

# Kluwer Copyright Blog

## First Blog Poll: Orphan works and cultural heritage institutions

Lucie Guibault (Schulich School of Law ) · Wednesday, September 25th, 2013



A relatively new feature on the different Kluwer Legal Blogs (e.g. the [KluwerPatentBlog](#) and the [KluwerArbitrationBlog](#)) is the so-called legal Blog Poll.

Not only because it is always nice to hear what the *communis opinio* is about recent developments in jurisprudence and legislative procedures or about new or revived theories and ideas, but also to initiate or to stir a discussion.

You will find our first poll below and in the right column of this site. If you want, you can attach your name to your survey answers. If you want the result to be anonymous, just leave out your name and email address. If you have additional comments, you can either mail them to us or leave them in the comment section under this blogpost. The poll will remain open through 31 October 2013. The results of the poll will be discussed in a special post.

**Our first poll concerns the European Orphan Works Directive.** Directive 2012/28 on certain permitted uses of orphan works was adopted a little less than a year ago and Member States have a little more than one year to go to meet the implementation deadline of 29 October 2014. Member States are (or should) be in the process of implementing it. So far, the few initiatives that have been adopted or are underway show important differences of approach, from the recognition of a new exception or limitation as set out in the Directive, to a system based on extended collective licensing of rights.

As with other directives in the field of copyright, Member States enjoy substantial leeway in the

implementation of the Directive, with a view to achieving the Directive's primary objective to enable large-scale digitization of the institutions' collections or archives in order to contribute to the preservation and dissemination of European cultural heritage.

Please respond to the following two statements:

[SURVEYS 2]

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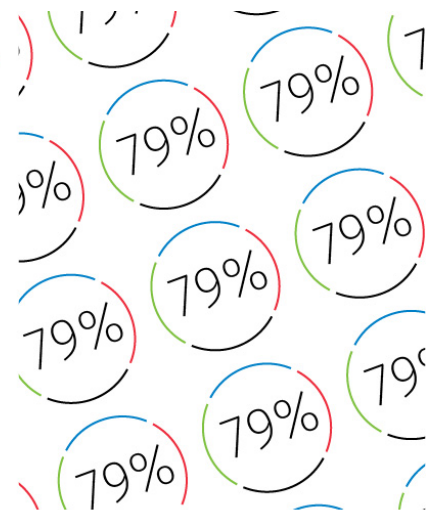
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