



20 April 2023

Te Pouhuaki National Librarian  
Rachel Esson

Tēnā koe,

**INTERNET ARCHIVE – COPYRIGHT INFRINGEMENT LAWSUIT BROUGHT BY MAJOR US PUBLISHERS**

We are writing to you concerning the recent US ruling on the Internet Archive's (IA) programme of 'controlled digital lending'. As you will be aware the ruling found that the IA's scanning and lending programme constituted a clear case of copyright infringement and found in favour of the four major publishers which brought the lawsuit.

We believe that this decision confirms our concern over the IA's practices and our alarm at the National Library's plans to make the Overseas Published Collection (OPC) available via the IA. Additionally, we would be grateful if you could let us know what impact the court decision has on your plans for the OPC.

We have appreciated recent opportunities to meet with yourself and members of your team to discuss this matter, and to contribute to the new policy for removing and disposing of collection items. We have provided some early feedback on the policy and will be submitting a formal response through the review process. We are committed to building on our relationship as key stakeholders in the National Library and look forward to working with you on future initiatives.

Ngā mihi nui

Handwritten signature of Graeme Cosslett in blue ink.

Graeme Cosslett  
President  
Publishers Association of NZ

Handwritten signature of Jenny Nagle in blue ink.

Jenny Nagle  
Chief Executive  
NZ Society of Authors

Handwritten signature of Sam Irvine in blue ink.

Sam Irvine  
Chief Executive  
Copyright Licensing NZ

cc: Mark Crookston  
  
Helen Heath