
TRLN Copyright Policy Task Force. "Model University Policy Regarding Faculty Publication in Scientific and Technical Scholarly Journals: A Background Paper and Review of the Issues." The Public-Access Computer Systems Review 4, no. 4 (1993): 4-25. To retrieve this file, send the following e-mail message to LISTSERV@UHUPVM1 or LISTSERV@UHUPVM1.UH.EDU: GET TRLN PRV4N4 F=MAIL.

1.0 Introduction

The attached model policy was drafted by a joint committee of faculty, librarians, and university press editors from Duke University, North Carolina State University, and the University of North Carolina at Chapel Hill. [1] This effort is part of a two-year project of the Triangle Research Libraries Network (TRLN) to develop strategies and plans for cooperative information resources development in the sciences and engineering. Grant support for the project has been provided by the Council on Library Resources in Washington, D.C.

The distribution of this policy document is intended to stimulate debate and consensus building among faculty, librarians, university administrators, and scholarly publishers throughout the United States and abroad. The TRLN Copyright Policy Task Force does not expect that such a policy will be adopted unilaterally by any one institution. Rather, we believe the eventual widespread adoption of such a policy by consortia or national associations of universities could help to reduce the current barriers to the effective dissemination of new research, especially in science and engineering scholarly journals.

Since the widespread distribution of the first draft of this model university policy regarding faculty publication in scholarly journals, the Task Force has received dozens of letters and electronic mail messages with both positive and negative reactions to the model, many offering specific suggestions to change, clarify, or improve the policy. While the majority of those writing supported the thrust of the proposed policy and encouraged the Task Force to find ways to work towards its adoption by universities, a substantial minority expressed concerns about specific features of the policy or a confusion about the problems being addressed and the goals to be achieved.

With this paper the Task Force seeks to clarify its view of the problems which the current system of scholarly communication through journals is causing and to share a vision for a future where these problems are removed or, at least, alleviated. In the process, this essay will also respond to the primary criticisms received regarding the first draft of the model policy. Finally, with this paper the Task Force is distributing a model policy document incorporating many of the specific suggestions it received for improvement.

2.0 The Current Scholarly Journal Publishing System

University and other national research libraries have supported

and helped to fuel the astounding growth in scientific and technical research, both by serving as the primary locus for the dissemination of new research results and as comprehensive archives for access to the historical record of past research. However, the numbers and prices of scholarly journals, especially that portion published in scientific and technical disciplines, have increased at annual rates that far exceed general rates of inflation and the acquisitions budget resources of research libraries. The result is that, individually and collectively, research libraries are acquiring a smaller and smaller proportion of the world's published research and the balance of these acquisitions has been skewed away from books to pay the spiraling cost of journals.

The unrelenting growth in both numbers and prices of scientific and technical journals has also exacerbated distortions in the general economic marketplace for research information. This marketplace, unlike the free market ideal posited by economic theorists, is characterized by producers (academic researchers) who give over gratis, through copyright transfer, the ownership of their products (journal articles) to sellers (both not-for-profit and commercial publishers). Publishers, in turn, cover costs or earn profits by selling, not primarily to the ultimate consumers (other researchers and their students), but largely to public or not-for-profit agencies (research libraries) who are responsible for organizing, storing, and providing free or low-cost access to these products. As Herbert White, then dean of the Indiana University School of Library and Information Science, said, "natural selection and the pressures of the marketplace simply do not apply here." [2]

+ Page 6 +

An increasing percentage of scientific and technical journals are now published, not by professional societies and universities, but by a relatively small number of very large commercial publishing conglomerates, many based in Europe. At the same time, the subscriber base of many of these journals has shifted so that it is now almost exclusively research libraries rather than individual research scholars. And, as many economists have noted, this growing for-profit journal publishing industry presents almost ideal conditions for an effective monopoly:

- A. Libraries are reluctant to cancel subscriptions when the prices go up (they have a low "price elasticity of demand" for these products) because there are few if any alternative sources for the information contained in each journal.
- B. The small number of publishers relative to the number of library subscribers permits more control of supply than in a more competitive industry.
- C. Many opportunities exist for price discrimination, between institutions and individuals as well as between U.S. and European subscribers, based on differing price elasticities of demand and currency fluctuations.

Feeding this publishing industry is an academic tenure and grants system which rewards researchers with grants and career advancement when they publish large numbers of papers. [3] In

trade and mass market publishing, both authors and publishers feel encouraged or constrained by the forces of the economic marketplace; both recognize the potential value of profits to be earned from sales, future film rights, etc., with these intellectual "properties." Thus, authors in this more commercial environment reasonably transfer only limited rights to publishers and negotiate royalties. By contrast, in scholarly journal article publishing, authors do not assume they will earn any direct economic rewards from their articles, so they "make a contribution" to the literature by freely assigning all ownership rights to publishers.

+ Page 7 +

The basic problem in the current system for publishing scholarly journal articles, therefore, is incompatibility between the non-economic goals of academic researchers and the largely economic goals of commercial and even some not-for-profit publishers. Academic researchers publish with the goals of ensuring widespread distribution of their research results, personal credit and recognition, and career advancement. Many commercial publishers create and market journals with the sole goals of identifying potentially profitable market niches or monopolies for their products. The recent growth and market power of several very large international publishing corporations have brought into focus the distortions and potential dangers when commercial interests intrude too heavily into the international channels of scholarly communication.

In an indirect but important and fundamental way, copyright practices in scholarly publishing aggravate the marketplace monopoly distortions caused by the growth of the large for-profit scientific and technical journal publishing conglomerates. When authors of scholarly journal articles assign copyright in their intellectual property to commercial publishers, they also give away the ability to control the conditions under which their research results are disseminated. For this reason, the Task Force believes a first step towards controlling the spiraling costs of scientific and technical journals is to bring the products produced (the articles) back under the control of the producers (the research scholars and their universities).

The Task Force hopes the above brief statement of the problem is helpful. For a more complete understanding of the scientific and technical journal pricing problem and its various ramifications for research libraries and the entire scholarly communication system, see the articles and books listed in the bibliography at the end of this paper.

+ Page 8 +

3.0 Reforming the Current System

This model university policy is just one part of a whole series of changes needed in the current system of scholarly communication through journals. A major hurdle to be surmounted is the considerable investment all participants have in perpetuating the current system. Scholarly journals have been published according to essentially the same rules and in essentially the same format for well over 200 years. Returning ownership and control of research results to the individuals and institutions who generate them in the first place is a critical first step in moving towards a future where research results are

peer reviewed and then disseminated electronically to the worldwide scholarly community at reasonable costs. Research universities with their research libraries and presses as well as national and international associations of scholars in the various scientific and technical disciplines should be working together closely as partners. This will help to ensure that research results are disseminated at reasonable cost to those who need it. Researchers and all other participants in the scholarly communication system must come to a clearer understanding of and consensus about the fundamental goals of scholarly communication. These fundamental goals can be reduced to three:

1. To ensure that the worldwide community of researchers has rapid, convenient access at reasonable cost to the validated results of all relevant research.
2. To assure researchers and students seeking information about research results in any discipline that the results "published" have been carefully reviewed by peer experts to meet high research quality standards and then carefully edited for clear and accurate presentation.
3. To ensure that future generations of researchers will have undistorted, convenient access at reasonable cost to the results of important research conducted today and in the past.

+ Page 9 +

What, then, would be characteristics of the ideal scholarly communication system of the future? The Task Force suggests the following key ingredients:

- A. Initial publication of peer-reviewed and edited research results would be in journals supported by universities, scholarly associations, or other organizations sharing the mission to promote widespread, reasonable-cost access to research information.
- B. Electronic publication via the publicly supported portion of the worldwide Internet would be the preferred means for most disciplines.
- C. Research libraries would remain the primary access nodes and archival repositories for print and electronic collections of published research results.
- D. Some publishers would be licensed by individual researchers, university presses, and scholarly associations primarily to publish special compilations, indexes, or other value-added products for sale where potentially profitable markets exist for these secondary, value-added information resources.
- E. The technical systems and scholarly communication policies needed to support this new scholarly communication system would grow out of consensus deliberations and collaboration among associations of research libraries, research universities and their

publishing arms, and societies or associations of researchers in the various scientific and technical disciplines.

+ Page 10 +

4.0 Criticism of the Original TRLN Model Policy

The critical responses received after distribution of the original version of the model policy fit roughly into four broad themes:

1. Individual retention of copyright and the granting of blanket permission for noncommercial reproduction of articles for educational and research purposes, if applied indiscriminately to all publishers, would also threaten the revenues of university and association not-for-profit publishers, who should be seen as allies in the struggle to control escalating journal costs.
2. Retention of copyright by academic researchers will not by itself change the pricing practices of commercial publishers.
3. Retention of copyright would place undue burdens on individual researchers. They would struggle to find suitable low-cost publication outlets for their articles and would have to respond to many requests to use or reproduce their published articles.
4. Retention of copyright by authors could impede efforts by publishers to license complete collections of articles for electronic distribution via compact disks or over national and international networks.

The remainder of this paper describes how the model university policy and the recommendations above respond to these criticisms.

+ Page 11 +

4.1 The Policy Would Hurt Not-for-Profit Publishers

University, association, and other not-for-profit publishers are essential to effective scholarly communication and, in fact, need to be strengthened to become once again the primary locus of scientific and technical journal publishing. These scholarly publishers should be partners with research libraries in the struggle to control the escalating costs of scientific and technical journals. The model policy now makes clear the positive role that not-for-profit publishers, and others whose subscription prices are rationally related to the actual costs of journal production, have played and should continue to play in providing widespread distribution of research results at reasonable costs. Research published by university and most association presses remains essentially within the community of university research scholars and, thus, under university control. No change in current copyright transfer practices is needed with these scholarly presses because they share the fundamental values of university-based scholarly research and a common vision for the future of scholarly communication.

Some critics noted that research universities (unlike the

commercial publishing conglomerates) are capital-poor and, thus, in a poor position to compete for the scientific and technical scholarly journal market. [4] As the transformation to a worldwide electronic network for scientific communication accelerates, however, the billions of dollars currently tied up in university research library subscriptions, binding, and storage could be freed to provide the necessary capital. It is also important to note that university faculty and computer centers are largely responsible for the growth and development of the Internet as we know it today. Thus, universities are well-positioned to manage and make efficient use of this scholarly communication infrastructure of the future. But to do so they must seize the initiative. The Task Force hopes the model policy will help to convince university faculty and administrators of the need to take these matters seriously.

+ Page 12 +

4.2 The Policy Will Not Change Publishers' Pricing Practices

Adoption of the model policy by large numbers of universities should help to reestablish the central role of the university and not-for-profit association presses in scientific and technical scholarly journal publishing. Provided that the policy is accompanied by major efforts to strengthen university-based publishing, as recommended throughout this document, the policy can help to foster the growth of alternative outlets for publication of research results. As one respondent noted, many commercial and not-for-profit journal publishers already give authors the option of retaining copyright for their articles. These publishers, however, also usually specify in a license agreement the publisher's right to republish or to permit others (with or without the payment of fees) to republish or translate the work. The Task Force argues that retention of copyright is a necessary precondition for the scholarly research community collectively to strengthen existing mechanisms or to develop alternative low-cost mechanisms for the dissemination of research results.

Keep in mind the basic purpose of the scholarly journal communication system for the creators and ultimate consumers of the articles published: to validate the quality of research results, edit them, and make them available to the worldwide community of researchers for use in further research and teaching. Only by individually and collectively reestablishing control over the raw materials they produce will research scholars be able to work together with libraries and publishers to ensure a scholarly communication system that addresses the basic goal of widespread, low-cost dissemination of peer reviewed research results, rather than acceptable profit margins for commercial publishing conglomerates.

One possible result of general retention of copyright by authors could be a reduction of both commercial and not-for-profit publishers' revenues, without a concomitant reduction in their expenses. This decline in revenues could occur both through a reduction of the subsidiary income currently earned by some publishers from the granting of permission for reproduction of articles and through a reduction of the number of their journal subscribers. This would be especially true where access to journal articles becomes readily available through online electronic networks rather than the current system of print journal subscriptions.

Adoption of the model policy by large numbers of universities should help to reestablish the central role of university and not-for-profit association presses in scientific and technical scholarly journal publishing and also to strengthen their financial health. Universities and their faculty must be able to meet their responsibilities to society as well as to present and future generations of researchers in and out of academia worldwide. Without ready access to the published results of university research, research progress would simply not be possible. Only by retaining copyrights within the academic community of research scholars, can those who generate the research results maintain an effective system of scholarly communication that meets the information needs of research scholars and their students.

4.3 The Policy Will Put Too Many Burdens on Research Faculty

If individual faculty, unsupported by their institutions and professional associations, immediately attempt to follow the guidelines outlined in this policy, they would almost certainly find it more difficult to locate appropriate publication outlets for their research results. But when and if the policy becomes standard practice in most academic settings and suitable electronic or print alternatives to commercially published journals are available, then publication will hinge on the quality and originality of the research results submitted for "publication," rather than on the marketplace viability (i.e., profitability) of particular journals. The international computer and telecommunications networks, with their growing capacity and pervasiveness in research settings, hold great promise as the preferred mechanism for most scholarly communication. In the sciences and technology, electronic journals, with worldwide network access mechanisms, eventually will replace traditional print-on-paper journals, especially if these networks are managed to preserve low-cost access for scholarly communication purposes.

As for the criticism that the policy would force researchers to respond to large numbers of requests to use or reproduce their articles, this issue is specifically addressed with the model policy stipulation that authors, who are unable to locate a university, society, association or other suitable publication channel, insist that a notice be included as a footnote on the first page of the article giving blanket permission "for the noncommercial reproduction of the complete work for educational or research purposes." Thus, routine copying of articles for classroom use in courses and for interlibrary loan would be permitted without the need to request permission from the author. Faculty authors may also want to consider contractual agreements that give the publisher a nonexclusive right to sell licenses, at agreed-upon reasonable rates to commercial copy services such as Kinko's and Copytron which produce "course packs" of photocopied articles for sale to students for specific university courses.

The Task Force also recommends that universities explore ways of providing advice, support, and managerial services for handling copyright and permissions matters on behalf of their

faculty (or association members), perhaps in collaboration with a local university press. This is a vital element in any system that would make it possible to bypass some publishers on permissions matters. There is an excellent non-commercial reason for publishers, universities, or associations to manage faculty copyrights in scholarly journal articles: an institution is readily findable by a permissions requestor, because its address is listed in the journal and if it moves it leaves a clear trail. The author in a great many cases is not findable at all, or only at the cost of an enormous amount of work.

4.4 The Policy Would Impede Electronic Distribution

The Task Force disagrees with the notion that the distribution of research articles by means of CD-ROM or over national and international electronic networks would be impeded if the model university policy were widely adopted. The Task Force is far more concerned about the threat of commercial ownership and control of scholarly information in the networked electronic environment of the future. [5] As early as the mid-1980s Carlton Rochell pointed out that even browsing can be curtailed where electronically stored information is only available for a fee. Paying for access to a database of journal articles means:

The user is required to pay to look at it to judge its relevance. . . . a relatively new commercial principle not too far applied in other sections of the information industry, for example bookshops. . . . it is also not applied in other industries. Imagine paying for the right to look--just look--at Ford's . . . [new] models. [6]

+ Page 15 +

This model policy aims to keep the ownership and control of scholarly information in the hands of research scholars and, by extension, the universities and other not-for-profit agencies that support scientific and technical research for the public good. It would preserve the right of research scholars to ensure that their original publications can be widely distributed electronically at the lowest possible costs. This does not preclude the possibility that commercial publishers could be licensed to create publications or databases that add value to the articles as first distributed and then market these to libraries, other agencies, or individual researchers themselves. The situation is analogous to that of information generated by U.S. federal government agencies. The Government Printing Office (GPO) and the National Technical Information Service (NTIS) ensure that this information is made widely available to citizens through depository programs with research libraries and at-cost sales of copies directly to citizens. At the same time, commercial publishers such as the Congressional Information Service take profitable advantage of the right to repackage and add value to this information in print and electronic products which they sell to libraries and other businesses.

The policy proposed here suggests a fundamental change in the current practice whereby faculty routinely transfer copyright for their scientific and technical journal articles to publishers. Instead, widespread adoption of this model policy would encourage and support universities and their faculty to develop partnerships with publishers like the not-for-profit university and association presses which are also committed to

maintaining a scholarly communication system which provides for reasonable-cost access to the published results of all research. As pointed out in a recent discussion of scholarly publishing in *The Chronicle of Higher Education*, [7] only the copyright owner can decide whether scholarly publications are treated primarily as knowledge to be shared or as a commodity to be sold for a profit.

In trade and mass market publishing, such as novels, textbooks, and popular magazines, authors recognize the economic value of their intellectual property and transfer limited rights to publishers so they will earn royalties. In scholarly journal publishing, by contrast, authors freely assign their ownership rights to publishers. The irony here is that university libraries are being forced to pay spiraling subscription costs for information created and given away by faculty whose research was supported largely by public grants and these same university library resources.

The Copyright Policy Task Force of the Triangle Research Libraries Network believes that if many universities adopted the model policy, the ultimate result would be a more rational and productive worldwide scholarly communication system.

+ Page 16 +

Notes

1. This paper previously appeared in the Newsletter on Serials Pricing Issues in numbers 93 and 94 of the 1993 volume. This electronic newsletter is archived at LISTSERV@GIBBS.OIT.UNC.EDU.
2. Herbert S. White, "Scholarly Publishers and Libraries: A Strained Marriage," *Scholarly Publishing* 19 (April 1988): 127.
3. Herbert White, "Scholarly Publication, Academic Libraries, and the Assumption That These Processes Are Really Under Management Control," *College & Research Libraries* 54, no. 4 (1993): 293-301.
4. Scott Bennett, "Copyright and Innovation in Electronic Publishing: A Commentary," *The Journal of Academic Librarianship* 19 (May 1993): 87-91.
5. Christopher Anderson, "The Rocky Road to a Data Highway," *Science* 260 (21 May 1993): 1064-65.
6. Carlton Rochell, "The Knowledge Business: Economic Issues of Access to Bibliographic Information," *College & Research Libraries* 46, no. 1 (1985): 6.
7. Scott Bennett and Nina Matheson, "Scholarly Articles: Valuable Commodities for Universities," *The Chronicle of Higher Education*, 27 May 1992, B1-B3.

Bibliography

- Anderson, Christopher. "The Rocky Road to a Data Highway." *Science* 260 (21 May 1993): 1064-65.
- Barshall, Henry H. "The Cost-Effectiveness of Physics Journals." *Physics Today* 41 (July 1988): 56-59.

Bennett, Scott. "Copyright and Innovation in Electronic Publishing: A Commentary." *The Journal of Academic Librarianship* 19 (May 1993): 87-91.

Bennett, Scott, and Nina Matheson. "Scholarly Articles: Valuable Commodities for Universities." *The Chronicle of Higher Education*, 27 May 1992, B1-B3.

Byrd, Gary D. "An Economic 'Commons' Tragedy for Research Libraries: Scholarly Journal Publishing and Pricing Trends." *College & Research Libraries* 51, no. 3 (1990): 184-95.

+ Page 17 +

Carrigan, Dennis P. "Publish or Perish: The Troubled State of Scholarly Communication." *Scholarly Publishing* 22 (April 1991): 131-42.

Feinman, Stephen. "Regulation of the STI Industry: A Historical Basis and Some Possibilities." In *Information Services: Economics, Management and Technology*, eds. Robert M. Mason and John E. Creps, Jr., 39-62. Boulder, CO: Westview Press, 1981.

Fry, Bernard M., and Herbert S. White. *Impact of Economic Pressures on American Libraries and Their Decisions Concerning Scholarly and Research Journal Acquisition and Retention*. Washington, DC: National Science Foundation, June 1978. National Technical Information Service, PB 283874.

Hewitt, Joe A. "Altered States: Evolution or Revolution in Journal-Based Communications?" *American Libraries* 20 (June 1989): 497-500.

Lewis, David W. "Economics of the Scholarly Journal." *College & Research Libraries* 50, no. 6 (1989): 674-88.

Okerson, Ann, and Kendon Stubbs. "The Library Doomsday Machine." *Publishers Weekly*, 8 February 1991, 36-37.

Patterson, L. Ray, and Stanley W. Lindberg. *The Nature of Copyright: A Law of Users' Rights*. Athens, GA: University of Georgia Press, 1991.

Price, Derek J. de Solla. *Little Science, Big Science*. New York: Columbia University Press, 1963.

Rochell, Carlton. "The Knowledge Business: Economic Issues of Access to Bibliographic Information." *College & Research Libraries* 46, no. 1 (1985): 5-12.

Strong, William S. *The Copyright Book: A Practical Guide*, 4th ed. Cambridge: MIT Press, 1993.

Thatcher, Sanford. "Toward the Year 2001." *Scholarly Publishing* 24 (October 1992): 25-37.

White, Herbert S. "Scholarly Publishers and Libraries: A Strained Marriage." *Scholarly Publishing* 19 (April 1988): 125-29.

+ Page 18 +

White, Herbert S. "The Journal That Ate the Library." Library Journal, 113, no. 9 (15 May 1988): 62-63.

White, Herbert S. "Librarians, Journal Publishers and Scholarly Information: Whose Leaky Boat is Sinking?" Logos 1, no. 4 (1990): 18-23.

White, Herbert. "Scholarly Publication, Academic Libraries, and the Assumption That These Processes Are Really Under Management Control." College & Research Libraries 54, no. 4 (1993): 293-301.

Appendix A. Model University Policy Regarding Faculty Publication in Scientific and Technical Scholarly Journals

Preamble

The Constitutional purpose of copyright is "to promote the Progress of Science and useful Arts by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries" (Article I, section 8, clause 8). Thus, from the beginning U.S. copyright legislation has had the complementary purposes of protecting the intellectual property of authors and of promoting widespread access to useful information. The following policy addresses the need to maintain a balance between scholars' rights as authors and a fundamental mission of the modern university; that is, to promote the free exchange of ideas and research results. To this end, this university will work to strengthen already-existing university and scholarly society or association publishing enterprises whose journal subscription prices are rationally related to the actual costs of journal publication. This university will also work with scholarly associations and research libraries to provide support services that facilitate the widespread dissemination of faculty research results.

+ Page 19 +

The Policy

As a non-profit institution which relies heavily on government and foundation grants to support its research activities, this university asks its faculty to publish their scientific and technical research results in journals supported by universities, scholarly associations, or other organizations sharing the mission to promote widespread, reasonable-cost access to research information. Where this is not possible, faculty should use the model "Authorization to Publish" form below to ensure that control of copyright in the published results of their university research remains within the academic research community.

Where publishers' pricing practices would restrict widespread access to research results, individual retention of copyright to scientific and technical journal articles will help to ensure that faculty maintain their rights, individually or collectively, to disseminate this information, as appropriate, to colleagues, students and the public at large using existing and emerging print and electronic technologies. Current copyright law specifically gives the owner the right to reproduce, distribute, prepare derivative versions, and to perform or

display articles or other works.

The model "Authorization to Publish" form stipulates that the article will be published with a statement on the first page notifying readers that copyright remains with the author(s) and giving permission for the noncommercial reproduction of the article for educational or research purposes. Thus, only commercial reproduction beyond initial publication in the journal would require that the author(s) be contacted directly for permission. Faculty may also want to consider negotiating a contract which gives the publisher a nonexclusive right to sell licenses to reproduce the article at agreed-upon reasonable rates (for instance, to commercial copy services which reproduce articles for use in university "course packs").

+ Page 20 +

Model "Authorization to Publish" Form

A major mission of _____ (name of the university) is to provide for the creation and dissemination of new knowledge. To promote the widest possible dissemination of research results, the faculty employees of this University are encouraged to publish in journals supported by organizations having the mission to support widespread reasonable-cost access to research results. Where this is not possible, faculty are asked to retain individual copyright in the scientific and technical scholarly journal articles produced while conducting university research. Therefore,

[hereinafter called the Author(s)] grants to

[hereinafter called the Publisher] the right to publish the article provisionally entitled

[hereinafter called the Article] in the following print/electronic journal:

This authorization does not transfer to the Publisher copyright in the Article, nor the right to grant or deny permission for the reproduction of the Article in other forms, with the exception of limited reproduction by indexing and abstracting services. This Authorization takes effect only upon the acceptance by the Publisher of the Article for publication in the journal indicated above. If the Article is not accepted for publication, no authorization of the Publisher shall have been made.

The Author(s) retain(s) all title, interest, and rights in the Article, including but not limited to the rights to grant or deny permission for further reproduction of the published Article, to use material from the Article in subsequent works, to redistribute the Article by electronic means, to display the work publicly, to procure registration of copyright, and to secure copyright in any other country.

+ Page 21 +

Warranties

The Author(s) warrant(s) that he/she/they is/are the sole

author(s) and proprietor(s) of the Article, that the Article does not contain any libelous or unlawful material, that it does not infringe upon the rights of others, and that its contents are original to the Author(s) and have not been submitted for publication in another journal. If the Article contains significant excerpts from other copyrighted materials, the Author(s) warrant(s) that written permission from the copyright holder has been obtained and proper credit has been given in the Article.

The following notice shall appear, as a condition of publication of the Article, as a footnote on the first page of the Article as distributed by the Publisher:

"Copyright to this work is retained by the author(s). Permission is granted for the noncommercial reproduction of the complete work for educational or research purposes, and for the use of figures, tables and short quotes from this work in other books or journals, provided a full bibliographic citation is given to the original source of the material."

Date: _____

Signature(s) of Author(s): _____

Name(s) of Author(s): _____

Authorizing signature for the Publisher:

+ Page 22 +

Appendix. Advice to Authors

The following guidelines are intended to aid faculty in choosing an appropriate scholarly journal publisher and in negotiating copyright and licensing agreements which insure the widest possible dissemination of their scholarship and research results at reasonable costs.

1. Choosing a scholarly journal publisher and submitting an article for publication:

In evaluating any potential journal for the publication of an original article, faculty should consider the publisher's policy regarding the reproduction of articles for education or scholarly purposes by students, faculty, and libraries.

Publication with university publishers or other not-for-profit scholarly associations will ensure that the university community can promote widespread access to these research results at reasonable cost.

Publication via a national or international public online computer network is encouraged when this alternative is available.

Although not required to protect copyright, faculty should never submit an article for publication to a scholarly journal without including a "notice of copyright" on the title page (e.g., 1992 J.Q. Faculty).

2. The rights that authors retain by not assigning copyright in their scholarly journal articles to

profit-driven publishers include:

- o The right to reproduce the work, to authorize the reproduction of the work, or to exclude others from reproducing the work.
- o The right to distribute or authorize the distribution of the work by sale, rental, lease, or lending.
- o The right to prepare or authorize the preparation of derivative works (such as translations, new editions, abridgements, etc.) of the work.
- o The right to present or "perform" the work publicly in person or through the mass media.
- o The right to display the work publicly through new technological methods.

+ Page 23 +

3. The responsibilities authors and their supporting institutions assume by not assigning copyright in their scholarly journal articles to profit-driven publishers include:

- o The responsibility to seek not only the most prestigious journals for publication of articles, but also those which will assure their widespread availability to other scholars and students at a reasonable cost.
- o The responsibility to learn more about our current system of scholarly communication through journals and the role copyright plays in this system.
- o The responsibility to participate actively in campus, national, and international committees, discussion groups, and forums where changes in our current system of scholarly communication are being debated.
- o The responsibility to support nascent efforts among university presses and other campus agencies to create new outlets for scholarly research that promote widespread access to these resources among university scholars worldwide.
- o Where not already assigned by license to a publisher, the responsibility to respond promptly to requests to resell articles for commercial purposes (noncommercial reproduction would be automatically permitted by the notice printed or electronically displayed on the first page of the article).

+ Page 24 +

About the Authors

Members of the TRLN Copyright Policy Task Force:

Gary D. Byrd, Health Sciences Library, University of North Carolina at Chapel Hill.

Jerry D. Campbell, Perkins Library, Duke University.

Stephen A. Cohn, Duke University Press.

Jerry M. Davis, Marine, Earth, and Atmospheric Sciences, North Carolina State University.

Paul Garwig, Textiles Library, North Carolina State University.

Laura N. Gasaway, Law Library, University of North Carolina at Chapel Hill.

Joe A. Hewitt, Davis Library, University of North Carolina at Chapel Hill.

Connie K. McCarthy, Perkins Library, Duke University.

C. David Perry, University of North Carolina Press.

Ross Whetten, Forestry, North Carolina State University.

Please address comments or questions to:

Gary Byrd
Health Sciences Library
CB #7585, UNC-CH,
Chapel Hill, N.C. 27599
Phone: 919-966-2111
FAX: 919-966-1029
E-Mail: BYRDMED@MED.UNC.EDU

+ Page 25 +

The Public-Access Computer Systems Review is an electronic journal that is distributed on BITNET, Internet, and other computer networks. There is no subscription fee.

To subscribe, send an e-mail message to LISTSERV@UHUPVM1 (BITNET) or LISTSERV@UHUPVM1.UH.EDU (Internet) that says: SUBSCRIBE PACS-P First Name Last Name. PACS-P subscribers also receive three electronic newsletters: Current Cites, LITA Newsletter, and Public-Access Computer Systems News.

This article is Copyright (C) 1993 by Gary D. Byrd, Jerry D. Campbell, Stephen A. Cohn, Jerry M. Davis, Paul Garwig, Laura N. Gasaway, Joe A. Hewitt, Connie K. McCarthy, C. David Perry, and Ross Whetten. All Rights Reserved.

The Public-Access Computer Systems Review is Copyright (C) 1993 by the University Libraries, University of Houston. All Rights Reserved.

Copyright to this work is retained by the author(s). Permission is granted for the noncommercial reproduction of the complete work for educational or research purposes, and for the

use of figures, tables and short quotes from this work in other books or journals, provided a full bibliographic citation is given to the original source of the material.
