

Out-of-commerce works

Memorandum of understanding on the digitisation and making available of out of commerce works (MOU).

EU context

Publishers and authors have agreed via the MOU to negotiate in good faith via collecting societies with publicly accessible cultural institutions to make available out of commerce works for agreed uses.

An out-of-commerce work is one which the work and adaptations of the work are no longer available in customary channels of commerce. The availability of tangible copies in libraries and second hand bookshops does not thereby mean that a work is not out of commerce.