IFRRO Orphan Works Statement

Digitising and making available the cultural heritage: orphan works
Specific requests have been put forward for adequate solutions to include orphan works[1] and out of print works[2] in library projects on the digitisation and making available of cultural heritage. The IFRRO Board’s position on orphan works should be based on the following criteria or “check list”:

- diligent search for rightholders to works as decided by rightholders nationally;
- legal certainty for users and rights clearer, at least through approval mechanisms;
- rights clearance for uses and administration of orphan works through RROs unless otherwise decided by rightholders nationally;
- criteria for the use of orphan works established by national rightholders to the same categories of work.

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[1] An orphan work is a work to which the creator and/or publisher is not identified or located
[2] An out-of-print work is a work that the appropriate rightholder has unilaterally decided not to commercialise