Pricing Implication of Publishers' Licensing Models on Sustainable E-resources Integration in Academic Libraries: A Review

Roland Izuagbe

Department of Library, Archival and Information Studies, Graduate master student
University of Ibadan, Nigeria
rolec4u@yahoo.com

Abstract

The paper analyses relevant literature with a view to drawing attention to the challenges posed by publishers' licenses on sustainable e-resources integration in academic libraries. To this end, two research objectives were formulated to guide the study in achieving its aims and a conceptual model developed for gaining insight into the fountainhead of the identified challenges. Accordingly, the study shows that: the proliferation of publishers' business models, non-transferability of e-resources accesses/contents to a third party, the publishers' 'reserved right' to draft e-resources agreements and to add or withdraw titles from packages without external input, dearth of academic titles in e-book packages etc. are due to publishers' profit motive. Guided by this revelation, the study recommends the consolidation of publishers' business models with a view to achieving uniformity of licenses, increasing affordability to ensure sustainability of e-resources integration in academic libraries.

Keywords: Licensing models, Publishers, E-resources, Integration, Academic libraries, Librarians

Introduction

Academic libraries are critical components in sustainable human and national development. They are in the business of providing information, not just for the communities they serve but for the overall well-being of the society they belong. In that, they are saddled with the general responsibility of harnessing and managing man's intellectual output for societal growth and development. The realisation of this objective in ancient times, when library collections were held in the form of scrolls, clay tablets, papyri, vellums and parchments differ significantly from what obtains in the digital age. Presently, the library can be regarded as a repository, lender, acquirer and borrower of organised information with the most emphases on *pre-packaged* information for ready *access* delivery to users (Issa, 2009). As a result, the conceptualisation of the library as "a warehouse of knowledge" is now unacceptable and grossly inadequate in consonance with modern trends in library and information services.

Ultimately, the field of librarianship has transformed progressively with various conceptual swings—manual to automation, place to process, print to electronic, physical to virtual as well as ownership to access. Libraries are currently in the middle of a move from

having 'collections' to having 'connections' (Hielmcrone et al., 2012). The era of owning collection in physical formats has long receded into history. Modern practice requires renting access to e-resources subject to license agreements that suit the library and its users. E-resources differ greatly from their print counterparts. The technology factor built into the former appears to have given them an edge over the latter in several ways.

Studies have attributed several benefits to e-resources such as: provision of faster and easier access to current information anywhere, easy storage and the possibility of sharing the same information resources among many users at a time, saving space with relatively easy maintenance and easy linkage to indexing and abstracting databases (Iwehabura, 2009); multiple accesses speed, richer in content, reuse, timeliness (Das & Maharana, 2013) as well as browse-ability, search-ability, multi-access capability, 24/7 access and remote accessibility (Vasishta & Navjyoti, 2010). As peculiar as the benefits of e-resources, so are their challenges. Undie (2015) describes the challenges associated with e-resources thus:

Providing access to e-resources is no longer a matter of simply cataloguing and then placing them on shelves. Electronic access includes IP address management, A to Z list management, authentication setups on both the library and publisher sides, possibly user ID setups, possibly Open-URL knowledgebase management, and whatever setup or policies are needed to ensure license compliance… this entire process begins again at renewal time.

Within the Nigerian context, studies have been carried out to examine the challenges facing e-resources from several viewpoints. But serious attempt has not been made to expand the phenomenon beyond incessant power supply (Nwosu et al., 2013), inadequate funding (Bozimo 2005; Fyneman et al., 2014), poor ICT skills (Akporhonor & Akpojotor, 2016), cataloguing (Oketunji & Iyoro, 2009) as well as preservation and management (Ugwu & Onyegiri, 2013; Undie, 2025). Areas such as licensing/legal issues, incompatibility of software and hardware and publishers' business models have received less attention. It is therefore the focus of the study to review relevant literature with a view to gaining insight into the challenges associated with publishers' licensing models and their pricing implication on sustainable e-resources integration in academic libraries. To this effect, a conceptual model is proposed (not to be tested empirically) to synthesise the implications of publishers' licenses on e-resources integration in academic libraries.

Objectives
The objectives of this study are to:
  i. find out the effect of publishers' profit-motive on academic library budget towards e-resources integration in academic libraries.
  ii. identify the challenges posed by the numerous publishers licensing models on sustainable e-resources integration in academic libraries.

Literature Review
Obviously, publishers of e-resources are in business to make profit. They achieve this by providing access to the use of e-resources through diverse licensing business models. A business model is a conception of how businesses operate, their underlying foundations, exchange activities and financial flows upon which they can be successful (IFRA, 2006). This

requires that a profit-conscious business carefully draws out its plans which serve as a compass for achieving goals. For profit purposes, publishers grant access to the use of e-resources through diverse licensing models, defined in this paper as publishers' policies regulating the terms of access to e-resources use for business sustainability.

Implication of Licensing Models on E-resources Integration

Various e-resources models have been identified in literature: academic journal publishing model (McGuigan & Russell, 2008); subscription model; purchase or perpetual model; rental or pay-per-view model (O'Brien et al., 2012), the open access model (Khan & Underwood, 2013; Joseph & Jha, 2013). Besides these, Johnson et al (2012) lists the following pricing models: consortia pricing, packaged pricing, introductory pricing, multi-year deals with fixed price caps and Patron-Driven Acquisition (PDA) pricing models. Accordingly, the accesses offer to libraries via these licenses are prohibitively expensive with complicated restrictions attached (Morris & Sibert, 2011). Further, the authors conclude that there is currently no ideal business model as all models strive to be attractive to libraries, while generating an income for the business, and at the same time taking into consideration issues of copyright and digital rights management.

Since e-resources are currently not commodities due to copyright law and license agreements, libraries and end users are required to give up rights that would otherwise be theirs under the Fair Use and Educational Use provisions (Alford, 2002). Therefore, the long-term ownership model of acquiring a book and owning it forever (Walter, 2013) may not be realistic in the foreseeable future due to license agreements. Unlike print resources, e-resources are leased rather than sold, and the terms of use are rigidly defined and entrenched in the license agreements/contracts where infringement attracts legal action. In harmony with the American Association of Law Libraries et al, (1997), a license agreement is a legal contract—a promise or set of promises constituting an agreement between the parties that gives each a legal duty to the other and also the right to seek a remedy for the breach of those duties.

Against what appear to be librarians' pride, Giordano (2007) posits that through this mechanism, libraries only rent access to use information resources without acquiring ownership and will remain without it when the contract expires. Undie (2015) buttresses this claim further by showing that e-resources are usually licensed, not sold like their print counterpart. Indicatively, e-resources are not covered by the First Sale Doctrine which allows the owners of print resources to lend, rent, resell, or otherwise transfer them without restriction. As Polanka (2011) affirms, many e-book contracts specifically prohibit the transfer of content to a third-party other than the original lessee. Agreeably, Undie (2015) concurs that previous year's usage of e-resources usually necessitates license renegotiation, a process that usually can't be relegated to a third party. Earlier, Metz (2000) associates the non-transferability of e-resources access to a third party as one of the challenges hindering efficiency of interlibrary loan among cooperating academic libraries because forwarding an electronic text is so easy that it could invites abuse. Connaway and Wicht (2007) share similarly view that practically all e-resources licenses prohibit interlibrary lending. prohibit interlibrary lending

This leaves libraries/librarians with the choices of either losing access to content they rightly paid for once or paying a fee for as long as they wish to maintain their access (Delquié & Polanka, 2011). Conscious of this fact, many academic librarians may not accept the e-resources paradigm as an efficient means of building a worthwhile electronic collection as it presents serious challenges to resource-sharing among confederating libraries. Since no library can adequately meet the information needs of its users, resource-sharing is therefore a statutory alternative approach to satisfying the ever-increasing information needs of patrons. The non-transferability of some e-resources contents discourages consortium building and encourages self-dependence of collection building—an approach that may not augur-well with many academic libraries in developing countries.

Another area of concern in relation to e-resources integration in academic libraries is the publisher reserved right in the determination of e-resources licenses. According to Alford (2002), the publisher of electronic information generally drafts the license agreement. Consistently, CENDI (2002) reports that in nearly every instance, licensors draft these agreements with provisions that are enforceable under the Uniform Commercial Code which are usually unfavourable to libraries. By inference, these positions show the rigidity of e-resources integration process since the terms of contracts are not negotiable. This arrangement strips the librarians and his users the rights to use information resources as desired. Vasileiou et al (2012) posit that publishers' business models are considered one of the biggest challenges facing librarians in relation to e-resources integration. They further quoted librarians as "finding the numerous licenses particularly confusing and complex in their range of offerings which are not transparent". These complications coupled with the dwindling library acquisition funds, librarians in academic libraries in the developing nations may objects to e-resources integration.

As against traditional practice, some e-resources (e.g. e-books) are now being offered in packages. According to Hielmcrone, et al. (2012), the main challenge with this arrangement is that what forms the contents of the package is the prerogative of the publishers or suppliers or vendors as the case may be. The study of Minčić-Obradović (2009) carried out at the University of Aukland substantiates this position further, when it was revealed that vendors repeatedly removed titles and changed e-resources URLs without notifying the library. The author notes that this further creates difficulties when a lecturer recommends an electronic title for reading and, half-way through the course, without prior notice or explanation from the vendor or publisher, the item is no longer available. Besides, various authors (Sprague & Hunter, 2008; Minčić-Obradović, 2011; Schroeder & Wright, 2011) have shown that during the subscription period, many vendors and publishers reserve the right to add or withdraw titles from the package.

This publishers' right suggest that the librarian whose duty it is to ensure a systematic and scientific procedure of what comes into his/her library, guided by the collection development policy, is no longer in-charge of his/her statutory obligation of making collection decisions. Izuagbe et al (2016) tested a hybrid model that incorporated relative advantage and productivity as moderators of perceived usefulness in relation to e-resources adoption in six private university libraries in Nigeria, employing two theoretical

paradigms (Technology Acceptance Model and Diffusion of Innovation Theory). The study reveals that library personnel will judge e-resources adoption based on relevance, quality, effectiveness, job support, and the greater control they have over their jobs. The publishers' reserved right to add and or withdraw titles from e-resources packages without the librarians' knowledge or input reduces him/her to a 'toothless bulldog' in the process of e-resources content decisions. This depravity may warrant librarians' negative perception towards e-resources integration.

Many of these license challenges can be traced to a more general problem of lack of uniformity in license terms or lease conditions (Walter, 2013). This was earlier reported by CENDI (2002) that "there is no standard template, though individual publishers generally have standard license agreements, which are often not specific to government agencies." Accordingly, Johnson et al (2012) advise selectors of e-resources to carefully review the pricing models available for the resource under consideration as there is no standard pricing model for e-resources. Pricing models are often based on a number of criteria and variables such as the size of the user population and the number of simultaneous users. Undie (2015) corroborates this position when he reports that along with price consideration one must identify a license that matches the intended use, population to be served and other terms.

In reality, inadequate fund is a global threat to libraries and information centres, affecting optimal patron-focused service delivery. A library, irrespective of type, parent institution/financial status or location is no exemption. In terms of formats, quality and quantity, this phenomenon has affected the information stock of many academic libraries. E-resources are not out rightly owned, their use is subject to purchase of access through the almost-confusing licenses with numerous contractual agreements and restrictions. Obviously, many academic libraries may have committed huge financial resources to e-resources subscription. But these technologies are not material objects and the money spent on them is not immediately obvious because the resources are not physically part of the library's collection due to license agreements (Schell 2011). As a result, lack of ownership becomes a bottleneck to e-resources integration where librarians are concerned with impressive gross statistics of holdings. This is a challenge which might be considered foundational to librarians' reluctance to commit to e-resources integration in academic libraries.

Traditionally, books form the bulk of academic libraries collections preponderance to other information bearing materials. Expectedly, e-books should occupy same position in the digital era. Because books (and their electronic versions) are the nutrients upon which students builds and develops their academic careers, they should take the pride of place in academic library collection development priority. However, Walter (2013) reveals that building a strong e-book collection is difficult because many academic titles are not available in e-book format. Dewan (2012) reiterates that paucity of relevant academic e-books titles is a major hiccup in librarians' reluctance to commit to e-book collections. The simple reason adduce for this arrangement is that most e-book publishers and vendors focus on popular titles rather than the academic market (Walter, 2013). While scholarly titles account for just one-tenth of all e-books (Just, 2007), the remaining nine-tenth account for romance, erotica and

other top-selling genres (Drinkwater, 2010). This revelation echoes the profit motives of e-resources publishers over and above scholarship.

Methodology

The problem under investigation determines the research methodology to adopt in any research piece. The focus of this paper is to appraise relevant extant literature with a view to gaining insight into the challenges affecting e-resources integration in academic libraries with respect to publisher licensing models. As a result, data were not collected. Having appraised related literature, a conceptual model was developed to aid the conceptualisation of the study.

Conceptual Model

Figure 1 shows that the profit motive of publishers over and above scholarship has numerous conflicting implications on e-resources integration in academic libraries. It suggests that the quest to make a profit occasioned the proliferation of e-resources licenses into several business models among publishers. The outcome of these divergent licenses is the absence of a standard template in which e-resources are offered. This lack of uniformity in publishers' e-resources models in turn has adverse effect on academic libraries budgets. This assertion is in tandem with Just 2007, Drinkwater 2010, Walter (2013).
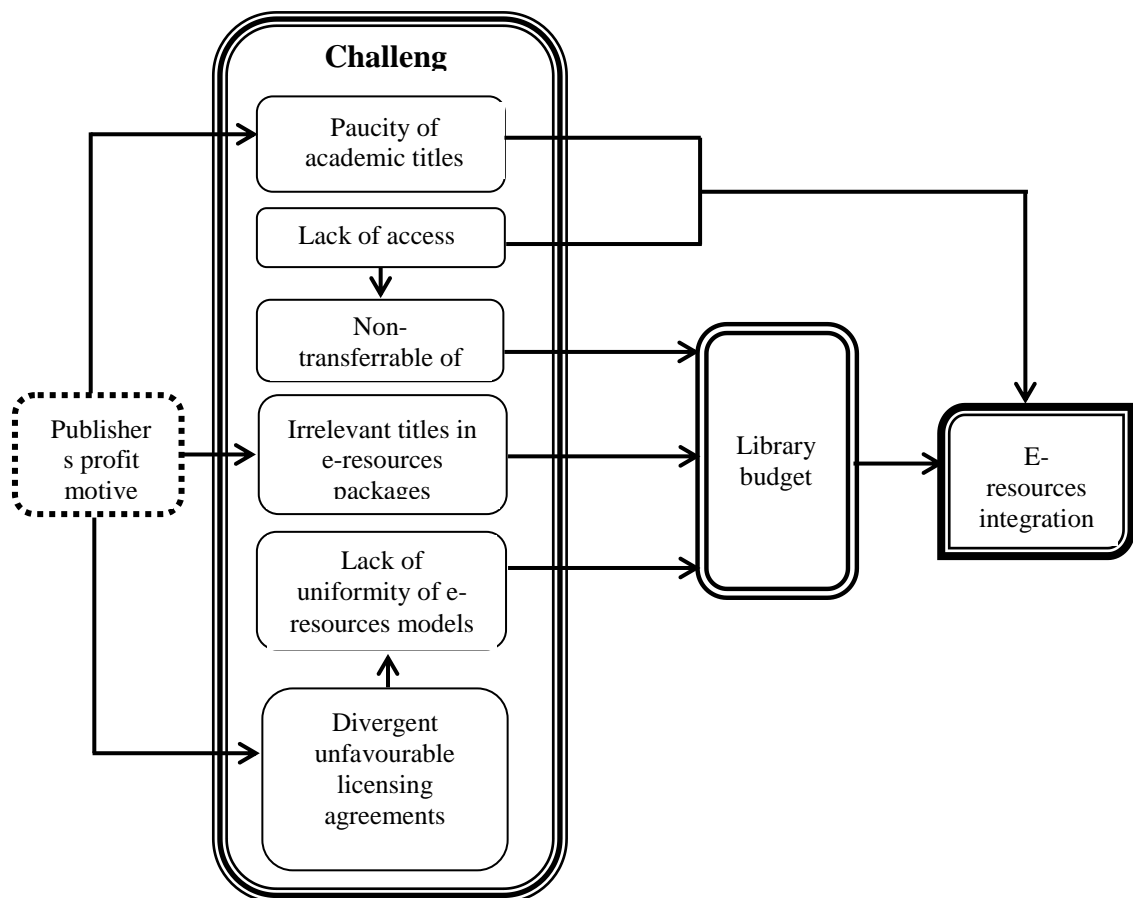

Figure 1: Conceptual model for challenges of licensing models on e-resources integration

In conformity to literature, figure 1 demonstrates the greater emphasis placed on top-selling genres in preponderance to academic titles among e-resources publishers, resulting in dearth of the latter in e-resources packages. This position is in harmony with Joseph and Jha (2013). Ultimately, this scenario leads to hesitancy among academic librarians to commit to e-resources packages that are not cost effective. Closely aligned to this phenomenon (as shown in figure 1) is the publishers' exclusive right to draft e-resources contracts including what forms the contents of e-resources packages without concern for academic library collection development profiles. Figure 1 further connects this prearrangement to publishers' quest to maximise profit. The dispersal of relevant academic titles in e-resources packages demands, on the part of academic libraries, the purchase of as many as possible packages to have the desire titles. Again, this motive further strains academic libraries budgets.

Literature has revealed that e-resources are not commodities due to copyright laws and license agreements (Alford, 2002). As a result, libraries only rent "non-transferrable access" to electronic titles. In many cases, the transfer of access which the library paid for to a third party is strictly prohibited. Where the transfer of access is forbidden, academic library programmes like resource sharing or Inter Library Loan (ILL) and cooperate acquisition of resources among cooperating libraries suffers. Figure 1 shown that lack of access to e-resources may hinder their integration. It revealed further that the non-transferability of access/contents affect e-resources integration via its impact of academic libraries budgets. Implicitly, a library to which access would have been transfer (if permissible) will have no other option but to pay for its own access in other to access to e-resources contents. This mounts undue pressure on its acquisition budget which in turn affects commitment to e-resources integration.

Conclusion

Understanding why a particular innovation is accepted, integrated or rejected in a given situation require analysing the factors involved in the process. Having reviewed relevant literature, it was explicit that the profit motive of e-resources publishers is the source of the numerous challenges of confronting e-resources integration in academic libraries. These include: e-resources publishers' exclusive right to draft agreement, proliferation of publishers' business models due to wider profit margin, lack of uniformity of e-resources license agreements, non-transferability of license agreement to a third party, dearth of academic titles in e-book packages etc. By implication therefore, the promotion of scholarship through reduced or subsidised e-resources subscription rate to libraries is not the rationale of e-resources publishers' aim of being in business.

Though the procedure employed in the study may not be empirically sufficient for results generalisation. However, the consistency of research findings reported lends strong support for justification of findings. Also, the developed conceptual model was operationalised to capture the interrelatedness of the challenges confronting e-resources integration in academic libraries. Finally, the study draws attention to the widening relationship gap between e-resources publishers and academic libraries due to profit motivation.

Limitation of the Study

Due to the role of interest in any meaningful research endeavour, there are many limitations associated with this study. Prominent among them is its inability to elicit data to empirically examine the pricing implication of publishers licensing models on sustainable e-resources integration in academic libraries. Secondly, the study lacks specificity. In that, the research was not localised to reflect the situation of academic libraries in a given region in Nigeria—this is deliberate however. Since the study focuses on reviewing relevant literature and there is dearth of same within the Nigerian context (as literature has shown), a general approach was adopted. Arising from these limitations, this study does not in any way claim exhaustivity in terms of construct coverage vis-à-vis the perceived publishers' licensing issues that make e-resources inclusion repulsive in academic libraries. Future research endeavours should empirically examine this phenomenon to validate the position of this paper.

Recommendations

Arising from the aforementioned challenges confronting the sustainability of e-resources implementation in academic libraries, the paper recommends flexibly designed e-resources license models for all types of academic libraries: both 'thriving' or 'surviving'. This position emphasises a drawn-to-run relationship since the survivability of e-resources publishers hinges on that of libraries. Also, the concept of resource sharing should be strongly engrained in all e-book package contracts, where the subscribing library discloses its cooperation policy in the agreement to ascertain the scope of user allowed within a contract. This is a way of encouraging alternative collection building among confederating libraries.

Programmes of similar academic institutions as well as the input of academic librarians should be taken into cognisance when developing e-resources packages. This is because stocking a package with irrelevant titles unnecessarily exhausts academic libraries meagre acquisition funds. Finally, due to the lack of homogeneity in the range of e-resources offering, publishers should consolidate the rather numerous and confusing licensing models with a view to achieving uniformity and increasing affordability towards sustainability of e-resources integration in academic libraries.

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