

## Open Access to Journal Content as a Case Study in Unlocking IP

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<http://www.rogerclarke.com/II/OAJC-0904.html>, OAJC-0904.ppt

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## Open Access to Journal Content as a Case Study in Unlocking IP Agenda

- Articles and Journals
- Digitisation and the Internet
- Open Access to ePrints in Repositories
- Responses by For-Profit Publishers
- Unlocked IP
- Progress in Unlocking IP
- Progress in the Adoption of OA

## Articles and Journals

### Article

Written Expression of current and extended information about some specific topic within a discipline or research domain

### Journal

A Venue in which articles are published

### Refereed Academic Journal

A Venue in which articles are published following a process of review by specialists

## Refereed Journals The Core Functions – 1950-95

- Quality Assurance
- Publication Channel
- Discovery Mechanism
- Archival Mechanism

## Digitisation – 1970s - ...

- Computerisation (1970s-80s)
- Desktop Publishing ('born digital') (1980s-90s)
- Scanning to Digital Form (1990s-00s)

## The Internet – 1995 - ...

- The Electronic Frontier
- John Perry Barlow's Declaration of Independence of Cyberspace (1996)
- "Information wants to be free ..."

## Cyberculture Ethos

- Inter-Personal Communications
- Internationalism
- Egalitarianism
- **Openness**
- **Participation**
- **Mutual Service**
- **Community**
- **Freedoms**
- **Gratis Services**

## Core Open Access

*Suber and Budapest '02*

### Qualified OA

- Delayed OA
- Some, not all, e.g.:
  - Author-Paid
  - Editor-Selected
  - ...

*For-Profit Publishers*

*Berlin '03*

### Extended OA

- Not just "access"
- But also:
  - "distribute"
  - "transmit"

## Core OA

Peter Suber – <http://www.earlham.edu/~peters/writing/ibiol.htm>

- **Online Access**
- **Without Financial Barriers ('free as in air')**  
"without charge to readers or libraries" ('free as in beer') & without infrastructure barriers, i.e. no 'digital divide'
- **Without Permission Barriers**
  - no need to pre-register
  - no need to be a member of an organisation
  - no need to declare one's identity
  - no legal constraints
  - no technological protection mechanisms

## The PrePrint

- The 'Departmental Working Paper' of the Internet era
- A **Draft Article, prior to Journal Submission** (or an Extended Abstract of an Article)
- Motivations:
  - Get feedback, informal and / or formal
  - Get noticed
  - Establish evidence of priority
  - Build and sustain a professional network
  - Make information available to Specialists
  - Make information available to Anyone

## 'ePrints'?

<http://www.eprints.org/>

- Encompasses both 'PrePrints' and 'PostPrints'
- 'Author Self-Archiving' / 'Self-Deposit'
- **Into a Repository:**
  - Author's Own Repository (deprecated)
  - '**Institutional**' (i.e. University) Repository
  - **Learned Society / Disciplinary** Repository
- Software: Gnu ePrints, DSpace, several others
- Register of Open Access Repositories (ROAR) at <http://roar.eprints.org/>

## The PostPrint

The author's own copy of the final version of an article that has been accepted for publication in a refereed journal and has been sent to the publisher

## The Publisher's Copy

The version of the article that appears in the journal, and incorporates the publisher's investment in presentation, production-editing and branding

## Open Access to ePrints in Repositories

- Digital / Internet Era creates expectations
- Open Access (OA) movement arises
- ePrints movement arises
- Repositories emerge
- Content gets loaded into Repositories effectively in competition with journals

## The Responses of For-Profit Publishers

- **Constructive** (by means of 'value-add'):
  - Alert Services
  - Search Facilities
  - Auto-Generated Hotlinks within Collections
- **Destructively Competitive**:
  - A Hired Lobbyist / PR Consultant
  - Misinformation about peer review being a function that is dependent on publishers
  - 'Author Pays' to provide an appearance of openness

## An Operational Definition of Unlocked IP

1. Ownership of the Copyright in Collections (Journals)
2. Ownership of the Copyright in Each Paper
  - Publisher Acquires, Provides Licence Back
  - OR Author Retains, Provides Licence to Publisher
3. Accessibility of the PrePrints
4. Accessibility of the PostPrint
5. Accessibility of the Publisher's Copy
6. Copying
7. Republication

## Progress in Unlocking IP (1) OA Credentials of Journals Generally

SHERPA/RoMEO catalogue classifies Publishers, Journals according to what can be self-deposited:

<u>P</u>	51%	J	63%
<u>Green</u>			
<u>PrePrints and PostPrints</u>			
<u>Blue</u>			
<u>PostPrints</u> , not PrePrints	12%		32%
<u>Yellow</u>			
<u>PrePrints</u> , not PostPrints	37%		5%
<u>White</u> – <u>neither</u>			

## Progress in Unlocking IP (2) OA Credentials of I.S. Journals

- **Positives**:
  - Of 131 Electronic-Only Journals, 77% are OA
  - Electronic-Only is a Growth-Area
- **Negatives**:
  - Of 471 Electronic-&-Paper Journals, 90% are behind 'price and permission barriers'
  - OA Journals are mostly in 'new' and 'fashion' sub-disciplines and research domains
  - The longstanding, large and prestigious journals are mostly closed

## Progress in Unlocking IP (3) Mini-Case Studies of Publishers

- **Positives**:
  - Procs of U.S. National Academy of Science Generally strong Green, but a qualification
  - Elsevier also Green, but also a qualification
  - US Transportation Research Board Yellow
- **Negatives**:
  - PNAS and Elsevier permit PostPrints in University Repositories only !??
  - TRB blocks PostPrint self-deposit
- **Of Australian doctoral theses in 2005, only 12% were self-deposited in university repositories**
- **Only 11.3% of 2006 journal articles were OA**
- Deposit-rates vary widely across Unis and disciplines. Few have achieved high deposit-rates
- In physics, very high penetration-rate by arXiv
- In health-related disciplines, a high volume has been achieved by PubMed Central (US National Institutes of Health – NIH), but still only 15%
- **NIH has had to resort to mandating self-deposit**

## Progress in the Adoption of OA (1) PostPrint Volumes

## Progress in the Adoption of OA (2) ePrint Availability

- Open Availability of Papers discovered through Google Scholar, using two search-terms
- **Old Topic** ("information systems failure")
  - 7/40 = 17.5% openly available
  - 571 citations to open papers cf. 1,761 to closed
- **Recent Topic** ("reintermediation")
  - 14/28 = 50% openly available
  - 485 citations to open papers cf. 248 to closed
  - But AIS eLibrary provides access to 43 papers

## Progress in the Adoption of OA (2) ePrint Availability by Location

	OAJ	Uni	Disc.	Inf. Uni	Author
Old	0	3	3	4	0
Recent	1	0	6	3	8
TOTAL	1	3	9	7	8
	<hr/>				
	13				15

## Progress in the Adoption of OA (2) ePrint Availability Some Tentative Inferences

- There's Progress in relation to recent topic-areas
- There's little evidence of retrospective self-deposit (or deposit into OA by publishers or universities)
- OA Journals and University Repositories have performed and are performing very poorly
- Disciplinary Repositories may be a little better
- **Informal copies on instructors' open web-sites and authors' own sites are at this stage of greater assistance than the whole of the formal system**

## For-Profit Publishers' Distinctive Differences

- For-Profit Publishers of eJournals are expensive \$3,400 per article cf. \$730 per article
- For-Profit Publishers' higher cost-profiles arise from:
  - **Marketing**
  - **Brand Management**
  - **Customer Relationship Management**
  - **Content-Protection**
  - **Profit-Making**
- These benefit shareholders
- They don't benefit authors or communities

## Possible Impacts of ePublishing On Articles

- Successive ePrints / a 'living article'
- Multiple Discovery Mechanisms
- Linked 'grey literature' / supporting data
- Interactive Publications (animation, video, models supporting 'what-if' analysis)
- Open Review:
  - 'interactive public discussion'
  - 'electronic letters to the editor'
- Central Submission-Points

=> "a market for articles"

## For-Profit Publishers' Persistence

- Control of the large, prestigious journals
- Resources (scale, access to capital, vast profitability)
- Successful misinformation about their contributions
- Appreciation of universities' lack of capability
- Wariness of learned societies, and blockage of them
- Ability to wait out the storm and later vacuum up University repositories and survivor OA journals

## Possible Impacts of ePublishing On Journals

- Review Processes
- Production Costs
- Granularity (Volume, Issue, Article)
- Publication-When-Ready
- Distributed Storage of 'Separates' in multiple repositories (own, employer's, discipline's)
- The Virtual Journal as an index-page of links to Separates, each carrying a signed certificate

## Conclusions

- Progress in Unlocking IP, in the sense of reductions in copyright barriers to access to journal papers
- Progress in exploitation has been dismal
  - Academics remain apathetic
  - Universities remain half-hearted
- Mandating of self-deposit may increase adoption well beyond 15%, but perhaps only to 30-50%
- Learned societies may be the source of progress
- But for-profit publishers are trying to block them

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