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A Pilot Using OverDrive: E-lending in Academic Law Libraries

Nina E. Scholtz
Cornell Law Library, nes78@cornell.edu

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By Nina E. Scholtz

When Americans opened holiday presents this past December, many of them must have found devices they could use to read e-books because OverDrive, a major web-based service that libraries use to lend e-books and other electronic resources, has reported that Christmas Day and the two days after were its three biggest days ever for library downloads. It wasn't just audiobooks that users were checking out; for the first time, more e-books than audiobooks circulated.

OverDrive's post-Christmas surge in e-book downloads follows the trend observed by the Pew Internet and American Life Project in April 2012: 21 percent of all Americans had read an e-book, while 43 percent of Americans aged 16 or older had read either an e-book or other long-form content on a computer or device in 2011.

E-books are not just for popular reading; legal publishers are entering the e-book market as well. Major publishers are launching e-book platforms and offering law libraries the opportunity to purchase both individual titles and collections of electronic books that they also offer in print. One publisher has announced the availability of a specialized lending platform similar to that offered by OverDrive and other library lending platforms.

Starting Up an E-Lending Service

With these increasing signs of a strong future for e-books, and possibly for e-lending as well, in spring 2012 Cornell University Law Library decided to pilot OverDrive for the Cornell Law School community. Our law library has a tradition and culture of innovation, from creating its first website in 1995, through partnering with William S. Hein & Co., Inc., in 1999 on the Hein Digital Journals Project (now HeinOnline, still hosted at Cornell University), and into the present by, for example, hosting a therapy animal session for students at the beginning of final exam periods.

Exploring the future of e-book lending was a natural fit for us. And by embarking on a pilot of the OverDrive service, we could test the waters of e-lending in a cost-efficient way that would not be prohibitive in terms of staff time and library resources. The

service would allow us to see specifically how our users would respond to an e-lending program. The library had already successfully introduced a popular small-print reading collection. Trying out an online component to this simple but well-liked outreach program seemed like a logical progression. With these thoughts in mind, in June 2012 we signed a contract with OverDrive for a one-year pilot period.

Unlike most databases offered to libraries, trial periods are not available with an e-lending service like OverDrive because there is no single OverDrive site. Instead, OverDrive sets up each library with its own site. The library works with an OverDrive representative on the site's design.

OverDrive's homepage at www.overdrive.com

Nor is IP authentication available. While the sign-in system is somewhat similar to those of Lexis, Westlaw, and Bloomberg Law in that users sign in individually, it is dissimilar in that OverDrive does not provide the passwords to users. Users also cannot

sign in using a single sign-on system like Shibboleth. Instead, OverDrive requires users to sign in to its website via either the library's integrated library system (ILS) or a Library Card Manager, which requires the library to provide OverDrive with a database of authorized users and passwords. Neither of these options was a comfortable fit for Cornell Law Library, whose users normally sign in to library databases with a Shibboleth-based system. Ultimately, we found that our best option was to create our own custom script that linked users from our single sign-on system through our ILS.

One of the decisions we made initially was to offer two types of resources—e-books and audiobooks. OverDrive also offers music and video resources, which we chose not to include. The choice of resource types implicates not just the items that the library plans to purchase; OverDrive allows a library to put its own materials (i.e., those for which it owns the copyright) on its OverDrive site, but

only if it is has chosen to include that format. Therefore, if we had wanted to put our own music or video on our site, we would have needed to select music or video as a resource type.

E-lending systems also can give the lending library a choice of lending periods and other circulation details. While our normal lending period for students is six months and for faculty is one year, OverDrive allows a lending period of up to 28 days only. We also were able to choose how many items a user could check out at one time and how many items a user could place on hold at one time.

In August 2012, on a Friday at the beginning of the fall semester, our OverDrive site went live with 42 items, including nine audiobooks. Within the first four days we logged 292 patron sessions by 96 different patrons, and 26 of our titles were checked out. As of January 2013, almost five months after the law library launched its OverDrive service, our collection has grown to 63 titles, 17 of them audiobooks, and we have had a total of 129 checkouts. The e-books have proved to be somewhat more popular than the audiobooks; while our e-books have circulated on average more than twice each, the audiobooks have circulated a little more than once each. As of January 18, 2013, Cornell University Library has now expanded the law library's OverDrive pilot to all of Cornell University. We will have another year to assess the academic community's response to e-lending.

Collection Choices

OverDrive boasts that it offers hundreds of thousands of e-book, audiobook, video, and music items from more than 1,000 publishers. Libraries considering OverDrive should keep in mind, however, that these numbers include children's titles, music and video titles, and titles in foreign languages. Also, those titles and publishers do not include e-books published by three of the six major U.S. publishers, including Simon & Schuster, Macmillan (which is, however, starting a pilot program with OverDrive to distribute certain titles for 24 months or 52 checkouts), and Penguin (which ended its contract with OverDrive in February 2012). Thus, libraries will find that many popular titles are not available at all and some are available only on audiobook, such as Hilary Mantel's award-winning novels *Wolf Hall* and *Bring Up the Bodies.* Many other popular titles—specifically, all those from HarperCollins—are available for 26 checkouts only.

Another major consideration is the significant digital rights management (DRM) limitations that both OverDrive and many publishers impose. The most

obvious is that only one user can access a resource at a given time. This one-user limitation does not just apply during active use: since OverDrive is based on the checkout model, the user has exclusive access to the title for the lending period, even when the user is not actively using it. The user who does have access to a title is frequently limited to reading or listening in Adobe Digital Editions, OverDrive Media Console, or Kindle.

Some publishers, however, offer "maximum access" titles that are available for simultaneous download by all users. Another kind of title that is available for unlimited simultaneous download is the Project Gutenberg collection, which includes thousands of DRM-free public domain titles from Project Gutenberg. These titles do not count against users' checkout limits and do not expire.

Another limitation of the checkout model is that libraries cannot make OverDrive books available for reading in the library to users who do not have a library card. In the academic setting, this usually means users other than faculty, staff, and students.

A complex array of formats may daunt some users. Within e-books, titles may be available in one or more of several formats: Adobe EPUB, Adobe PDF, Open EPUB, Open PDF, Kindle Book, or OverDrive Read. The Adobe formats require users to use either an Adobe Digital Editions account on their computers or the OverDrive app on their mobile devices; the Open formats do not. Kindle Books are read using a Kindle device or Kindle app. Except for Kindle Books on Kindle devices and OverDrive Read, all these formats require the user to install reader software on a computer or mobile device. OverDrive Read is a new format that allows users to read the title within a modern web browser without having to install any reader software. Users are still required, however, to check out e-books before reading them.

Audiobooks are available in one or both of two formats: MP3 and WMA. MP3-format titles may be used like any MP3 file; they can be downloaded to

Windows and Mac computers, transferred to mobile devices, and burned to CDs and DVDs, among other things. While WMA titles may be transferred to Windows-formatted devices, they are DRM-protected, so publishers can limit other uses of these files, such as burning to CDs or DVDs and allowing the device to read the title aloud.

For both audiobooks and e-books, users must choose a format at the time of checkout. The user who chooses the wrong format must return the book and initiate a new checkout in order to get the correct format.

Although we were worried that users would have trouble using OverDrive given the many possible formats, devices, and apps, our users have required almost no technical support. OverDrive gives users information about using the different formats in myriad devices on its Help website. Perhaps as a result of this information being available, during the first five months of the pilot, we had only one email request and a couple of in-person requests for technical assistance.

Pricing

OverDrive uses a full-time enrollment pricing model for colleges and universities. The lowest tier is fewer than 2,000 students. Half the annual fee is a collection credit.

Pricing for individual resources varies widely; resources may cost anywhere from 99 cents to more than $500. Within the realm of popular titles, the price of the e-book to libraries is frequently much higher than the price for the print book or the consumer e-book. Douglas County Libraries in Castle Rock, Colorado, has released online several price comparison reports (available at evoke.cvlsites.org/resources-guides-and-more/douglas-county-experiment-model), which compare library pricing and consumer pricing for popular titles in both print and electronic formats. For example, as of January 2, 2013, a print copy of *Gone Girl* by Gillian Flynn (the third most popular book on Amazon) cost a

library or a consumer around $14, and consumers could purchase an electronic copy for $12.99, but the e-book costs a library $75.

Libraries have directly and indirectly protested against pricing that makes increasingly popular e-books a burden on library budgets. Douglas County Libraries' response has been to develop its own e-book platform and create its own partnerships with publishers. The Kansas State Library has taken its case to social media via a Facebook page, www.facebook.com/thebig6ebooks, publicizing how the six major publishers (Hachette, Macmillan, Penguin Group, HarperCollins, Random House, and Simon & Schuster) either do not make bestsellers available electronically to libraries or price them far above the cost to consumers. As a result, in recognition of her efforts in the ongoing struggle between libraries and e-book publishers and distributors, Kansas State Librarian Jo Budler was named Librarian of the Year for 2013 by *Library Journal.*

Our approach to this pricing minefield has been to select our items for our audience carefully. Since we are not a public library and our collection is very small, we have much less pressure to purchase every bestseller. Instead, we have focused on trying to select those books that we think will interest law faculty and students and spreading out purchases over time for the opportunity to examine checkout and hold patterns. The latter step has helped considerably in divining the reading interests of our community.

Alternatives to OverDrive

Although Cornell University Law Library chose OverDrive for its pilot, OverDrive is not the only e-lending service available to libraries. In the past couple of years, several competitors have appeared.

- Perhaps the biggest challenger so far is 3M's Cloud Library (solutions.3m. com/wps/portal/3M/en_US/3MLibrary Systems/Home/Products/Cloud+Libr ary), which offers more than 300 publishers and more than 200,000 titles. It has the same limited major publisher availability, and it offers only e-books. Users can, however, read a title using different formats during the same checkout. According to Douglas County Libraries' Price Comparison Reports, pricing for individual titles is similar to OverDrive's. In marketing literature, 3M emphasizes Cloud Library's flexibility and "seamless experience" for users.

- Book distributor Baker & Taylor introduced Axis 360 (btol.com/ axis360/index.htm) in December 2011. Marketing literature points to an "integrated workflow for both print and digital content." It requires use of the e-reading software Blio, which is available for different devices. Penguin, which, as discussed above, is not available on OverDrive or the 3M Cloud Library, has agreed to distribute Baker & Taylor's e-books as a pilot in Axis 360.

- Freading (www.libraryideas.com/ freading.html) is a product of Library Ideas, LLC. Freading offers libraries e-books for lending without an upfront or platform fee. Instead, libraries pay a fee each time a library user downloads an e-book. Freading allows multiple unlimited downloads, subject only to the library's ability to limit downloading using Freading's tokens (see, for example, Wyoming State Library's explanation of Freading tokens at gowyld.net/econtent/ freading/tokens.html). As of January 2013, Freading offers more than 20,000 titles. E-books are read using Adobe Digital Editions or Freading's apps for iPhone, iPad, and Android.

- Recorded Books offers the platform OneClickDigital (www.recordedbooks. com/index.cfm?fuseaction=rb.ocd& Library) for audiobooks. Different types of purchasing are available, including multiple-user subscriptions, continuous order plans, and single-title purchases. All titles are compatible with devices including the iPod, and an iPhone app is available.

- Impelsys announced in February that it would offer a title acquisitions system for libraries to order e-books directly from publishers. The system was developed with Douglas County Libraries.

- Especially for law libraries is the LexisNexis Digital Library (www. lexisnexis.com/ebooks/lending), based on the OverDrive platform. It offers more than 1,200 law e-books. Subscribers also can purchase access to items in OverDrive's standard content catalog.

Embracing the New Model

As consumers become more accustomed to e-books in general and e-lending specifically, our law school users are likely to expect their materials to be available similarly—and legal academic publishers are already showing signs of responding. Cornell University Law Library's e-lending pilot shows that the law school community is open to this new model of access and lending. ∎

Nina E. Scholtz (nes78@cornell.edu) *is the digital resources librarian at Cornell University Law Library in Ithaca, New York.*