Open Access and Author Control of Copyright

Open Access Infrastructures: The Future of Scientific Communication
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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
Most scholarly information and data is trapped in a CLOSED 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 \textit{(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
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
Publication Fees for PLoS Journals

To provide open access, PLoS journals use a business model in which our expenses — including those of peer review, of journal production, and of online hosting and archiving — are recovered in part by charging a publication fee to the authors or research sponsors for each article they publish. Authors who are affiliated with one of our Institutional Members are eligible for a discount on this fee.

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    □ From universities, labs, research centers, libraries, hospitals, museums, learned societies, foundations, govt agencies
  ■ Advertising, auxiliary services, membership dues, endowments, or reprints
  ■ A print or premium edition
  ■ A separate line of non-OA publications
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.
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](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

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  - Scholarly society. What are the journals' policies on open access?