It's Not Black & White:
Retaining your Rights and
Maximizing the Impact of Your Research

Caroline Sietmann, Library
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We’ll talk about:

• Your research
• Your author rights
  • What they are
  • What you can do with them
• Your options when publishing
  • Retaining rights
  • Granting licenses
  • Open access publishing
Why do you publish?

• To make an impact
• To build a reputation
• To engage with other scholars
• To fulfill expectations
• To get tenure
What do you want to do with your work?

• Share with colleagues
• Make it available for your students
• Use parts of it in future work
• Perform it or display it
• Post to your web site or an open access repository
You have the rights to:

- reproduce your work
- distribute your work
- prepare derivative works
- perform or display your work publicly
- authorize others to do any of those things
Works for Hire

• “work prepared by an employee within the scope of his or her employment or a work specially ordered or commissioned . . . if parties expressly agree in a written instrument signed by them that the work shall be considered a work made for hire”

• Dominican Faculty Handbook 4.4.7: Intellectual Property Policy
More on Copyright

• Copyright is alienable
• Copyright is divisible
• You can grant licenses to others
  – Exclusive and non-exclusive

★ Your work belongs to you unless you give your rights away
Publisher’s Agreement

• "To the extent permitted by applicable law, you grant all of the foregoing rights irrevocably, and free of royalty or other participatory claim. The [publisher] may transfer, assign, or sublicense these rights without further permission from you."

http://keepyourcopyrights.org/
What does publisher need?

• A non-exclusive right to publish and distribute a work and receive a financial return

• Proper attribution and citation as journal of first publication

• Right to migrate a work to future formats
Publisher’s Agreement

• "Permission to make digital or hard copies of part or all of American Economic Association publications for personal or classroom use is granted without fee provided that copies are not distributed for profit or direct commercial advantage and that copies show this notice on the first page or initial screen of a display along with the full citation, including the name of the author. . . The author has the right to republish, post on servers, redistribute to lists and use any component of this work in other works. For others to do so requires prior specific permission and/or a fee."
SHERPA/RoMEO

• UK consortium
• "Details the rights given to authors by the major publishers of peer-reviewed academic journals. . . [S]earch for many publishers and find out what permissions are normally given as part of each's copyright transfer agreement."
• Use SHERPA/JULIET for funding agency policies
You have options

• Sign agreement as is

• Edit agreement directly

• Keep your copyright and just grant the publisher a license to publish
Addendums: SPARC

- **SPARC** looks to correct the imbalances in the scholarly publishing system and relieve financial pressure on libraries
- Helps authors retain control over their own research, publish where and how they want, and disseminate their research widely and effectively.
- Offers 4 addendums for you to print out and attach to your article
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Open Access Journals

• Freely and openly accessible on the Web
• Possible stipulations
  – Embargo
  – Cannot use publisher’s version
  – Must acknowledge original publication
  – Hybrid: pay for OA
• Users must properly cite
Directory of Open Access Journals (DOAJ)

• Scholarly, peer-reviewed journals

• Many using innovative digital technologies
  • Journal of Visualized Experiments
Open Access Publishing Methods

• Subject Repositories
  – Public Library of Science
  – PubMed Central

• Open DOAR (Directory of Open Access Repositories)
Benefits of Open Access?
Benefits of Open Access

• Benefits you:
  – Faster, wider dissemination
  – Evidence that OA articles are cited more than non-OA articles ([Eysenbach article, PLoS](https://doi.org/10.1371/journal.pmed.0030175))

• Benefits researchers
  – Freely available on Web, indexed by Google

• Benefits everyone
Citation Advantage of Open Access

(Eysenbach article)

Non-Open Access vs Open Access: Number of Citations to Articles

Number of Citations

Non-Open Access
Open Access

Number of Months after Publication

Number of Citations
0 2 4 6 8
0-4 4-10 10-16

Non-Open Access
Open Access

Graph showing the comparison between Non-Open Access and Open Access articles based on the number of citations over different time periods post-publication.
Open Access is Becoming an Expectation

• **NIH Open Access Policy**
  – Researchers receiving NIH funding must deposit their articles in PubMed Central within 12 months

• Institutional mandates for institutional repositories
  – Collection of scholarship produced by university
  – Open Access

• Faculty Resolutions
  – Harvard
  – Stanford
Review:

• Copyright is automatic, alienable and divisible
• Publisher agreement may require you to transfer your copyright
• You have options
  • Sign agreement as is
  • Edit agreement
  • Attach addendum
  • Publish in an OA journal or repository
• Open Access benefits you, your discipline and everyone
Remember

• You are the copyright holder until you give away your rights
• Giving away your rights *does* matter
• Read and understand the publisher’s agreement
• Know your options
• It’s not black and white
References

- Association of research libraries: Authors and their rights: http://www.arl.org/pp/ppcopyright/author-rights-resources.shtml
- Association of research libraries: Scholarly communication: http://www.arl.org/sc/
- Author rights video: http://blip.tv/file/743274
- Committee on institutional cooperation (CIC) statement on publishing agreements: http://www.cic.net/Libraries/Library/authorsrights.sflb
- CopyOwn - A resource on copyright ownership for the higher education community: http://www.nethics.umd.edu/copyown/
- Create change: http://www.createchange.org/
- Creative commons: http://creativecommons.org/
- Joint information systems committee (JISC): http://www.jisc.ac.uk/
References

- Journal of visualized experiments. [www.jove.com](http://www.jove.com)
- SHERPA/RoMEO - publisher copyright policies & self-archiving: [http://www.sherpa.ac.uk/romeo/](http://www.sherpa.ac.uk/romeo/)
- SPARC (scholarly publishing and academic resources coalition): [http://www.arl.org/sparc/](http://www.arl.org/sparc/)
- SURFNet: [www.surf.nl/en](http://www.surf.nl/en)
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