License management through the ERMS application and critical importance of public display of terms and conditions at your e-journal portal : a practical approach.
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Public Display of Licensing Terms

HOW DO WE MANAGE?

File   Edit   View   Favorites   Tools   Help

Back | Search   Favorites | |

0-9 A B C D E F G H I J K L M N O P Q R S T U V W X Y Z

| Title begins with ▾ | | Search |

-- Please select a subject category -- ▾   Search

33 records retrieved for the search: Title begins with "MANAGEMENT"

Management accounting (London) (0025-1682) View Terms of Use
   from 11/01/1987 to 08/31/2000 in ABI/INFORM Complete
   from 11/01/1987 to 08/31/2000 in ABI/INFORM Global
   from 11/01/1987 to 08/31/2000 in Accounting & Tax
   from 11/01/1987 to 08/31/2000 in ProQuest European Business
   from 01/01/1994 to 07/01/2000 in Academic OneFile
   from 01/01/1994 to 07/01/2000 in Expanded Academic ASAP
   from 01/01/1994 to 07/01/2000 in General Reference Center Gold
   from 01/01/1994 to 07/01/2000 in InfoTrac OneFile

Management accounting (New York, N.Y.) (0025-1690) View Terms of Use
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   from 01/01/1986 to 11/01/1986 in ABI/INFORM Archive
   from 09/01/1968 to 12/01/1985 in ABI/INFORM Complete
   from 01/01/1986 to 11/01/1986 in ABI/INFORM Complete
   from 09/01/1968 to 12/01/1985 in ABI/INFORM Global
   from 01/01/1986 to 11/01/1986 in ABI/INFORM Global
   from 10/01/1991 to 02/01/1999 in Academic ASAP
   from 10/01/1991 to 02/01/1999 in Academic OneFile
   from 10/01/1991 to 02/01/1999 in Business & Company Resource Center
   from 10/01/1991 to 02/01/1999 in Expanded Academic ASAP
   from 10/01/1991 to 02/01/1999 in General Business File ASAP
   from 10/01/1991 to 02/01/1999 in General Reference Center Gold
   from 10/01/1991 to 02/01/1999 in InfoTrac OneFile
   from 01/01/1995 to 02/01/1999 in Business Full Text
   from 01/01/1995 to 02/01/1999 in OmniFile Full Text Mega Edition

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Journal: Management decision

ISSN: 0025-1747

Terms of use for:

Emerald Fulltext

Academic OneFile

Business & Company Resource Center

Expanded Academic ASAP

General Reference Center Gold

InfoTrac OneFile

Professional Collection

ABI/INFORM Complete

ABI/INFORM Global

ProQuest Research Library Complete

Source: Emerald Fulltext

Coverage Dates: from 1994 to present

Local Terms of Use:

License Term	Permissions	Note
Authorized Users	Faculty, Staff and Onsite Users, Students	
	Authorized Users electronically save parts of	

Coverage Dates: from 1994 to present

Local Terms of Use:

License Term	Permissions	Note
Authorized Users	Faculty, Staff and Onsite Users, Students	
Digitally Copy	Permitted	Authorized Users electronically save parts of the Licensed Materials for personal use.
Print Copy	Permitted	Licensee may allow Users to make up to 25 copies of a single article to assist research or teaching, provided they are not for resale. Users may print off single copies of parts of the Licensed Materials.
Distance Learning	Prohibited	This License does not cover use of the Licensed Materials for use in for profit distance learning packages; such uses require a separate agreement with the Publisher.
Course Reserve	Permitted	The Licensee may incorporate parts of the Licensed Materials in printed Course packs and Electronic Reserve. Each such item shall carry appropriate acknowledgement, listing title and author of the extract and the work, and the publisher. Copies of such items shall be deleted when no longer used for such purpose.
Course Pack Electronic	Permitted	
Course Pack Print	Permitted	
Remote Access	All but walk-ins	

Public Display of Licensing Terms

HOW DO YOU MANAGE?

QUESTIONS FOR YOU?

- Do you publicly display the licensing terms to your patrons, or do you have any other mechanism for informing about these terms to the users?

- Do you maintain paper copies in a central location and make them available when asked?

- Do ILL or other librarians have access to actual licenses?

Digital Millennium Act 1998 and License Issues

- **512(e) Limitation on Liability of Nonprofit Educational Institutions**

- This protects nonprofit educational institutions from liability for the actions of faculty and graduate student employees relating to course materials placed online for use within courses provided in the preceding 3 years, provided the institution doesn't receive more than 2 infringement notifications about the same individual in a 3 year period.

- (C) the institution provides to all users of its system or network informational materials that accurately describe, and promote compliance with, the laws of the United States relating to copyright.

ERMS at FGCU Library Services

- We use the ERMS application developed by Serials Solutions.

- It includes License Manager for recording licensing terms.

- License Manger interface makes it possible to display licensing terms in public view; selected or all.

RESOURCE MANAGEMENT HOME

- Data Management Home serves as an initial access point for viewing and recording administrative metadata for e-subscriptions.

- Resource Management Home is meant for managing information about a specific e-resource through a single interface.

- Resource Management Home is divided in four tabs: General, Administration, Licensing and Statistics.

LICENSING TAB

- Used for displaying, recording or editing licensing information for a new or existing e-resource.

- Divided in four sections for easy management of a license agreement.

Section1 : Licensing URLS

- Allows recording:
  - Default Vendor License URL
  - Custom Vendor License URL
  - Default Local License URL
  - Custom Local License URL

Section 2: Resource Licenses: Edit List and Add License….1

- Displays the list of available licenses for a specific e-resource.

- Search feature allows searching or limiting the display either by the type or status of a given license.

- Additional license for an existing e-resource can be added; especially helpful in the case of consortially purchased products where more than one license may be applicable.

Section 2: Resource Licenses: Edit List and Add License….2

- Licenses entered at the provider level automatically apply to all databases and journals holdings within that database.

- Licenses entered at the database level automatically apply to all journals within that database.

Section 2: Resource Licenses: Edit List and Add License….3

- Options available for editing, deleting and cloning licenses at the database level.

- Options to add separate license for a single journal holding within a database or to an individual database provided by one vendor.

Section 3: Resource License Agreement: General License Details....1

- Local URLs or vendor URLs
- Type of the License: Negotiated, Click through, Manifest Assent , and Shrink- wrap
- Name of the reviewers and their notes
- Physical location
- Dates: execution, beginning and ending
- Status: Active, pending, or retired

Resource License: AccessScience

General License Details Edit

* Name: AccessScience

Edit Resource: Database: AccessScience

Type: Negotiated

Vendor License URL: **Use in Public Display:** ☐

Local License URL: **Use in Public Display:** ☐

Physical Location: Electronic Resource Librarian

Status: Active

Reviewer: Anjana Bhatt

Reviewer Notes:

License Replaced By:

License Replaces:

Execution Date:

Start Date: 05/11/2000

End Date:

Advance Notice Date: 60

License Duration:

License Note: Price based on FTE.

Authorized Users and Terms of Use Edit

Term	Rights/Notes	Use in Public Display ☐
Authorized Users	☐ Prohibited	☑
	☑ Faculty	
	☑ Students	
	☑ Staff and Onsite Users	

Concurrent Users

Section 4: Resource License Agreement: Authorized Users and Terms of use….1

- Provides Options for:
    - ○ recording a fairly large range of licensing terms
    - ○ controlling the public display of licensing terms

- We have chosen selected terms for public display; rest are reserved for staff view only.

Section 4: Resource License Agreement: Authorized Users and Terms of use….2

- Authorized users: faculty, staff, students, on-site and prohibited users

- Number of concurrent users

- Fair use clause indicator

- Database protection override clause Indicator

Section 4: Resource License Agreement: Authorized Users and Terms of use….3

- All rights reserved indicator
- Citation requirement detail
- Legal issues: jurisdictions, governing and copyright law

Section 4: Resource License Agreement: Authorized Users and Terms of use….4

- Permissions or restrictions regarding:
  - Digital, electronic and paper copies
  - ILL: paper, electronic, secure electronic and fax
  - Course reserves and course packs: print or electronic
  - Scholarly sharing, distant learning
  - Persistent URLs (Electronic Links)
  - Remote access
  - User restrictions

Section 4: Resource License Agreement: Authorized Users and Terms of use….5

- Perpetual access rights

- License termination information: rights, dates, clauses, requirements, breach period and cure period etc.

- Notice period: renewal and non renewal

- Legal rights of the licensee and the licensor

- Requirements for termination notice

Section 4: Resource License Agreement: Authorized Users and Terms of use….6

- Archival issues: rights, formats, restrictions, notes and conditions etc.
- Pre and post-print archives: restrictions, notes and conditions
- Local use terms notes
- Applicable copyright law

Authorized Users and Terms of Use	Save Changes	Cancel		
Term	**Rights/Notes**		**Use in Public Display**	☐

Authorized Users

☐ Prohibited ☑
☑ Faculty
☑ Students
☑ Staff and Onsite Users

☐

Concurrent Users

☐

Enterprise-wide ☑

Fair Use Clause Indicator Present ▾ ☑

Database Protection Override Clause Indicator ▾ ☐

All Rights Reserved Indicator ▾ ☐

Citation Requirement Detail ☐

Digitally Copy Permitted ▾ ☑

All reproduction and distribution of all downloading and electronic storage of materials retrieved through the Products shall be for your own internal or personal use. Downloading of ☑

Print Copy Permitted ▾ ☑

LICENSE MANAGER

- Displays:
  - Names of the licensor, database and the provider.
  - Type of license: negotiated, click through or shrink-wrap.
  - Status of the license: active, pending and retired.
  - Edit, delete and clone options.
- Possible to sort/limit results according to the license type or license status.
- Possible to search licenses by database or a provider.

License Manager Edit

Include Terms of Use Link in:

☑ E-Journal Portal results

☑ Article Linker results

All Providers ▾	All Databases ▾

Include Journals ▾	All Types ▾	All Statuses ▾	Go	Reset

License Name	Provider/Title	Database	Type	Status	Start Date	End Date	Actions
AccessScience	McGraw Hill Companies	AccessScience	Negotiated	Active	05/11/2000		Edit Delete Clone
ACM Digital Library Terms and Conditions of Use (FCLA)	ACM Digital Library	ACM (Association of Computing Machinery) Digital Library	Negotiated	Active			Edit Delete Clone
ACS Contract Year 05-06	American Chemical Society	American Chemical Society Web Editions	Negotiated	Active	08/15/2005	12/31/2006	Edit Delete Clone
ARTstor License 12/15/2004	ARTstor	ArtStor		Active	12/15/2004	12/14/2007	Edit Delete Clone
Birds of North America	Cornell Lab of Ornithology	Birds of North America Online	Negotiated	Active	11/30/2005		Edit Delete Clone
Bowker License from FCLA	R.R. Bowker LLC		Negotiated	Active	01/01/2001		Edit Delete Clone
CCH Internet License Agreement	CCH Incorporated	CCH Tax Research Network	Negotiated	Active			Edit Delete Clone
ChoiceReviews.online Password Edition License Agreement	Association of Research Libraries	ChoiceReviews.online	Negotiated	Active	08/01/2005		Edit Delete Clone
Chronicle of Higher Education Terms and Conditions	Multiple Vendors	Single Journals					
	Chronicle of Higher Education		Negotiated	Active	08/12/2005		Edit Delete Clone
Classification Web License	Library of Congress	Library of Congress/Classification Web	Negotiated	Active	07/10/2002		Edit Delete Clone

Issues and concerns….1

- License Manager does not provide options for entering a new license, however, an existing license can be edited or deleted within the License Manager.

- Information can be entered only for the terms that are included in the License Manger.

Issues and concerns….2

- License Tab does not provide any flexibility in terms of adding new licensing terms through the Menu Manager.

- Designed only for managing library and publishing industry related licenses. It can not be used for managing technical or software applications related licenses.
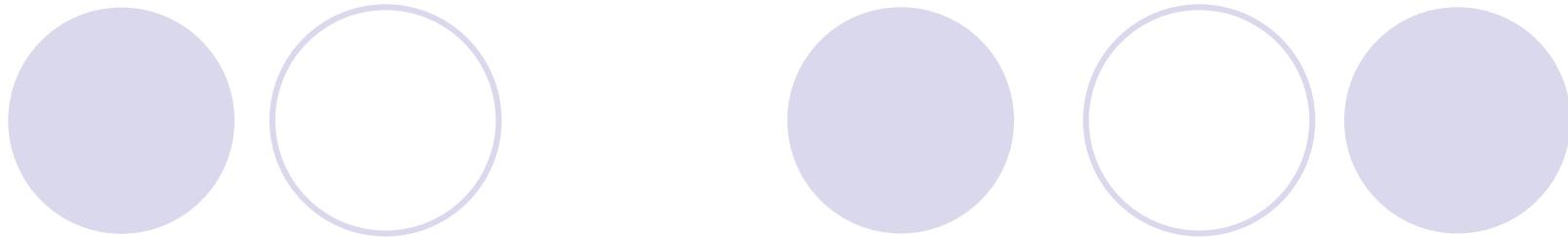
Issues and concerns….3

- Notes field is restricted; insufficient character space.

- Content can not be formatted.

- No spell check application available within the License Manager. Careful review of typing mistakes is required.

- System does not provide any option for uploading the electronic copy of the license in word format.

References

- Educase http://www.educause.edu/content.asp?PAGE_ID=645&PARENT_ID=254&bhcp=1
- Summary of the DMYA http://www.copyright.gov/legislation/dmca.pdf
- Wikipedia http://en.wikipedia.org/wiki/Online_Copyright_Infringement_Liability_Limitation_Act#Overview
- Library of Congress. Thomas http://thomas.loc.gov/cgi-bin/query/F?c105:1:./temp/~c105R0U1Hi:e57148:

THANK YOU