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**Balancing Protection and Access:
How Ineffective Intellectual Property Laws Impact Museums**

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Abstract

This thesis explores how museums have responded to the challenge of protecting intellectual property rights of content creators, while simultaneously ensuring public access to works of art as a means to advance society. While museums have sought to tackle this challenge in admirable ways, a history of ineffective legislation and a series of vague laws have adversely impacted the work of museums and left them in a vulnerable position.

The concept of Intellectual Property has been known for many centuries. However, in the past, there was no such concept as an exclusive ownership of works. In fact, most people believed that the public owned these works, not any individual. This concept appears alien and remote to anybody today, when intellectual property laws are closely associated with the rights of individuals. The arrival of the printing in England prompted in the English government to realize its economic and political value, leading to the passing of the first intellectual property laws. These laws were designed to protect the printer's right to print and sell works. But as time progressed, the new writing profession increasingly gained public acceptance. Intellectual property laws were revised to protect the rights of authors. However, this protection came with a price.

When an author's period of protection ended his or her works entered into the public domain. Once in the public domain, any person was free to use the work with unrestricted access, ensuring a balance between protection and access. As time progressed, intellectual property laws slowly shifted away from this notion of balance by seeking longer-term limits and prompting the rights of content users to disappear gradually. Today, content creators continue to gain control, whereas the public suffers

more restrictions. Nowhere is this struggle to balance protection and access more evident than in museums, institutions that operate within the confines of ineffective laws and lack of funding.