Intellectual Property Rights and Levels of Access to the Pacifica Radio Archives Collection
Pacific Radio

- KPFA 94.1fm Berkeley, CA
- KPFK 90.7fm, Los Angeles, CA
- KPFT 90.1fm, Houston, TX
- WBAI 99.5fm, New York, NY
- WPFW 89.3fm, Washington, DC
Overview of Pacifica Collection

- Less than 10% of the collection digitized (approximately 10,000 recordings)

- 526 recordings available streaming on the Internet Archive: [http://tinyurl.com/psrq6dd](http://tinyurl.com/psrq6dd)

- Other recordings available through U.C. Berkeley Library, the Pop-Up Archive, American Archive Preservation Project
Pacifica Radio Archives Digitized Folio Collection

Pacifica Radio Archives: National Endowment for the Arts Grant 2010

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The Pacifica Radio Archives/UC Berkeley Lesbian, Gay, Bisexual and Transgender Activism Sound Recording Project

Pacifica Radio Archives/UC Berkeley Black Panther Party Sound Recording Project

Pacifica Radio Archives: GRAMMY Grant 2013 Recordings

Pacifica Radio Archives - California Audiovisual Preservation Project 2014

Most Downloaded Items:

1. Don Juan the Sorcerer - Carlos Castaneda interviewed by Theodore Roszak
   3,843 downloads

2. Say it LOUD: New Songs For Peace
   3,670 downloads

3. To Have Done With The Judgment of God, written and read by Antonin Artaud
   3,203 downloads

4. BB2893 George Carlin - Comedian in Transition
   2,720 downloads

5. The Assassination of Senator Robert F. Kennedy
   1,824 downloads
When do we assess copyright risk?

- Part of selection criteria for grant-funded preservation projects
- Part of selection criteria for weekly radio program From the Vault
- Check before production of fund raising giveaways
- Licensing requests
Copyright Risk Factor Assessment Checklist for Pacifica Tapes

- Created to gain clarity on copyright issues for grant-funded digitization projects


- Available at: http://tinyurl.com/nl5k59n
Risk Factor Assessment for Tapes at Pacifica Radio Archives

This checklist can be used to assess the risk factors for duplication, digitization and distribution of recordings housed at the Pacifica Radio Archives. This document does not constitute an action plan, but rather highlights potential “red flags” for PRA staff to use before digitization and dissemination.

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<tr>
<th>Risk factor</th>
<th>Low-risk</th>
<th>Medium-risk</th>
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<tr>
<td><strong>Copyright/distribution notice on tape?</strong></td>
<td>No notification or note: “Tape belongs to ‘Pacifica Tape Library’” or a variant thereof</td>
<td>Notice on label that says PRA has “limited” or “restricted” distribution rights to the program</td>
<td>Tape label explicitly states that we have no distribution rights to the program</td>
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<tr>
<td><strong>Producer credit?</strong></td>
<td>Credit exists for a producer who has consented for PRA to distribute his or her work</td>
<td>No producer credit or PRA cannot locate producer after good faith search</td>
<td>Credit exists for a producer who does not want PRA distributing their work</td>
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<tr>
<td><strong>Music used in program?</strong></td>
<td>No music used in program or recording falls in public domain</td>
<td>Contains “small amount”** of music not in public domain (fair use)</td>
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<td><strong>Literature in program?</strong></td>
<td>No literature recited or performed or excerpt used falls in public domain</td>
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<td><strong>Excerpts from other broadcasts/radio programs/TV shows?</strong></td>
<td>No such excerpts in program, or it can be demonstrated that producer was granted usage of that excerpt by licensee</td>
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<td><strong>Known litigious entities associated with tape?</strong></td>
<td>None</td>
<td>Risk factor of personalities unknown</td>
<td>Yes</td>
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*The Archives team should meet to determine whether this amount of music, literary work or re-broadcast in the program violates fair use (e.g.: a piece of incidental music in a documentary program is fairly low risk, but a music program where a DJ is playing records or the full reading of a novel or story not in the public domain is higher risk, etc.).


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SIX EXPERIENCES OF UNWANTED PREGNANCY
(complete with play)

INTRO: This program was originally produced in
October for Unlearning to Not Speak by Lois Hansen
of the KPFA Women. It begins with a short play by
Myrna Lamb, "What Have You Done For Me Lately?" and
continues, after about a half hour, with four Bay
Area women telling of their experiences of unwanted
pregnancy. The first sounds we hear in the play are
those of a man groaning, coming to as the anaesthesia
wears off. He is lying in a hospital bed, and his
doctor is walking around him.

OUTRO: You heard Lois Hansen of KPFA and three other
women in a discussion of their experiences because of
unwanted pregnancy and their resulting efforts to
get abortions. Their true stories were preceded by
a fictional account, in the play by Myrna Lamb "What
Have You Done For Me Lately," of a man's pregnancy,
induced by a female doctor who had been forced to
bear that man's child 19 years earlier because she
couldn't get an abortion. This program was first heard
in Oct. on the KPFA program, Unlearning to Not
Speak.
Producer credit on tape?

- Pacifica’s relationship with producer plays an important role
- Often use “Institutional Memory” to assess relationship
The Archives team should meet to determine whether this amount of music, literary work or re-broadcast in the program violates fair use (e.g.: a piece of incidental music in a documentary program is fairly low risk, but a music program where a DJ is playing records or the full reading of a novel or story not in the public domain is higher risk, etc.).

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Music in programs

- Several types of music in recordings
  - Live performances—In Pacifica studios or outside? Was it a concert benefitting Pacifica?
  - Pre-recorded
    - Complete songs?
    - Is it the focus of the program or an intro/outro?
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Paired with items or grant projects available streaming online

Notice for copyright claimants: The Pacifica Radio Archives will honor all takedown requests in compliance with the Digital Millennium Copyright Act and other applicable intellectual copyright laws. Please send all copyright inquiries to info@pacificaradioarchives.org or to the Archives’ physical address at: 3729 Cahuenga Boulevard West, North Hollywood, CA, 91604 c/o Archives Director for review. Claimants are advised to leave detailed contact information including name, telephone number, e-mail address, and/or physical address where they may be reached, as well as all information pertaining to the specific nature of the complaint.
We need to digitize to know what’s actually on the tape.
A couple more things...

- We are a non-profit institution
- Very few items have copyright registration
Contact Information

Jolene Beiser, Archivist
Jolene@pacificaradioarchives.org

Pacifica Radio Archives
North Hollywood, CA
http://Pacificaradioarchives.org