

Open Access and Author Control of Copyright



Open Access Infrastructures:
The Future of Scientific Communication
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Michael W. Carroll
Visiting Professor
American University, Washington College of Law

Information Environmentalism



Why Open Access?

- As scholars, we live in an information ecosystem.

Why Open Access?

- We have a choice to change the information ecosystem in response to the Internet.

The Physical Environment

- Global warming is a **THREAT**.

The Information Environment

- The Internet is an OPPORTUNITY.

The Information Environment

- Researchers and scholars are both producers and consumers in this system.

The Information Environment

- Parts of the Internet are an OPEN environment
 - news
 - e-commerce

The Information Environment

- Most scholarly information and data is trapped in a CLOSED environment.

Information Environment

➤ Copyright

- At the moment article is written, copyright law showers down exclusive rights upon author
- ❑ Scholars collectively have the power to use their copyrights to shape the information environment for scholarly communication.
- ❑ By giving away copyrights to publishers, authors give away the rights to create an open environment.
- ❑ But scholars are also readers.
- ❑ As readers, what kind of environment do we want?

Researchers are not paid for their journal articles

- And never have been.
 - *Journal des Savants*, founded in 1665 by Denys de Sallo
 - *Philosophical Transactions of the Royal Society of London*, founded in 1665 by Henry Oldenburg
- Researchers write for impact, not for money.
- But, journal article authors still have the same rights as authors who use copyright to make a living.

Open-access literature:

1. Digital
2. Online
3. Free of charge for everyone with an internet connection
4. Free of most copyright and licensing restrictions

Refining the definition

- Digital and online
...but compatible with print editions
- Free of charge
...but compatible with priced enhancements
- Free of most permission barriers
...but flexible about which to remove

Scope of OA

- In principle, any digital content
- In practice, some kinds easier than other kinds
 - Starting with journal articles, which authors voluntarily (*eagerly*) publish without payment

Low-hanging fruit

1. Royalty-free literature

- Scholarly journal articles, theses and dissertations, public law

2. Publicly-funded research

- About \$55 billion/year in US

Lowest hanging fruit = *both*
royalty-free and publicly-
funded



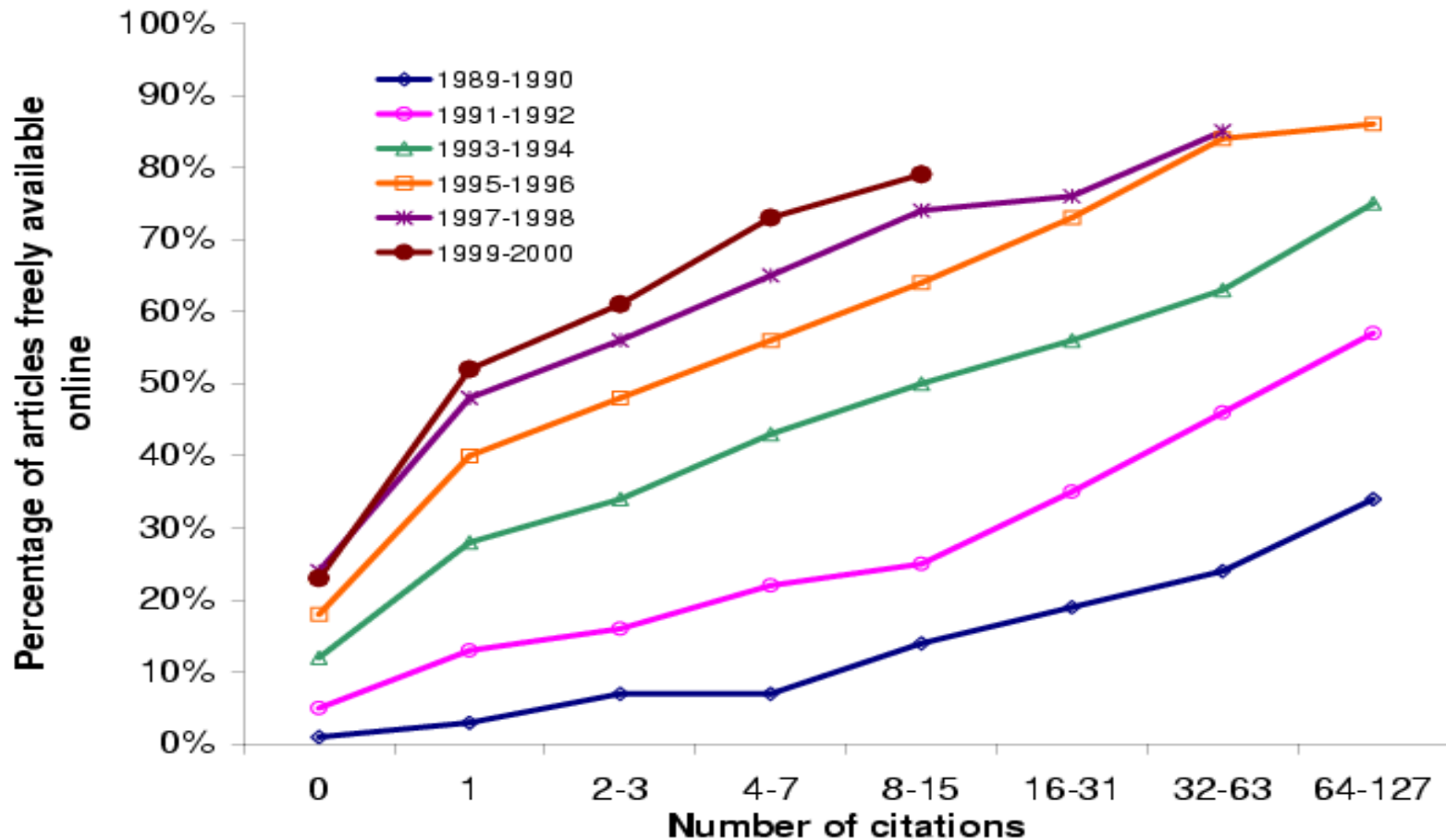
Open Access is Good for Authors

1. Open Access is good for authors.

Peer-reviewed journal articles

- OA is not about bypassing peer review.
- In most journals and most fields,
 - Referees not paid
 - Editors not paid
 - (Just like authors)
- Peer-reviewed journal literature still in category of low-hanging fruit.

Open access increases impact



OA and impact: post-Lawrence

- More disciplines
 - Advantage shown in every field studied (10+)
- More refinement
 - Advantage even for articles from same issue of same journal
 - Earlier impact *and* greater impact
- Impact advantage = 50-250%
- Hitchcock bibliography of studies
 - <http://opcit.eprints.org/oacitation-biblio.html>

Funding OA: Journals (1)

- Fee based OA journals
 - Widely assumed to be the only kind, but actually the minority model
- No fee OA journals
 - Many different models, little-studied



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Scholarly Communication

- The primary impediment to open access is authors' routinely transferring copyright



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Effect of Copyright Transfer

- Individual effects
 - Precludes author from making many uses of his or her own work.
 - Diminishes the **impact** of article by denying others access.
 - See <http://opcit.eprints.org/oacitation-biblio.html>

Effect of Copyright Transfer

- Aggregate effect - libraries
 - Recent increase in for-profit scholarly publishing.
 - In Science, Technical, and Medical (STM) publishing, now 40% of publishers are for-profit companies.
 - Industry consolidation has lead to intensified market power.
 - Result . . .

Effect of Copyright Transfer

- Aggregate effect – Scholars
 - Research is more difficult and expensive to conduct.
 - Full potential of Internet as an electronic library underexploited.
 - Open access matters to the marginal researcher.
 - Every researcher is at the margin with respect to some portion of the scholarly literature.

Open Access Movement

- Goal of movement is to make the scholarly record freely accessible over the Internet
- Some funders of research, particularly in Europe, now require that grantees provide open access to their articles.

What Faculty Authors Can Do

- How can authors maximize impact of their research?
- Previously-published Articles
 - Check archiving policies of publishers of prior work
 - When permitted, place articles on Internet through faculty web page, personal web site, or digital archive.

What Faculty Authors Can Do

- How do you know?
 - Because many publishers **already** permit some form of open access!
 - In a survey of 103 publishers, covering 8,862 journals (mostly in sciences), 91% permit self-archiving of either pre-print or post-print after some embargo period.
 - See <http://www.ecs.soton.ac.uk/~harnad/Temp/Romeo/romeosum.html>

What Faculty Authors Can Do

- Forthcoming articles
 - Negotiate to keep greater control over articles.
 - E.g., negotiate for right to post article on the public Internet.

Faculty Copyrights

- Is it possible to negotiate about the copyright in a journal article?
 - Yes!

Faculty Copyrights

- Current Negotiating Strategies
 - Passive resistance
 - Some authors simply don't sign publisher's agreement and see if publisher insists.
 - N.B. If the author does not sign the agreement, then author keeps copyright.
 - Modify publisher's agreement
 - Write-in provision on publisher's form agreement
 - Use Author's Addendum



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Faculty Copyrights

- Harvard policy
 - ❑ Faculty member gives university advance license to articles.
 - ❑ Faculty member must amend publication agreement to accommodate university license
 - ❑ Can opt-out on a per-article basis.

Author's Addenda

- Science Commons has launched its Scholar's Copyright project.

<http://sciencecommons.org/projects/publishing/index.html>

Assignment

- Check your copyright agreements, and put your existing work online when legal.

Assignment

- Consider the access policy of journals when submitting.

Assignment

- Where publisher's agreement prohibits open access, negotiate!
 - Authors' addenda can help.

Assignment

- Act institutionally.
 - Universities can develop a university license
 - Scholarly society. What are YOUR journals' policies on open access?

Assignment

- Check your copyright agreements, and put your existing work online when legal.
- Consider the access policy of journals when submitting.
- Where publisher's agreement prohibits open access, negotiate!
- Act institutionally.
 - Can university develop its own license?
 - Scholarly society. What are the journals' policies on open access?