

**PRESS RELEASE FROM STM**  
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**STM Association signs Out of Commerce Memorandum of Understanding (MoU)**

Michael Mabe today signed the Out of Commerce Memorandum of Understanding (MoU) in Brussels, enabled through a dialogue with libraries facilitated by the European Commission (EC). The MoU recognises that the right to authorise the use of an Out of Commerce work is vested in the copyright holder (authors and publishers) and that voluntary solutions involving collective management are the way forward.

The signing of the MoU was witnessed by Michel Barnier, EC Commissioner for Internal Market and Services. Representatives of libraries, publishers, authors, creators and representatives of authors, publishers and collective management organisations for text and image based works also signed the MoU today. Mabe, CEO of the International Association of Scientific, Technical & Medical Publishers (STM) signed the MoU on behalf of STM's members.

Commenting on the MoU, Mabe said, "For the book and journal sector, as well as for the library sector, the MoU is a milestone in co-operation: it achieves a fine balance of protecting the economically useful life of an in-copyright work, without insisting that access be unduly retarded in all cases for the full term of copyright."

The MoU envisages crossborder EU-wide copyright clearance and access rules. Reproduction Rights Organisations, represented by The International Federation of Reproduction Rights Organisations (IFFRO), can clear rights EU-wide for both mandating rightholders and for obscure rightholders of infrequently used materials. The MoU is limited to books and journals (and embedded materials) and does not cover newspapers or audio-visual materials.

The European Bureau of Library Information, Documentation Association (EBLIDA), the Association of European Research Libraries (LIBER) and the Conference of European National Libraries are co-signatories of the MoU, with the International Federation of Libraries and Archives (IFLA) supporting the MoU for their European members.

The European Writers Council (EWC), the European Federation of Journalists (EFJ) and the European Visual Artists (EVA) for the authors and the Federation of European Publishers (FEP), the European Publishers' Council (EPC) and the International Association of Scientific, Technical & Medical Publishers (STM) for the publishers acknowledged the MoU as important step in the digitisation and making available to the public of Europe's cultural heritage.

"This is an excellent example of what can be achieved through collaborative efforts," continued Mabe. STM has actively participated in efforts to bring the MoU to fruition.

Respect for the authors' moral rights is particularly important in the case of Out of Commerce works. There may be a variety of reasons for not making a work available to the public and it is their right to determine whether or how this should be done.

The authors, publishers and collective management organisations who are signatories to the MoU will do their utmost to make sure that the process respects the principles of the MoU and is as smooth and efficient as possible.

- **ENDS** -

STM is the leading global trade association for academic and professional publishers. It has over 110 members in 21 countries who each year collectively publish nearly 66% of all journal articles and tens of thousands of monographs and reference works. STM members include learned societies, university presses, private companies, new starts and established players.

For more information, visit: <http://www.stm-assoc.org>.

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