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# RLUK/SCONUL digest of scholarly communication news

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*The group also encourages the use of the digest to inform academic staff within universities in the UK and Republic of Ireland of developments in scholarly publishing.*

## **ICOLC STATEMENT ON THE GLOBAL ECONOMIC CRISIS**

The first topic in the last 'Digest' of 2008 was the effect of the global economic situation upon library purchasing, and that topic is also the first topic for 2009. Reports from UK libraries continue to suggest that the fall in the exchange rate for sterling will have a devastating effect upon library budgets, although hard evidence is difficult to come by. It would be helpful if libraries could share their estimates of the budgetary effect of the economic situation so that action can be taken at national level if the situation is as bad as informal conversations would suggest. In the meanwhile ICOLC, the International Coalition of Library Consortia, has issued a 'Statement on the global economic crisis and its impact on consortial licenses', available – with a list of the signatory consortia – at <http://www.library.yale.edu/consortia/>. The statement balances a strong message to publishers that most consortia will not be able to afford price increases on 'big deals' with an

appeal to publishers to work with consortia in finding business models that will meet the needs of both publishers and libraries. It is not surprising that there has been no formal response from publishers to the ICOLC statement. The test of its effectiveness will come in the negotiations for the 2010 'big deals' and in libraries' responses to the offers that they receive from publishers.

#### **PUBLISHERS' PRICING**

Little is known as yet about how publishers will react to the statements about the current financial crisis from library groups such as ICOLC. One 'non-profit' publisher, *Annual Reviews* ([www.annualreviews.org](http://www.annualreviews.org)) will freeze institutional and site licence pricing for 2010, claiming that their subscription rates are set at a level only 'sufficient to recover costs and make appropriate investments in technology'. On the other hand major commercial publishers are still producing statements to reassure their investors that the profits from journal publishing will continue to grow. One of those predicting further growth is Sir Crispin Davis, the retiring CEO of Reed Elsevier in an article in 'Times Online' at [http://business.timesonline.co.uk/tol/business/industry\\_sectors/media/article5768684.ece](http://business.timesonline.co.uk/tol/business/industry_sectors/media/article5768684.ece). The basis Sir Crispin Davis gives for this view is that the legal and research sectors are 'better equipped to withstand the downturn than many others'. The views of the librarians in those sectors are not reported.

#### **SCHOLARLY PUBLISHING COSTS AND BENEFITS**

The JISC (Joint Information Systems Committee) has published a major new report entitled 'The economic implications of alternative scholarly publishing models: exploring the costs and benefits', available at <http://www.jisc.ac.uk/publications/publications/economicpublishing-modelsfinalreport.aspx>. The report is authored by teams from Victoria University in Melbourne (led by Professor John Houghton) and from Loughborough University (led by Professor Charles Oppenheim). Previous cost studies have been of traditional publishing costs, but this new report examines the costs of three alternative publishing models: subscription publishing, open access publishing and 'self-archiving' in a repository. In this report, for the first time the costs are related to the economic benefits from the three different publishing models, and the evidence results in a powerful argument for open access to publicly funded research outputs. In their report, Houghton et al. looked beyond the actual costs and savings of different models and examined

the additional cost-benefits that might arise from enhanced access to research findings. The report shows that in 2007 the estimated cost to the UK taxpayer for the three models would have been £230 million to publish using the subscription model, £150 million to publish under the open access model and £110 million to publish with the self-archiving with peer review services, plus some £20 million in operating costs if using any of the different models. When considering costs per journal article, Houghton et al. believe that the UK higher education sector could have saved around £80 million a year by shifting from toll access to open access publishing. They also claim that £115 million could be saved by moving from toll access to open access self-archiving.

#### **EPSRC OPEN ACCESS POLICY**

The Engineering and Physical Sciences Research Council has now joined the other UK research councils in adopting a mandatory open access policy for its grant-holders. The EPSRC was awaiting the report from an independent study commissioned by Research Councils UK and which was completed in late 2008. The confidential findings from the study are now being taken forward by the Cross-Council Research Outputs Group and will be used to inform future policy on open access. The EPSRC council agreed at its December meeting to mandate open access publication, but that academics should be able to choose whether they use the green option (i.e. self-archiving in an online repository) or the gold option (i.e. pay-to-publish in an open access journal). Further details will be published in spring 2009. The policy statement is available at <http://www.epsrc.ac.uk/AboutEPSRC/AccessInfo/ROAccess.htm>.

#### **NEW POLICIES AND APPOINTMENTS FROM PRESIDENT OBAMA**

The early signs are that the Obama administration is taking a more open attitude towards public information. The terms under which content is available on the new WhiteHouse.gov website are governed by a creative commons attribution licence. The website also allows more 'spidering' and archiving than the previous administration's site. Likewise the Obama memo on the Freedom of Information Act states that 'agencies should take affirmative steps to make information public', i.e. not only responding to particular requests for information. On appointments, Obama's nominee for Secretary of Energy, Steven Chu, is a physicist who is accustomed to depositing his own papers in Arxiv. On the other hand, Obama has selected

a lawyer used by the Recording Industry Association of America to be the third in command at the Justice Department. And Obama's choice as deputy attorney general, the second most senior position, is the lawyer who oversaw the defence of the Copyright Term Extension Act. So some mixed messages, but the overall attitude from the new administration seems to be in favour of openness.

#### **OBAMA SECRECY ABOUT COPYRIGHT TREATY**

However, it appears that the new open policies announced by the Obama administration do not extend to being open about the administration's copyright proposals. Last year the Bush administration defended the unusual secrecy over an anti-counterfeiting treaty being negotiated by the US government which could criminalise some peer-to-peer file-sharing that infringes copyrights. Now President Obama's White House has tightened the cloak of government secrecy still further, saying that a discussion draft of the Anti-Counterfeiting Trade Agreement and related materials are 'classified in the interest of national security pursuant to Executive Order 12958'. The 1995 Executive Order 12958 allows material to be classified only if disclosure would do 'damage to the national security and the original classification authority is able to identify or describe the damage'. In one of his first acts as President, Obama signed a memo saying that the Freedom of Information Act 'should be administered with a clear presumption: In the face of doubt, openness prevails'. It appears that legislation on copyright issues is treated as a security issue rather than being treated as 'open'.

#### **NIH MANDATE MADE PERMANENT**

President Obama has signed into law the 2009 Consolidated Appropriations Act, which includes a provision making the National Institutes of Health (NIH) public access policy permanent. The NIH *Revised policy on enhancing public access* requires eligible NIH-funded researchers to deposit electronic copies of their peer-reviewed manuscripts into the National Library of Medicine's online archive, PubMed Central (PMC). Full texts of the articles are made publicly available and searchable online in PMC no later than 12 months after publication in a journal. The NIH policy was previously implemented with a provision that was subject to annual renewal. Since the implementation of the revised policy the percentage of eligible manuscripts deposited into PMC has increased significantly, with over 3,000 new manuscripts being deposited each month. The

new provision reads in full: 'The Director of the National Institutes of Health shall require *in the current fiscal year and thereafter* that all investigators funded by the NIH submit or have submitted for them to the National Library of Medicine's PubMed Central an electronic version of their final, peer-reviewed manuscripts upon acceptance for publication to be made publicly available no later than 12 months after the official date of publication: *Provided*, That the NIH shall implement the public access policy in a manner consistent with copyright law.'

#### **UNIVERSITY OF CALIFORNIA AND SPRINGER PILOT AGREEMENT FOR OA PUBLISHING**

The University of California libraries and Springer Science+Business Media have concluded an experimental agreement to support open access publishing by UC authors. The arrangement is part of the journals licence negotiated by the California Digital Library on behalf of the ten campuses of the University of California.

Under the terms of the agreement, articles by UC-affiliated authors accepted for publication in a Springer journal beginning in 2009 will be published using Springer Open Choice, with full and immediate open access. There will be no separate per-article charges, since costs have been factored into the overall licence. Articles will be released under a licence compatible with the creative commons licence. In addition to access via the Springer platform, final published articles will also be deposited in the California digital library's eScholarship repository. The University of California-Springer agreement is the first large-scale open access experiment of its type undertaken with a major commercial publisher in North America. The question has been raised about whether such a model could be adopted in the UK, and any comments on this question should be addressed to Hazel Woodward, chair of the JISC journals working group at [hazel.woodward@cranfield.ac.uk](mailto:hazel.woodward@cranfield.ac.uk).

#### **EXPANDED GREEN AND GOLD ROUTES TO OPEN ACCESS AT NATURE PUBLISHING GROUP**

Nature Publishing Group (NPG) is expanding open access choices for authors in 2009, through both 'green' self-archiving and 'gold' (author-pays) open access publication routes. Eleven more journals published by NPG are offering an open access option from January 2009. For a publication fee of £2,000 / \$3000 / €400, articles will be open access on the journal website and identified

in the online and print editions of the journal with an open access icon. The final full-text version of the article will be deposited immediately on publication in PubMed Central (PMC), and authors will be entitled to self-archive the published version immediately on publication. Open access articles will be published under a creative commons licence. Authors may choose between the Attribution-Noncommercial-No Derivative Works 3.0 Unported and the Attribution-Noncommercial-Share Alike 3.0 Unported Licence. The Attribution-Noncommercial-Share Alike Licence permits derivative works, ensuring that authors can comply with funders such as the Wellcome Trust. Other articles will continue to be published under NPG's exclusive licence to publish, and its usual self-archiving policy will apply. Editors will be blind as to whether or not authors have selected the open access option, avoiding any possibility of a conflict of interest during peer review and acceptance. Print subscription prices for these journals will not be affected. Site licence prices will be adjusted in line with the amount of subscription-content published annually. Continuing its support for the 'green route' to open access on high-impact journals, NPG has extended its manuscript deposition service to include 32 more titles. Forty-three journals published by NPG now offer the free service to help authors fulfil funder and institutional mandates for public access. NPG's manuscript deposition service will deposit authors' accepted manuscripts with PMC and UK PubMed Central (UKPMC). NPG's licence to publish encourages authors of original research articles to self-archive the accepted version of their manuscript in PMC or other appropriate funding bodies' archives, in their institution's repositories and, if they wish, on their personal websites. In all cases, the author's version of the accepted manuscript can be made publicly accessible six months after publication. NPG does not require authors of original research articles to transfer copyright. NPG's policies are explained in detail on this webpage: [www.nature.com/authors/editorial\\_policies/license.html](http://www.nature.com/authors/editorial_policies/license.html).

#### **WILEY PROFITS CONTINUE TO GROW**

According to a press release available at <http://www.marketwatch.com/news/story/John-Wiley-Sons-Inc-Announces/story.aspx?guid=%7BC20ACC91-93EC-4902-A2A1-526C1C21947F%7D>, Wiley's profit levels continued to grow in 2008 (referring to 'fiscal year 2009' but dated 9 December 2008) despite the money spent on acquiring Blackwell. Wiley's scientific, technical, medical and scholarly sec-

tion's 'direct contribution to profit for the second quarter advanced 11% over the same period of the prior year to \$105 million, or 14% excluding the unfavorable effect of foreign exchange'. (Interesting that a US publisher is also feeling the effect of exchange-rate fluctuations.) The press release reveals that STMS and higher education business 'generated solid top-line growth', whereas Wiley's professional/trade revenue was down. The Blackwell factor is mentioned as a '\$6 million acquisition accounting adjustment' and the combination of the Wiley and Blackwell STMS businesses are seen as having a 'positive effect' upon revenue growth.

#### **WIKIPEDIA TO INTRODUCE SOME QUALITY CONTROL?**

Doubts have often been expressed about the absence of quality control within Wikipedia, although most users appear to find the quality of articles acceptable for their purposes. However, change may be on the way in how Wikipedia operates. An article by Noam Cohen in the *New York Times* of 23 January 2009 reported that Wikipedia appears ready to introduce a system that prevents new and anonymous users from instantly publishing changes to the online encyclopedia. Stung by criticism after entries appeared reporting (erroneously) that Senators Edward Kennedy and Robert Byrd had died, Wikipedia appears ready to introduce a system that prevents new and anonymous users from instantly publishing changes to the online encyclopedia. The new system is called 'flagged revisions', whereby only registered, reliable users would have the right to have their material immediately appear to the general public visiting Wikipedia. Other contributors would be able to edit articles, but their changes would be held back until one of these reliable users has signed off, or 'flagged', the revisions. The system has been trialled by the German version of Wikipedia since last May.

#### **CHANGES IN ACCESS TO LEGAL EDUCATION MATERIALS?**

This 'Digest' attempts to look ahead to changes in scholarly communication, sometimes successfully, sometimes pointing to developments which lead nowhere. A recent posting to the Liblicense list pointed to possible changes taking place in access to legal education materials, the legal community not having been at the forefront of open access developments before now. The Liblicense posting concerned the launch of the Legal Education Commons (LEC), at <http://w.cali.org/lec>, a source of open access, full-text teaching materials for law school courses from the Center for

Computer-Assisted Legal Instruction (CALI) and Harvard's Berkman Center for Internet & Society. (See the CALI announcement at <http://www2.cali.org/index.php?fuseaction=pages.news&PHPSESSID=608277c566ab4ad5abd34c6a08dff119#212> and the Berkman announcement at <http://cyber.law.harvard.edu/node/5014>.) The LEC reportedly contains more than 700,000 full-text cases and other court documents, plus approximately 300 illustrations from CALI tutorials. The copyrighted materials in the commons are governed by a creative commons attribution share-alike licence. Does this new service indicate an interest from the academic legal community in using an open access publishing model for legal education materials?

#### **MORE NEW OPEN ACCESS MANDATES**

During February and March 2009 a number of major universities have either introduced open access mandates or extended existing mandates. Harvard University is implementing mandates faculty by faculty. Faculty members in the Harvard Medical School and the Harvard School of Government have joined their colleagues in the Faculty of Arts and Sciences and the Law School in voting to deposit all their publications in the university repository. MIT faculty have also voted unanimously in a similar fashion, that 'Each Faculty member grants to the Massachusetts Institute of Technology nonexclusive permission to make available his or her scholarly articles and to exercise the copyright in those articles for the purpose of open dissemination.' Likewise the university council of Boston University 'voted to support an open access system that would make scholarly work of the faculty and staff available online to anyone, for free, as long as the authors are credited and the scholarship is not used for profit'. And in the UK the University of Edinburgh has adopted an OA mandate. The open access publications policy was approved by the university's Electronic Senate on 18 February 2009: 'This ... Publications Policy ... requires researchers to deposit their research outputs in the Publications Repository, and where appropriate in the Open Access Edinburgh Research Archive in order to maximise the visibility of the University's research ... This policy will be implemented [i.e. become mandatory] from January 2010, and in the meantime, researchers are encouraged to deposit outputs.' The Edinburgh approach is significant in integrating the administrative requirements of a publications database with the broader requirements of an open access institutional repository. Equally significant in a European context is the inclusion of open access in the draft National Law

of Science in Spain. This draft provides for the deposit of publications by Spanish researchers in either institutional or disciplinary repositories no later than six months after publication, and the draft also states that the deposited version can be used for research evaluation. The draft law is available online at <https://lcyt.fecyt.es/>.

#### **IREL-OPEN BEGINS TO SHOW RESULTS**

IREL-Open is well on the way to achieving its objective of creating a federated open access repository service for Ireland. The project has been receiving Irish government funding for the past two years and is already showing results. All university institutional repositories are up and running and a national harvester will be in place by December this year to give enhanced cross-searching functionality. Usage figures for the content available are already impressive, particularly for previously unused thesis content. Further information about IREL-Open is available at <http://www.irel-open.ie/>.

#### **NEW REPORT ON PAYING FOR OA PUBLICATION CHARGES**

The report of a working group on 'Paying for open access publication charges' is now available on the RIN (Research Information Network) website at [http://www.rin.ac.uk/files/Paying\\_open\\_access\\_charges\\_March\\_2009.pdf](http://www.rin.ac.uk/files/Paying_open_access_charges_March_2009.pdf). The working group – which contained representatives from toll access and OA (Open Access) publishers as well as from academic institutions – was set up by Universities UK and the Research Information Network to produce guidance for higher education institutions, publishers and authors on how the payment for 'gold' open access can be managed in the interests of all stakeholders. As well as containing practical recommendations, the report sets the 'gold' open access option in the context of the benefits from greater access to academic journals, and also outlines the 'green' route to open access. The report also contains the text of the report on the JISC surveys of authors and institutions conducted in 2008, surveys which illustrate both the interest of authors in using the 'gold' route to open access and the current confused state of arrangements for publication charges. More details on RIN activities can be found elsewhere in this issue of *Focus*.

#### **CANADIAN CAMPAIGN ON ACADEMIC AUTHORS' RIGHTS**

'Research is more valuable when it's shared', according to a new educational initiative launched in partnership by the Canadian Associa-

tion of Research Libraries (CARL) and SPARC (the Scholarly Publishing & Academic Resources Coalition). Called 'Greater reach for your research', the campaign encourages Canadian authors to use their campus digital repository to increase the use and impact of their research outputs. 'Greater reach for your research' emphasises the practical benefits of repositories, such as more exposure for researchers' articles, universal access to research literature and long-term preservation. The 'Greater reach for your research' initiative features an eye-catching new brochure and matching web portal, a slidecast on the importance of retaining copyright, the SPARC Canadian Author Addendum and updated brochure and other resources. Go to <http://www.carl-abrc.ca/projects/author/author-e.html> or <http://www.arl.org/sparc/greaterreach>.

#### **EUROPEAN COPYRIGHT DEVELOPMENTS**

The dominance of rights-holders' interests in the consideration of copyright legislation has been illustrated in the past few months by the consideration of possible new legislation by the legal affairs committee of the European Parliament. On 20 January 2009 the EP legal affairs committee voted on an 'own initiative report by Manuel Medina Ortega', the MEP who is the EP's rapporteur on possible revisions to EU copyright legislation. Manuel Medina Ortega's report defended the viewpoint of commercial rights-holders that no change is necessary to strengthen copyright exceptions and that licensing of content will provide for users' needs, and took no account of the representations made by library and other user groups. In voting on the report by 22 votes to nil, MEPs on the legal affairs committee considered advice from the Committee on Internal Market and Consumer Protection, but there was little about consumer protection in that advice and instead a recommendation for 'a high level of protection' for publishers. The only redeeming feature in this sorry tale is that support for the Manuel Medina Ortega report was not reciprocated by Medina's own Socialist Group in the EP, not out of any concern for users of academic content but because of the effect of the report upon other issues, and the report has effectively been abandoned. Changes to the EU copyright legislation will now be considered in the new European Parliament to be elected in June, and RLUK and SCONUL institutions are urged to contact local MEPs on the issue of copyright in academic content. If the EP's current view prevails, further barriers could be created in the use of academic content across Europe. The Medina report and

other EP documents are available at <http://www.europarl.europa.eu/oeil/FindByProcnum.do?lang=en&procnum=INI/2008/2121>.

#### **UK GOVERNMENT BACKS OPEN SOURCE SOFTWARE**

The UK government has said it will accelerate the use of open source software in public services, placing open source software on a 'level playing field' with proprietary software such as Windows. Open source software will be adopted 'when it delivers best value for money', the government has pledged, and public services are advised to avoid being locked into proprietary software where possible. According to some in the open source industry (admittedly a biased viewpoint), the shift from proprietary standards could save the UK government £600m a year.

#### **SCOPUS TO PROVIDE INFORMATION TO AUSTRALIAN RESEARCH COUNCIL**

The Australian Research Council has announced that the Elsevier service Scopus has been chosen to provide citation information for the 'Excellence in research for Australia' (ERA) initiative Cluster One evaluation. (The ARC announcement is at [http://www.arc.gov.au/media/releases/media\\_20Feb09.htm](http://www.arc.gov.au/media/releases/media_20Feb09.htm).) The ERA will evaluate research in Australian higher education institutions using a combination of indicators and expert review. Citation analysis is one of these indicators. The ARC has arranged for the Scopus team to work directly with institutions, to match their publication records with unique article identifiers in the Scopus database.

#### **SPARKY AWARDS**

Our US colleagues seem to find innovative ways of spreading the message about the importance of sharing information. SPARC organises annual SPARKY awards for students to illustrate, in a short video, the value of sharing ideas. The videos awarded prizes in the second annual SPARKY competition are at <http://www.sparkyawards.org/>. Your editor found the second runner-up simple but effective in a global context: it was 'Brighter', by Christopher Wetzels, a student at Ohio Northern University (<http://www.vimeo.com>).

#### **AND FINALLY ...**

Staff at Cornell University have found an attractive way to make their academic community aware of the cost of research journals by com-

paring the cost of journals with other things a researcher might buy, such as a car. At <http://astech.library.cornell.edu/ast/engr/about/StickerShock2.cfm> there is 'An exhibit highlighting the rising cost of library journal subscriptions to support faculty and student research. The cost of journal subscriptions continues to rise and the prices will shock you. The Cornell Libraries subscribe to over 88,000 serials, a majority of which are journals in paper or electronic form. Five years ago the most expensive engineering-related journals cost \$4,000 to \$12,000. Now prices reach \$18,000. To get a better sense of what this much money is worth, please enter the exhibit.'