

SELF-ARCHIVING IN OPEN ACCESS INSTITUTIONAL REPOSITORIES: WHOSE COURT IS THE BALL IN?

Rupak Chakravarty

Assistant Professor, Department of Library and Information Science,
Panjab University, Chandigarh, India.

ABSTRACT

States that Open Access (OA) is powerful. As the open access movement is gathering momentum, it is becoming more powerful and more. It has the potential to liberate knowledge from the monopoly of the publishers to a great extent. But, are we serious in our efforts in supporting this movement? What efforts are we putting to make the knowledge available all and sundry without any financial obligation? Aims to raise such issues and provide facts which can guide institutional authorities to adopt author friendly policies and provide suitable platform to make them better contributor in open access movement. Provides a true picture of the current status pertaining to archiving in repositories and establishes the fact that now the ball is very much in the author's court.

KEY WORDS: Open Access, Self-Archiving, Institutional Repositories, SHERPA/RoMEO

Open Access

Open access calls for the free availability of scholarly literature on the Internet. It has been defined by various organizations and individuals whose writings and efforts have a great impact on the open access movement. [Peter Suber \(2007\)](#) has defined open access as "immediate, free and unrestricted online access to digital scholarly material primarily peer-reviewed research articles in journals". According to [Swan \(2005\)](#), the Open Access research literature is composed of free, online copies of peer-reviewed journal articles and conference papers as well as technical reports, theses and working papers. In most cases, there are no licensing restrictions on their use by readers. They can, therefore, be used freely for research, teaching and other purposes. A very comprehensive definition of OA has been given by [Bethesda Statement on Open Access Publishing in 2003](#). It defines an open access publication as the one that meets the following two conditions:

(1) The author(s) and copyright holder(s) grant(s) to all users a free, irrevocable, worldwide, perpetual right of access to, and a license to copy, use, distribute, transmit and display the work publicly and to make and distribute derivative works, in any digital medium for any responsible purpose, subject to proper attribution of authorship, as well as the right to make small numbers of printed copies for their personal use.

(2) A complete version of the work and all supplemental materials, including a copy of the permission as stated above, in a suitable standard electronic format is deposited immediately upon initial publication in at least one online repository that is supported by

an academic institution, scholarly society, government agency, or other well-established organization that seeks to enable open access, unrestricted distribution, interoperability, and long-term archiving (for the biomedical sciences, PubMed Central is such a repository).

Self-Archiving and the Position of Authors

Self-archiving is the process by which an academic author deposits the metadata (bibliographic reference, abstract, etc.) and an electronic full text for one or more of his/her publications in an open access repository. It is one of the main methods of enabling open access. In this method, the author deposits a copy of his/her article in an open access repository that is freely accessible to all. This method corresponds to distributed model allowing the individual faculty member the flexibility and independence to upload and manage his own scholarly output. It usually involves the filling up of forms leading to metadata creation. Articles can be deposited before publication (pre-prints) or after publication (post-prints). According to ([Wikipedia, 2011](#)) self-archiving is referred to as the 'green road' to open access (publishing in open access journals is called the 'gold road'). Those who favour self-archiving are of the view that it's probably the shortest route to open access where the gold road takes much longer time.

Copyright Issues and Authors' Right

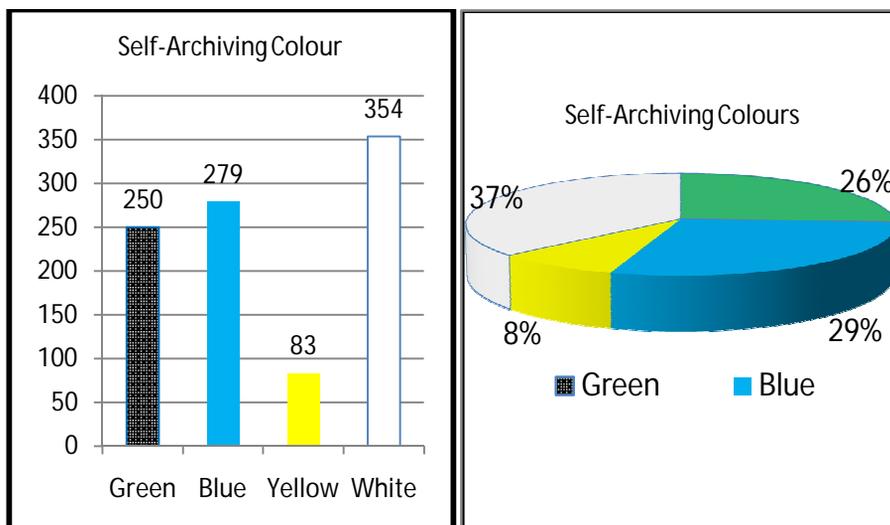
There may be copyright restrictions in making an e-print freely available. Typically, when an article is published, the author gives a copyright license to its publisher. As part of the traditional publication process, publishers often ask the authors for complete transfer of copyright from the author to the publisher. In doing so, authors retain no rights to their work after it is published and unless various rights are granted back to the authors, they are unable to even photocopy it, use it in their teaching, or put it on the Internet ([Bannerman, 2009](#)) Other agreements are more liberal and allow the authors to retain rights to use the article as they wish. Protecting author's rights is much easier in case of open access journals as they publish the articles without charge while allowing authors to retain their copyrights. But not all publishers are open access publishers, hence there is need to safeguard authors interests.

While submitting articles in an IR, authors are advised to read the publisher's actual agreement carefully as there can be some additional criteria that the publisher requires (such as a link to the published version of the article) or any special restrictions imposed by the publisher in return for self-archiving permissions like publisher may allow to archive a preprint on author's personal web page and parent institution's repository, but not in a disciplinary repository.

To help the authors in knowing the status of publishers policy, SHERPA (Securing a Hybrid Environment for Research Preservation and Access) has created a database called SHERPA/RoMEO (Rights MEtadata for Open Archiving) Publisher Copyright Policies & Self-Archiving database which provides a faster way of screening publishers and helps in deciding the best journal possible with regard to self archiving ([SHERPA/RoMEO, 2011](#)). It can be searched by journal title or publisher name. It also allows to browse publishers using a colour code (Table 1) indicating the nature of content which can be self-archived in the institutional archive.

Table 1: Publisher Archiving Rights

S.N.	RoMEO Colour	Archiving policy	Publishers
1	green	can archive pre-print and post-print or publisher's version/PDF	250
2	blue	can archive post-print (i.e. final draft post-refereeing) or publisher's version/PDF	279
3	yellow	can archive pre-print (i.e. pre-refereeing)	83
4	white	archiving not formally supported	354
		Total	966

**Figure 1:** Self-Archiving Colours: Publisher Statistics

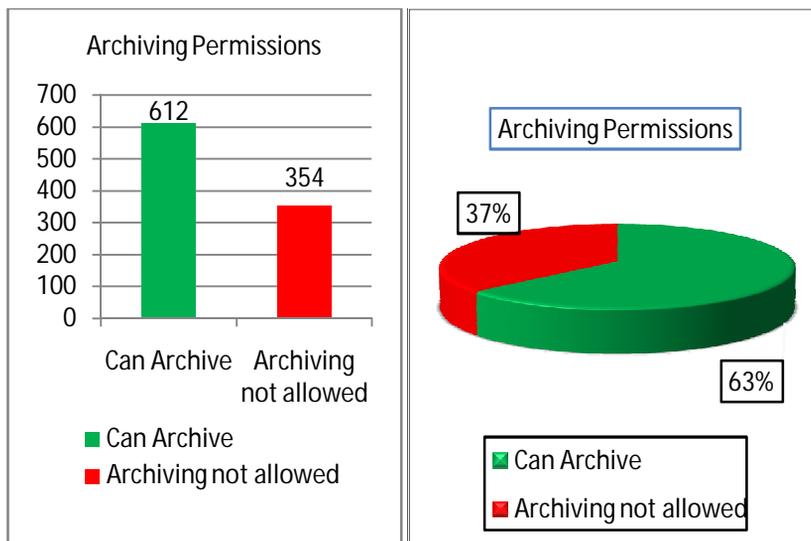


Figure 2: Self-Archiving Colours: Consolidated Figures

Figures 1 and Figure 2 above indicate the percentage of publishers based upon their archiving policy. According to this figure, 63% (29%+26%+8%) of publishers on this list formally allow some form of self-archiving. This strongly supports that most of the internationally reputed commercial publishers allow authors for self-archiving of the pre-print or post-print of their work. Some publishers also allow deposition of the published version/PDF of authors' papers in institutional repositories. Permission to deposit published version of the paper may be granted by the publisher with or without embargo period as restriction before they become openly accessible. Table 2 below presents the current status of deposit condition of the publishers.

Table 2: Embargo Period and Paid Option for Open Access

Deposit Condition: Embargos Required	No. of Publishers
▪ 3 months	1
▪ 6 months	20
▪ 12 months	14
▪ 18 months	2
▪ 24 months	6
▪ 4 years	2
▪ 5 years	2
▪ Various embargo lengths	1
▪ Permission required	16
Total	64
Publishers with Paid Options for Open Access	90
Total	154

Above table suggests that apart from 63% publishers which allow self-archiving in repositories, there are 64 more publishers which do permit self-archiving after the embargo period (ranging from 3 months to various embargo lengths) is over and still there are 90 more publishers which provide open access to the full text of their articles through paid options in which research funding body pays on behalf of the authors. The ultimate benefit in both the cases, whether embargo period or paid option, goes to the end users thus strengthening the argument that most of the internationally reputed commercial publishers permit authors for self-archiving of the pre-print or post-print of their work.

Role of Authors

The authors have the dual role to play. First- conformance to Publisher's Copyright Policy and second- Negotiating with Publishers. Both these roles are discussed below:

Conformance to Publisher's Copyright Policy

Authors must be encouraged to check the publisher's copyright policy so as to avoid any copyright infringement. They should be suggested to follow the following procedure:

1. Identify the publisher of publication.
2. Check the copyright agreement signed during paper submission to the publisher very carefully so that they do not lose the copyright completely.
3. Check the SHERPA/RoMEO Publisher Policies database and/or the OAKList database ([OAKList Database, 2010](#))^{as} they provide information on whether the publisher listed permits pre-print and/or post-print archiving and any conditions attaching to the permission. They also provide information on whether the publisher's policy complies with funders' mandates.
4. To be on safer side, the web site of the publisher, particularly the "Guidelines/instructions for authors/contributors" section, must be analyzed even if above databases indicate positive response regarding self-archiving.
5. If publisher's archiving policy is not mentioned explicitly, it does not mean that the publisher will not allow self-archiving. They may not have a general and explicit policy on archiving in IR.
6. In case of any confusion, author may contact IR manager.

However, authors may show disinterest to deposit their work into the repository if they find the process of self-archiving difficult or time-consuming. Therefore, the IR should provide services like checking publisher's agreements and policies on behalf of authors or assist authors in checking their publisher's agreements and policies. In case the paper is not self-archived but sent to the IR manager as an email attachment or mediated deposit is followed, the IR staff must verify whether the copyright agreements applicable to the publications received for archiving allow its archiving in the repository.

Negotiation with the Publishers

Authors should be encouraged to negotiate with the publisher. Authors should be assertive as copyright is first and foremost their right as they have put hard work into writing the article. They (author or IR staff) should be able to explain/convince the publisher for permitting submission of at least the pre-print version of the paper as it will not harm the publisher's commercial interest. The author may request the publisher to issue a license that will give the publisher the publishing right while ensuring that authors retain copyright to their work. This can also be achieved at the initial stages of paper

submission to the publisher by attaching an author addendum to the publishing agreement. The Scholar's Copyright Addendum Engine (Orphan, 2007) is one such online tool which can generate four different types of addenda including Delayed Access, Access-Reuse, Immediate Access and MIT Amendment.

In the delayed access addendum, the author may immediately self-archive the final version of the article that includes changes from the peer-review process, but he cannot self-archive the published version of the article until six months after that version is available to journal subscribers. Access-Reuse is same as the SPARC Author Addendum to Publication Agreement (SPARC, 2009) (Figure 3) in which the publisher must give the author a free, unprotected digital copy of the article within 14 days of publication. Given proper attribution, the author can authorize others to use the article for non commercial purposes.

Scholar's Copyright Addendum Engine

The Scholar's Copyright Addendum Engine will help you generate a PDF form that you can attach to your journal publisher's copyright agreement to ensure that you retain certain rights.



Instructions for Use

1. Enter the information requested and select the option of your choice from the menu below.

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Journal

Author Information

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Generate Addendum
2. Save the PDF addendum that is generated.
3. Print the addendum, and sign and date it.
4. Sign and date the publisher's agreement. Immediately below your signature on the publisher's form, write: "Subject to attached Addendum." This is very important because you want to make clear that your signature is a sign that you accept the publisher's agreement only if the publisher accepts you Addendum.
5. Make a copy of all three documents (the publisher's form, your Addendum, and your cover letter) for your records.
6. Staple the three original documents together.
7. Mail the three original documents to the publisher.

Figure 3: Scholar's Copyright Addendum Engine

To use it, the author is required to complete this addendum, print a copy of it and attach it to his publishing agreement note to the publisher and then mail it to the publisher. Under the Immediate Access addendum, the author can immediately self-archive any version of the article, including the published version, in all types of non commercial digital repositories. The MIT Amendment supports self-archiving of the published article only in all types of non commercial digital repositories.

JISC along with SURF Foundation has also developed a Copyright Toolbox. It has three entries. The first one is a license to the author to retain copyright but giving the publisher the rights to publish his/her work. The second one gives sample wording for various options in case an author or a publisher would like to amend a publishing agreement in

certain circumstances. The last entry refers to initiatives from other organisations or academic institutes to maximise access to scholarly publications.

Creative Commons Licenses also play a very important role in protecting the rights of the authors. It emphasises that as the copyright owner, the author can grant rights to any user of his article, not just publishers. However, he must retain the copyright to his own work. Creative Commons licenses ([Creative Commons, 2011](#)) allow authors to do this easily in a legal way. Two licenses used very frequently are Attribution License and Attribution Non commercial License. Attribution License allows any use of author's article, including commercial use and the creation of derivative works, if there is proper attribution. Use of this license (or similar wording) is typically required by major open access journal publishers. Attribution-Non commercial License allows only non commercial use of the work with proper attribution. This license is often used by the academics who want to prohibit commercial use without explicit permission.

The IR Managers must have a basic understanding of the legal obligations associated with key IR access management issues including content deposit, content management, content exposure, accessibility, authentication, authorisation, version control and protection of rights. The authors should be encouraged, to retain their copyright while signing any agreement with the publishers as the rights are crucial to the ability of the authors to archive their work online. Self-archiving in IRs however, does not involve loss of copyright and authors are free to reuse the content as and when required.

Conclusion

Now that the majority of publishers (63%) have allowed self-archiving in IRs in one form or another, authors have the freedom of contributing in the open access movement more visibly. They can deposit the pre-print, post-print and wherever permissible publishers' final version without affecting their publication opportunities. In addition to this, there exist plenty of open access journals in almost every discipline. This call for a more responsible action from the authors as opportunity and freedom comes with responsibility. On the other hand, academic institutions have the task to provide the IR platform to their faculty and scholars in order to capture, store and preserve their intellectual output. The ball is certainly in authors' court and it is expected from them that they will play it well to create a world without knowledge-divide by redefining, improving and strengthening the scholarly communication cycle.

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