

**ACADEMIC AUTHORS AND OPEN ACCESS**  
***PRACTICAL THOUGHTS FOR PRESERVING***  
***YOUR RIGHTS***  
*...or what I've learned in my OA journey.*

**COLLEGE OF BROCKPORT**  
**STATE UNIVERSITY OF NEW YORK**  
**OCTOBER 26, 2012**

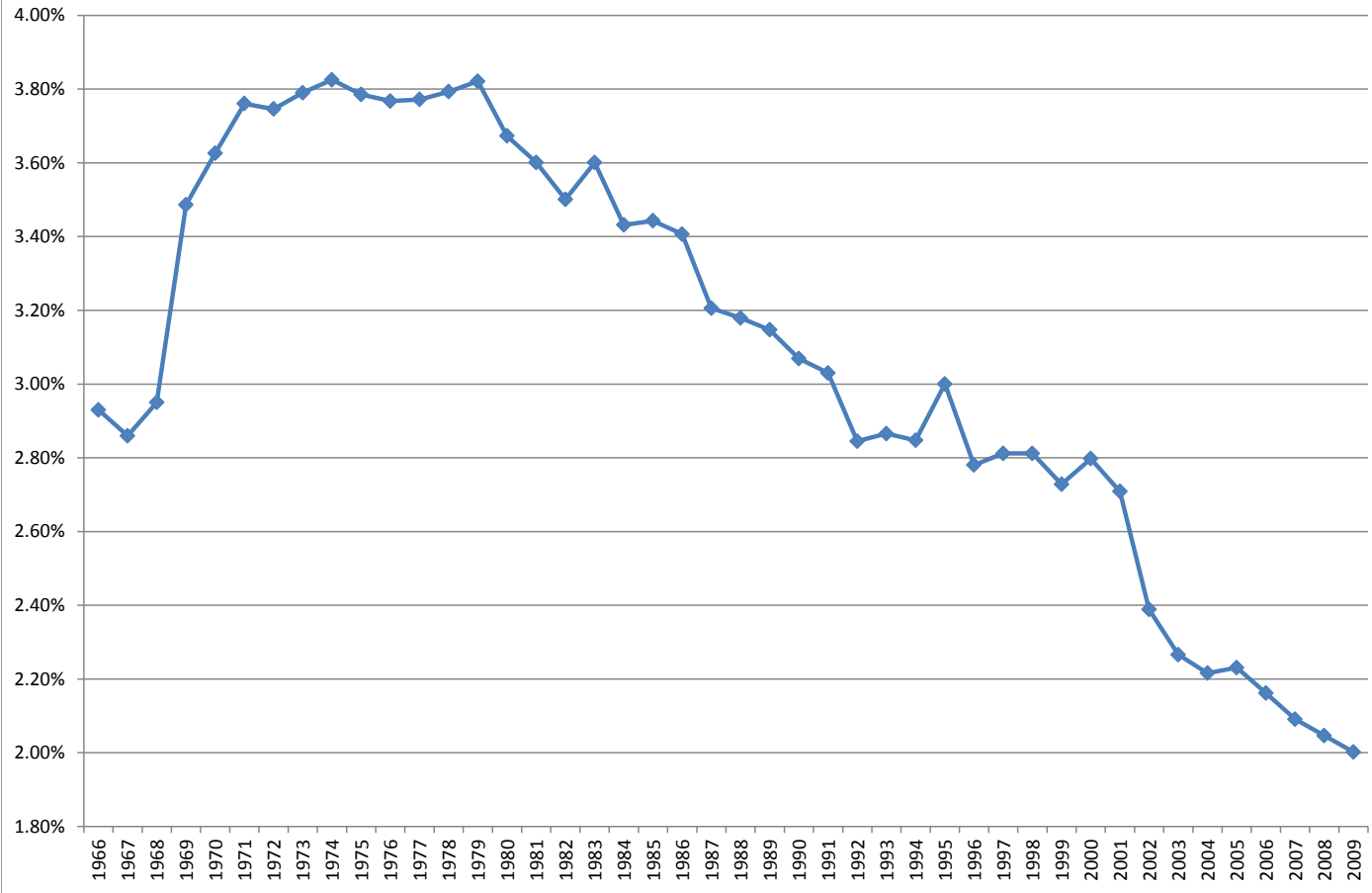
**OPEN ACCESS WEEK 2012**

**MELISSA LEVINE**

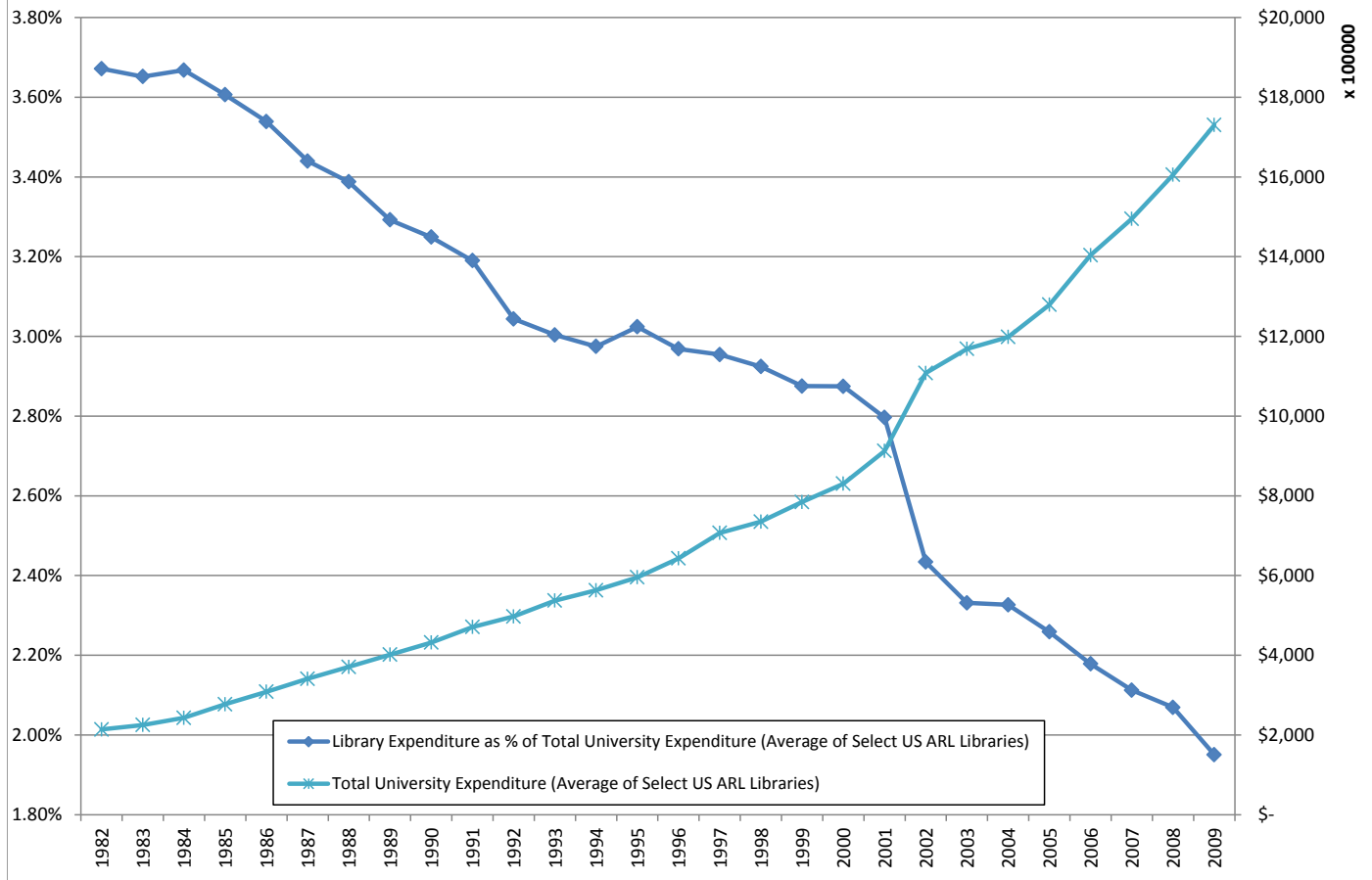
**Lead Copyright Officer**

**University of Michigan Library | MPublishing**

### Library Expenditure as % of Total University Expenditure (Average of 17 US Institutions Reporting Since 1966)



## Library and University Expenditure Trends (Time-Series)



# EXPENDITURES ARL 2007-2008 REPORT

Chrome File Edit View History Bookmarks Window Help

408B/s Tx: 2.2KB/s Rx: 8% 9%

Fri 10:32 AM Melissa Levine

https://www.arl.org/bm~doc/arlstat08.pdf

Common Goals: AAP News Popular Imported From Safari Imported From Firefox Mac 101 | Expose an Imported From Safari Copyright Museum

### SUMMARY DATA

(Survey Question Number)	Monographs (15.a)	Current Serials (15.b)	Other Library Materials (15.c)	Miscellaneous Materials (15.d)	Total Library Materials (15)	Contract Binding (16)
<b>UNIVERSITY LIBRARIES</b>						
Mean	2,716,677	7,369,145	1,023,252	372,877	11,421,020	168,796
Median	2,037,195	7,075,210	403,355	259,408	10,388,129	122,985
High	13,455,145	14,110,787	16,045,965	2,489,183	34,291,329	1,111,119
Low	246,474	3,232,164	0	0	3,823,732	4,067
Totals	306,984,547	832,713,383	109,487,911	41,389,384	1,290,575,224	18,905,174
Number of Libraries Reporting	113	113	107	111	113	112
<b>NONUNIVERSITY LIBRARIES</b>						
Median	1,051,612	2,793,753	509,560	28,956	5,182,164	29,936
Totals	21,794,863	36,822,070	13,762,393	515,208	72,894,534	2,231,962
Number of Libraries Reporting	10	10	9	8	10	8
<b>GRAND TOTALS</b>	<b>328,779,410</b>	<b>869,535,452</b>	<b>123,250,303</b>	<b>41,904,592</b>	<b>1,363,469,758</b>	<b>21,137,136</b>

46 · ARL Statistics 2007-2008

### EXPENDITURES

Salaries & Wages Professional Staff (17.a)	Salaries & Wages Support Staff (17.b)	Salaries & Wages Student Assistants (17.c)	Total Salaries & Wages (17)	Other Operating Expenditures (19)	Total Library Expenditures (20)	(Survey Question Number)
12,583,397	2,860,836	29,890	15,474,123	9,540,548	28,803,268	NATIONAL AGRICULTURAL LIBRARY

INSTITUTION

library-expenditures-....pdf

Show All



# DOES YOUR LIBRARY LOOK LIKE THIS?



# OPEN

- Open access
- Open source
- Open data
- Sharing as a premise.
- Sharing as a value.
- Sharing as a business model.



# Open Access in...

## SCHOLARLY COMMUNICATION

- **Open-access (OA) literature is digital, online, free of charge, and free of most copyright and licensing restrictions.**
  - Scholarly publishing ecosystem for journal articles.
  - NIH/PubMed requirement.
  - OA mandate/policies at Harvard, MIT...
  - Free as in speech or free as in beer?



# OPEN AS...

- Way of thinking about the practical opportunities
- Way of thinking about how we can address legal issues, how we can make things simpler or really, really complex and costly
- Rethinking scholarly communication
  - Essential purposes
  - Costs
  - Last marginal cost of scholarly process & foundation for new research
  - New possibilities
  - What are we protecting or controlling?
  - Why?





# THINKING ABOUT THINGS DIFFERENTLY

‘Open’ being adopted in STEM – required by NIH (deposit in PubMed); Federal Research Public Access Act

How it will play out in the humanities?

What is the real cost? What is the real question – is copyright really the issue? Control of or for what?

Web is highly self regulating – desire for information from branded/trusted sources



# OPPORTUNITY

HathiTrust

Over 70 partners

Changed expectations – quickly changed assumptions about research.

Not just opportunity, expectation.

Transformation

Relation to data – scale speeds research results and kinds of inquiry – ‘is/are US’



# COPYRIGHT

- If you can see it, its protected from moment created
- A bundle of rights
  - Who has which rights in the work?
- Yours as author
  - Joint authors
  - Works for hire
  - Your university's policies on copyright ownership



# CONVERGENCE

- Technology
- Opportunity
- Economic challenges
- *Publishing, preservation, access as last marginal cost of scholarship, the product, the compost for the next crop*
- Benefit to education and commerce
- Putting resources and energy into new and real value added
- What are you protecting and why? Control, what and why?
- *Why you own copyrights as an academic*



# SPARC WEBCAST FROM WORLD BANK

- How things used to be – artist contracts...
- Students - 150,000,000 worldwide, 28,000,000 in US alone – most under 35. Get to university and are limited by wealth of your school
- Increases value of education – learning to synthesize something into something new
- Being cut off after graduation
- ‘move from a knowledge bank to a solutions bank’  
– World Bank video, 10/23/2012



# SO GLOBAL IS LOCAL, LOCAL IS GLOBAL

- Breaking down barriers
- Reducing or shifting costs
- Advancing fundamental point of scholarship
- Public Interest
  - Worldwide access to internet expanding fast
  - Connection possible but not \$ to buy content
  - If it ain't online, the digital divide is real unless...
  - Lost opportunity
  - Its good, but...



## SO WHAT'S IN IT FOR ME?

- Control – keep your copyright to control how work is use (Chronicle article about student surprised about sales of dissertation...)
- Preservation – repository
- Be found, be read, be relevant
- About using the productive possibility of the internet for research
- Potential for text mining, data mining, new perspectives for better pattern analysis for faster results, cost efficiencies
- Thinking beyond paper-based expression and documentation







## THE OTHER BIG 10

1. Read your contracts
2. Understand your contracts
3. Ask questions-they don't always know or mind; contracts out of date and costly to update
4. Know your copyrights – will you care later?
5. Know what matters to you – authors addendum
6. Examine assumptions – will you make money, credit, authority, all or some and where do you expect your work to end up
7. Policy helps – faculty voice and influence
8. Fair use in your work and that of others – ugh, permissions
9. Use Creative Commons as creator and user
10. OA policy, OA repository – use BePress.



# BRIEFLY ABOUT...

- Creative Commons
- Authors Addendum
- Libraries as fiduciaries for resources so ask for what you want – Author Rights Model License Language
- <http://authorrights.wordpress.com/>
- How to do this wo sacrificing my career? Don't.
  - Faculty voice on substance
  - Match with administration voice on business/rights
  - Differences between grad students, jr faculty and tenured – peer review shifts – what's valuable?
  - Preservation right
  - Competitive presses will include this in their contracts.



# AUTHORS ADDENDUM

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- retain the right to make full use of the Article in future research and (no permission needed to use your work in future publications.
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# BUT WAIT, THERE'S MORE...

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- right to refuse attribution if the article is later revised or modified in a manner unacceptable to the objecting party



# BUT 'WHAT IF THEY SAY 'NO' OR 'I FEEL UNCOMFORTABLE' OR 'I DON'T WANT TO LOSE MY PUBLISHING OPPORTUNITY'

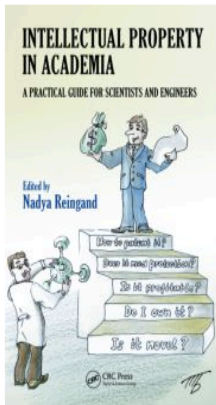
- Use the simple form – UM's is based on SPARC's
- See [http://www.lib.umich.edu/files/services/copyright/UM\\_Authors\\_Addendum.pdf](http://www.lib.umich.edu/files/services/copyright/UM_Authors_Addendum.pdf)
- Develop a campus policy – faculty and administration need to work together
  - What is the legal status of faculty work? Is it technically, legally work for hire? What's that mean?
  - UM copyright policy as preservation basis and more...but no oa policy for campus
  - Author is subject to these as conditions of employment so can't contract that away and don't have to negotiate these basics.



- So...about my open access journey
- My interests as a member of the academic community differ from my interests as a novelist (well, if). Compensation differs.
- Honesty about behavior with our publishers
- Publishers'R'us – scholarly publishers must rethink how they operate to support current priorities
- What about non-text based scholarship...we've got to figure that out too.







## Intellectual Property in Academia: A Practical Guide for Scientists and Engineers

**Published:** October 24, 2011 by CRC Press - 352 Pages  
**Editor(s):** Nadya Reingand, CeLight, Inc, Silver Springs, Maryland, USA

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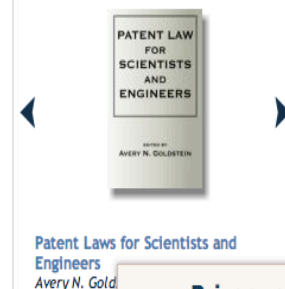
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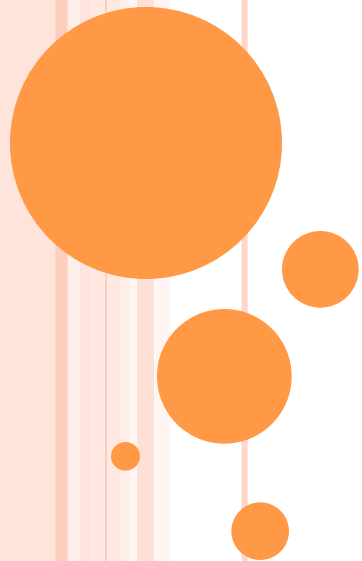


**Patent Laws for Scientists and Engineers**  
 Avery N. Gold

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