

Committee on Development and Intellectual Property (CDIP)

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EXECUTIVE SUMMARY OF THE WIPO TOOL ON BUILDING A DIGITAL PUBLISHING ECONOMY: OPPORTUNITIES AND FRAMEWORK FOR DEVELOPMENT

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1. The Annex to this document contains the Executive Summary of the WIPO tool on “Building a Digital Publishing Economy: Opportunities and Framework for Development”.
2. This tool has been undertaken in the context of the Development Agenda (DA) Project on “Promoting the Use of Intellectual Property in Creative Industries in the Digital Era in Chile, Indonesia, the United Arab Emirates and Uruguay” (document CDIP/26/5). It was prepared by Richard Charkin, a board member of Bloomsbury China’s Beijing joint venture with China Youth Press, and Emma House who is an advisory board member for the Oxford International Centre for Publishing and an advisor to the LDN Apprenticeships Publishing Assistant standard.
3. *The Committee is invited to take note of the information contained in the Annex to the present document.*

[Annex follows]

Building a Digital Publishing Economy Opportunities and Framework for Development

Executive Summary

Technological developments transformed the publishing industry from traditional print to digital creation, production and distribution, changing the way in which readers access and digest content. Such digital transformation prompted publishers to adapt their business models and embrace digital solutions for their operations.

This tool to global digital publishing aims to assist small publishers in their understanding of the opportunities and challenges presented by digital technologies in the adult consumer, children's, academic and schools markets. It provides an overview of current developments, case studies, and practical advice on how to adapt publishing processes.

Digital publishing comes with financial, legal and commercial challenges, including significant intellectual property (IP) issues. The publishing industry has long relied on copyright licensing for its success, and with new forms of licensing available, publishers can maximize the use of content, in multiple languages, to reach a global audience. This, however, requires publishers to invest in building a digital infrastructure, develop relationships with new supply chain players and other market players, and work with policymakers and legislators to ensure that IP laws keep pace with the developments.

Publishers operating in the consumer market generally acquire content directly from the author, another publisher or a literary agent. It is therefore essential to have in place proper rights arrangements with the authors, contractual arrangements with licensors, and where possible, acquire digital rights. The management of these digital rights, however, can be complex. Publishers exercise control over the digital distribution of books according to the rights secured (format and territory). Other challenges include pricing and piracy.

With e-books and audiobooks now part of the publishing ecosystem, publishers now publish books in the three formats simultaneously to provide readers with the medium of their choice. Transactional digital sales business model is commonly used for selling e-books and audiobooks to consumers. Publishers further employ the one copy/one user and pay-per-use business models for lending at public libraries. Access to e-books and audiobooks has been a game changer for readers with impairment. Other digital trends in consumer publishing include print-on-demand (PoD), podcasts, and self-publishing.

As opposed to adult consumer publishing, children's publishing has been slower to adapt to digital developments, despite the apparent benefits to digital reading for children, such as enhanced accessibility to content and better recalling stories with integrated animation, sound, quizzes and other activities. Still, one noteworthy trend is the re-emergence of children's physical audio. Licensing arrangements for children's books can involve the whole book, chunks or snippets thereof, depending on their end use and needs of the licensor.

Academic publishing covers higher education, research and monograph publishing. Digital technologies have altered the teaching and learning landscape. Artificial Intelligence (AI) and Augmented Reality (AR) tools enable personalized learning and assessment, and digital publishing can reduce costs for textbooks and educational material, promote literacy and education, and facilitate the preservation of local traditions and cultures in developing countries. A major challenge for developing countries is, however, the lack of infrastructure.

Higher education publishing experienced significant transformation driven by textbook aggregators, a highly efficient second-hand book market, and free material made available on the Internet. Traditional higher education publishers that survived the storm are now

predominantly digital textbook suppliers facing a constant pressure to widen access and reduce cost of digital content. Business models offered to students by textbook aggregators include purchase and loan subscriptions of whole textbooks or individual chapters thereof.

Research and scientific publishing are increasingly dominated by open access (OA), which raises several copyright issues. Despite the options provided by the publishing industry, authors seem to prefer reaching a wider audience over protecting their copyright. Publishing articles in academic journals using an OA business model involves the author paying an article processing charge (APC), and the license linked to that published article would dictate how that published article may be used or copied, for commercial and non-commercial use.

The decline in traditional print and growth in digital delivery of monographs led to the widespread adoption of PoD technology in monograph publishing. This shift was particularly beneficial for national scholars and universities.

Publishers are central to digital implementation in school publishing. Successful digital education requires an enabled environment with access to technology, high quality content and resources, while taking into account the needs of students, teachers and the school community. Digital technology can enhance teaching and learning by providing new opportunities for engagement, collaboration, personalization and creativity. Publishers also use digital technology to make educational content accessible, interactive and personalized. It is therefore important to effectively address the IP issues involved. These include preventing copyright infringement, adhering to fair use principles, establishing ownership, providing proper source attribution, licensing patent-protected technologies, and ensuring transparent and fair licensing terms for the use of digital content.

Full version of the tool is available at:

https://www.wipo.int/edocs/mdocs/mdocs/en/wipo_ipr_mvd_23/wipo_ipr_mvd_23_www_615979.pdf

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