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Legal Aspects of Grey Literature

A Discussion

Blane K. Dessy (Library of Congress)
Matthew Braun (Library of Congress)
Joachim Schöpfel (University of Lille 3)

The starting point, a proposal for a new definition of grey literature:

“A digital object is grey literature if and only if it is an item protected by intellectual property rights. In other words, grey literature implies authorship and a character of works of the mind.”

The debate:

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The definition doesn't apply to the US context.

What is the legal status of grey literature?

Which are the differences between the French (continental) and the US system?