

JISC & SURF Partnering on Copyright

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- Motivation behind it
- The work packages
- Some of the results
- Current work

- Authors
 - academics
- Publishers
 - Commercial, for-profit
 - Academic or not-for-profit
- Universities
 - Administrators
- Librarians
- Public



The SURF logo consists of four dark blue circles arranged horizontally, each containing a white letter: 'S', 'U', 'R', and 'F'.

- The Zwolle Group is working with academic authors, institutions, publishers and libraries in order to develop and promote balanced approaches to the management of rights, thereby establishing optimal access to scholarly information.
- The main objectives of the Zwolle Group are to disseminate information in order to assist stakeholders in the management of copyright, to increase awareness and influence behaviour among all stakeholders and to promote the Zwolle Principles as an effective means of balancing stakeholder interests.

1. Achievement of this objective requires the optimal management of copyright in scholarly works to secure clear allocation of rights that balance the interests of all stakeholders.
2. Optimal management may be achieved through thoughtful development and implementation of policies, contracts, and other tools, as well as processes and educational programs, (collectively “Copyright Management”) that articulate the allocation of rights and responsibilities with respect to scholarly works.
3. Appropriate Copyright Management and the interests of various stakeholders will vary according to numerous factors, including the nature of the work; for example, computer programs, journal articles, databases and multimedia instructional works may require different treatment.
4. In the development of Copyright Management, the primary focus should be on the allocation to various stakeholders of specific rights.

5. Copyright Management should strive to respect the interests of all stakeholders involved in the use and management of scholarly works; those interests may at times diverge, but will in many cases coincide.
6. All stakeholders in the management of the copyright in scholarly works have an interest in attaining the highest standards of quality, maximizing current and future access, and ensuring preservation; stakeholders should work together on an international basis to best achieve these common goals and to develop a mutually supportive community of interest.
7. All stakeholders should actively promote an understanding of the important implications of copyright management of scholarly work and encourage engagement with the development and implementation of Copyright Management tools to achieve the overarching objective.

- Publishing Agreements
- University Copyright Policies
- Copyright Knowledge Bank
- Advocacy
- Open Access



<i>Publisher</i>	<i>Author</i>
Right to publish	Freedom of choice where to publish
Facilitate discovery/ A&I	Share with peers as pre prints, off prints
New technologies	Self publish on web site etc
Marketing	Deposit in archive (IR or national repository)
Translations	Any teaching use in classroom
Teaching supplements	Use in authors research
Formats for special needs	Course packs
Anthologies	VLE/Intranet/VRE(AA)
Derived works	Conferences
Change appearance	Reuse in publications
Sub licence to others	Derivative work

- <http://copyrighttoolbox.surf.nl/copyrighttoolbox/>
- Licence to publish
- Sample wording for (examples) Right to publish, Educational use, Research use, Personal uses.

Copyright
Toolbox



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- Sample university copyright policies assessed, who owns copyright, how widely available is a policy, is good practice available to staff?
 - Patchy implementation, inaccessible, where there is a repository few policies deal with them; while in law the copyright in scholarly works might be owned by the university in practice it was owned and managed by the individual – long held custom and practice.
 - Deposit in repositories is hindered by lack of clarity and guidance for academics.
 - University policies, guidance, handbooks, be clear about commercial value etc.

- Improve the coverage of Sherpa Romeo db – Dutch publishers
- Develop functionality – standardisation of terms (publisher terms and self archiving terms) – journal look up service (so not just publisher name)
- Make CTA data available for wider use – XML DTD (and letter tool)
- To make recommendations on the long term maintenance of the db

See: <http://www.sherpa.ac.uk/romeo.php>

- Toolkit (to be hosted at JISC Legal)
- Communications plan
- Methods and materials for advocacy
- Champions:
 - Will listen to colleagues
 - Champions understand the needs of academics etc.
 - Bottom up and top down
 - Use testimonies
 - Tips to find them: opt in email on IR, editors in OA journals



Some Results: Open Access *What constitutes an ideal licence agreement?*

Ideal copyright licence according to OA authors (n=355)	(somewhat) limited	neutral	(somewhat) permitted
(re) use for educational/scholarly purposes by the author should be:	0.6%	7%	92%
(re) use for educational/scholarly purposes by others should be:	10.4%	8.2%	81.4%
(re) use for commercial purposes by the author should be:	16.6%	22.3%	61.1%
(re) use for commercial purposes by others should be:	71%	17.5%	11.6%

Model	The author has following rights:	The publisher has following rights:	Others have the following rights:
A	all usage allowed including reuse for commercial purposes	not applicable	all usage allowed including reuse for commercial purposes
B	all usage allowed except for commercial purposes	OA publisher receives commercial exploitation rights	all usage allowed except for commercial purposes
C	all usage allowed	not applicable	all usage allowed if republishing then also Open Access
D	author keeps commercial exploitation rights	not applicable	all usage allowed except for commercial purposes

Model A and Model C – both variations on the Creative Commons licences – were preferred by 30% of the respondents.

Model B – in which the exploitation rights transferred to publisher – was preferred by 13%.

Model D – the author keeps the copyright – was preferred by nearly half of the respondents (46%).

Nearly 8% of the respondents had no preference or did not know.

- Libraries and academic institutes can stimulate the use of **Creative Commons licences or similar licences that allow a sharing of copyright**, thus enabling the reuse of scholarly information for educational and scholarly purposes. In order to achieve this, **raising awareness of copyright issues among academics** is necessary. It is believed that debate around models such as the four models described in this article will prove to be instrumental in raising authors' awareness of such issues. An important target group for such awareness campaigns would be that part of the **academic community that also functions on editorial boards** of academic journals.
- Libraries and academic institutions can also **influence publishers to adjust their present copyright** policies with regard to the reuse of published articles. The present situation, as noted in our web survey, is far from ideal. **Nearly 20% of the authors surveyed indicate that they do not reuse their own articles the way they would like because of the effort of asking permission.** In addition, 4% states that they ask permission, but sometimes do not get it. Consequently, nearly 30% no longer ask permission. **This situation calls for a standardisation of copyright licences of subscription journals.** If a number of good practices with regard to copyright for subscription journals were to be developed and applied widely, this would give authors and libraries/academic institutions alike clarity with regard to reuse for scholarly and educational purposes for academics, or republication in, for example, institutional repositories for libraries and academic institutes.
- http://www.jisc.ac.uk/uploaded_documents/Towards%20Good%20Practices%20of%20Copyright%20in%20Open%20Access%20Journals%20-%20version%201.0new.pdf

- University policies and publisher agreements: Ralph Weedon , JISC Legal and Wilma Mossink, SURF
- Copyright Knowledge Bank: Celia Jenkins, Prof. Charles Oppenheim & Dr. Steve Proberts – Loughborough University / Bill Hubbard & Mike Gardner – SHERPA, Nottingham University /Thomas Place & Vanessa Proudman – Tilburg University
- Advocacy: Charles Oppenheim, Celia Jenkins - Loughborough University
- Open Access and Copyright: Esther Hoorn, University of Groningen and Maurits van der Graaf, Pleiade Management Consultancy

- How digital preservation is hindered (or improved) by copyright and legal deposit laws in different countries -JISC/NDIIPP/SURF/OAK LAW Project
- copyright law and its impact on digital preservation
- To report in January 2008; a joint workshop with WIPO to publicise the findings of the study is tentatively scheduled to take place in Genève in May 2008.
- The goal is to make recommendations on legislative or other changes which needed to bring copyright law into harmony with digital preservation needs in the reporting countries.

