable guidelines are an extremely positive development in that they provide a sense of direction in areas of technologies that are now developing and expanding, yet have already become such an important part of the teaching and learning process. It is clear to us that without appropriate guidelines educators and students who develop and utilize technologies are inhibited in their efforts and copyright proprietors are similarly negatively impacted.

The Consortium of College and University Media Centers is pleased to be able to add its name to the list of other organizations that formally ENDORSE both the Fair Use Guidelines for Distance Learning and the Fair Use Guidelines for Digital Imaging. We do so with the belief that the guidelines for distance learning should be view as a first step -"phase one guidelines" - and the recommendation that a committee be formed immediately to develop "phase two distance learning guidelines" that address asynchronous learning situations and related networking. Further, we do so with the recommendation that further efforts be made to add clarity to the digital imaging guidelines and the belief that the current version of those guidelines is to be viewed as too complex although useful.

Sincerely,



Breck Marion  
President

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July 29, 1996

Ivan Bender  
Lisa Livingston  
Co-Chairs, Educational Multimedia Fair Use Guideline Development Working Group

Dear Mr. Bender and Ms. Livingston:

For the past 18 months, The Consortium of College and University Media Centers (CCUMC) has met with other associations representing educators and copyright owners for the purpose of creating fair use guidelines for educational multimedia. These guidelines are designed to be used by faculty and students when they create their own multimedia projects. As you know, CCUMC represents hundreds of institutions of higher education and its members are those working in the multimedia trenches, those faced with the day-to-day decisions regarding copyright issues. The Consortium has, therefore, a vital interest in the development of equitable and understandable fair use guidelines for the use of multimedia in education.

The creation of fair use guidelines necessarily involves a series of compromises inasmuch as fair use does not have a precise definition either in the copyright law or in the courts themselves. We feel these guidelines are an extremely positive development in that they provide a sense of direction in an area of technology that is just now developing, yet has already become such an important part of the teaching and learning process. It is clear to us that without these guidelines educators and students who develop multimedia projects are inhibited in their efforts and copyright proprietors are similarly negatively impacted.

We appreciate having the opportunity to have participated as part of the negotiating group. We are extremely pleased to be able to add the Consortium of College and University Media Centers' name to the list of other organizations that formally approve of the fair use guidelines for educational multimedia with the understanding that you will be seeking Congressional approval of them and not recommending any amendment to the law itself.

Sincerely,



Breck Marion  
President