

## Copyright and Course Reserves: Legal Issues and Best Practices for Academic Libraries, by Carla S. Myers

Colin MacKay

Volume 9, 2023

URI: <https://id.erudit.org/iderudit/1101816ar>

DOI: <https://doi.org/10.33137/cjal-rcbu.v9.40742>

[See table of contents](#)

---

### Publisher(s)

Canadian Association of Professional Academic Librarians / Association  
Canadienne des Bibliothécaires en Enseignement Supérieur

### ISSN

2369-937X (digital)

[Explore this journal](#)

---

### Cite this review

MacKay, C. (2023). Review of [Copyright and Course Reserves: Legal Issues and Best Practices for Academic Libraries, by Carla S. Myers]. *Canadian Journal of Academic Librarianship / Revue canadienne de bibliothéconomie universitaire*, 9, 1–4. <https://doi.org/10.33137/cjal-rcbu.v9.40742>

---

© Colin MacKay, 2023



This document is protected by copyright law. Use of the services of Érudit (including reproduction) is subject to its terms and conditions, which can be viewed online.

<https://apropos.erudit.org/en/users/policy-on-use/>

---

**érudit**

This article is disseminated and preserved by Érudit.

Érudit is a non-profit inter-university consortium of the Université de Montréal, Université Laval, and the Université du Québec à Montréal. Its mission is to promote and disseminate research.

<https://www.erudit.org/en/>

**Colin MacKay**  
*Acadia University*

The role of course reserves within academic libraries is an area that invites both doubt and confidence, given the pressing issues of rising textbook costs, user access, and copyright compliance. Print reserves often face sustainability issues with escalating textbook costs and limited space (Barclay, 2015), while electronic "e-reserves" are also mired in lawsuits over copyright breaches. However, as rising textbook costs continue to impact faculty and students, libraries that can host physical course reserve collections are seeing these copies circulating wildly which seemingly demonstrates their continued value as an important service (Nichols, 2019). Recent studies underline the increasing importance of physical and electronic course reserves for students who, faced with rising tuition and living costs, need high-quality educational materials that they cannot afford (Foster et al., 2023). Academic work on copyright and course reserves remains pertinent amidst these evolving challenges in academic library services.

Carla S. Myers' *Copyright and Course Reserves: Legal Issues and Best Practices for Academic Libraries* is a significant resource for library professionals looking to optimize their course reserve services. Myers provides a thorough guide on establishing or expanding course reserve services, adhering to American copyright laws, and achieving institutional goals with minimal legal risks. The first section details how to create a course reserve service, with functional, adaptable recommendations (xv). Myers' practical and systematic style shines in a case study on physical reserve labels. They explain key label information and their importance in enforcing library policies (30). For instance, a clear label helps staff handle patron protests over overdue fines incurred from improper returns (30-31). Myers' monograph, with its focused content

MacKay, Colin. 2023. Review of *Copyright and Course Reserves: Legal Issues and Best Practices for Academic Libraries*, by Carla S. Myers. *Canadian Journal of Academic Librarianship* 9: 1-4. <https://doi.org/10.33137/cjal-rcbu.v9.40742> © Colin MacKay, CC BY-NC 4.0.

and accessible style, clarifies the role of course reserves within the academic library framework, proving valuable for library professionals.

The second section deals specifically with American copyright legislation and explains how academic libraries and course reserves intersect with copyright law. Myers uses specific case studies to help illustrate how different elements of the US Copyright Act interact with academic institutions, such as their exploration of the Georgia State electronic reserves (e-reserves) case at the end of their chapter that explores the legal context of fair use. Myers addresses the *Cambridge University Press et al v. Becker et al* case (also known as the Georgia State electronic reserves (e-reserves) case), where in 2008 Georgia State University was sued by several academic publishers due to copyright infringement through these e-resources (132-134). Myers offers an insightful analysis by guiding readers through the case, highlighting key aspects of Judge Orinda Evan's final order in 2020, which concluded 12 years of litigation, while urging readers to "review each of the opinions and orders issued" for themselves and referring them to the Georgia State University's resources on the case (132). While Myers' application of case studies to explain how academic libraries interact with copyright legislation is instructive, it is primarily relevant within the confines of the American legal landscape. This specificity could potentially limit its utility for Canadian library professionals. The differing legal context in Canada means that Myers' conclusions and recommendations may not be wholly applicable or effective. Therefore, to enrich the relevance of Myers' work for a Canadian audience, future research should aim to adapt and reinterpret their approach within the parameters of Canadian copyright law. This critique notwithstanding, Myers' work still provides a useful foundation for library professionals irrespective of their geographical location.

The final section combines the concepts outlined in the previous sections to provide clear workflows on how to evaluate copyright risk for electronic and physical course reserves. For instance, they include a section addressing accessibility concerns and equal access to course reserves and ways to help mitigate legal risk. Myers does an admirable job in this section of providing grounding advice for library professionals on how to bridge the conceptual gaps between copyright and course reserves. For example, Myers urges library professionals to research any copyright restrictions imposed by an electronic database vendor because, in the case of e-reserves, "contract agreements may trump other rights granted under law" and libraries may find themselves bound by stricter contractual limits than those from copyright legislation (230). Like in the previous section, Myers' linking of copyright and academic library services stands out as clear examples of their knowledge and understanding of this complicated field.

One of the greatest strengths of Myers' *Copyright and Course Reserves* is their detailed and methodical approach in presenting a guide on how an academic library can begin or continue to offer course reserves. Many library professionals who have worked with course reserves before will recognize the sometimes-laborious steps involving who can place an item on reserve, which items are acceptable, and all the steps to process items and make them available to students (38-47). This monograph is perhaps best used as a guide for a library professional who has just taken over a course reserves position and is looking for a resource to guide them through each step and explain why each step is important.

Myers' monograph falls short in connecting with wider literature. Myers avoids delving into theoretical frameworks or participating in scholarly debates, which are instead addressed in the Foreword by Kyle K. Courtney. A sustained literature review could have placed Myers' work within existing dialogues on copyright and course reserves, thus better defining its place and contribution. There's notable research on textbook affordability, such as Celik & Peck (2016) and Soules (2019), that could have been referenced to contextualize the role of course reserves in academic libraries. While Myers' technical manual on course reserve services differs, its lack of contextual placement misses an opportunity to enhance discussions about course reserves' value versus cost. Nevertheless, Myers' *Copyright and Course Reserves* provides an outstanding introduction to the role of course reserves in an academic library, specifically focusing on how this service interacts with copyright legislation. This monograph would benefit any library professional who works with course reserves, library administrators who search for ways to create or build upon a course reserves service within their libraries, or library professionals interested in copyright and library services. Myers fills a niche in the literature by providing a clear how-to manual on course reserves and introducing copyright's legal complexities, which is beneficial to librarians and library staff who navigate this sometimes uncertain ground.

## REFERENCES

- Barclay, Donald A. "No Reservations: Why the Time Has Come to Kill Print Textbook Reserves." *College & Research Libraries News* 76, no. 6 (2015): 332-335. <https://doi.org/10.5860/crln.76.6.9331>
- Celik, Osman, and Rosanne Peck. "If You Expand, They Will Come: Textbook Affordability Through Expansion of Course Reserves: The Case of UCLA Library's Course Reserves via Strategic Partnership with the Campus Independent Bookstore." *Technical Services Quarterly* 33, no. 3 (2016): 268-278. <https://doi.org/10.1080/07317131.2016.1169788>
- Nichols, Caleb. "In Defense of Course Reserves: A Review of California Programs." *College & Research Libraries News* 80, no. 9 (2019): 520-530. <https://doi.org/10.5860/crln.80.9.520>
- Foster, Sara, Duane Wilson, Shannon Sanders, and Justin Johnson. "The User Experience: Student

Perspectives on Library Course Reserve." *The Journal of Academic Librarianship* 49, no. 2 (2023). <https://doi.org/10.1016/j.acalib.2022.102635>

Soules, Aline. "Textbooks and the Library Collection." *Collection Management* 44, no. 2-4 (2019): 221-231. <https://doi.org/10.1080/01462679.2019.1606747>