Open Access workshop:
3. Copyright and Open Access

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- What is copyright?
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Open Access can be achieved by two routes

**Open Access repositories** *(green route)*
- Belong to an institution or disciplines such as Physics
- Supplement publishing, it is not a substitution
- Do not perform peer review
- Internet users can easily find content, if repositories comply with metadata harvesting protocol of the Open Archives Initiative
- Scholarly content available

**Open Access journals** *(gold route)*
- Alternative business model
  - Some journals receive subsidy from hosting university/society
  - Some require processing fees from authors
- Research articles are peer reviewed and contents are made freely available
- Major Open Access publishers (BioMed Central, Hindawi, AOSIS)
What is copyright?

- Copyright gives legal protection to the creators of “works of the mind”

- Copyright law covers
  - Literary works (articles, books, letters)
  - Musical works
  - Dramatic works (operas, plays)
  - Graphic arts (photographs, sculptures, paintings)
  - Motion pictures and audiovisual works (movies, videos, television programs)
  - Architectural works
  - Computer software
Open Access & copyright

Open Access repositories
(green route)

- Depends on the kind of material in repositories
- Journal articles – some policies known
- Theses & dissertations – institutionally based
- Books – no known policies
- Other material – author (?) needs to negotiate

Open Access journals
(gold route)

- Creative Commons licenses are commonly used
Copyright & the green route to Open Access

- Copyright is complex, confusing & major hurdle
- Major concern for researchers
- Best way to check copyright is to refer to the original Copyright Transfer Agreement
- Authors do not keep them
- For the archiving of journal articles, SHERPA/RoMEO website
- 64% of 1022 publishers allow self-archiving & 36% not!
  - 8% allows archiving of the pre-print
  - 30% allows archiving of the post-print
  - 26% allows archiving of the pre-print and post-print
Authors retain limited rights to re-use final version
- Copies for colleague
- Re-use less than a half in another publication
- Teaching duties
- Oral presentations
Publisher copyright policies & self-archiving

Librarians check journals’ archiving policies

http://www.sherpa.ac.uk/romeo/
Problem? Many South African journals do not have policies.
Interpreting copyright conditions -

One journal found when searched for: **southern african journal of critical care**

<table>
<thead>
<tr>
<th>Journal:</th>
<th>Southern African Journal of Critical Care (ISSN: 1562-8264)</th>
</tr>
</thead>
<tbody>
<tr>
<td>RoMEO:</td>
<td>This is a RoMEO green journal</td>
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<table>
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<tr>
<th>Author’s Pre-print:</th>
<th>✓ author can archive pre-print (ie pre-refereeing)</th>
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</thead>
<tbody>
<tr>
<td>Author’s Post-print:</td>
<td>✓ author can archive post-print (ie final draft post-refereeing)</td>
</tr>
<tr>
<td>Publisher’s Version/PDF:</td>
<td>✓ author can archive publisher’s version/PDF</td>
</tr>
</tbody>
</table>

General Conditions:

- Publisher source must be acknowledged
- Publisher’s version/PDF may be used

Mandated OA: *(Awaiting information)*

Copyright: Not available online

Updated: 23-Mar-2009 - Suggest an update for this record

Link to this page: [http://www.sherpa.ac.uk/romeo/issn/1562-8264/](http://www.sherpa.ac.uk/romeo/issn/1562-8264/)
International journal websites indicate copyright policy

http://www.elsevier.com/wps/find/authors.authors/postingpolicy

http://journalauthors.tandf.co.uk/preparation/copyright.asp
Copyright & Theses and dissertations

- Institutional policy determines copyright

Copyright and Intellectual Property

All rights with regard to intellectual property that is produced by a student during his/her studies, vest in the University (General Regulation G57(6)) - including the copyright of UP theses and dissertations.

The University may consider a request from a student for the rights to be ceded if good reasons are supplied which will be to the advantage of both the University and the author.
Copyright & other material

Books
- Archiving policies for publishers do not exist
- Publishers traditionally do not allow re-use of published chapters

Other grey material
- Authors should negotiate copyright with copyright holder
Traditional rights management cycle

1. Research
2. Submits article - still holds copyright
3. Peer-reviewers accept article
4. CTA – all rights assigned to publisher
5. Article published
6. Publisher makes copies & libraries subscribe for a fee
A possible solution - Creative Commons license

- Non-profit organization created in 2001
- Authors can authorize specific uses of their works, retain control over other uses
- Choose online what you are willing to allow
  - Attribution (credit must be given to the author)
  - Non-commercial (may only use for non-commercial uses)
  - Non-derivative (no derivative works based on this may be made)
  - Share alike (others that make derivative works may only share it under the same terms as your work)
Creative commons rights management cycle

Research

Submits article - still holds copyright

Peer-reviewers accept article

Creative Commons license – author holds copyright

Article published & author pays

Publisher makes copies & distribute FREELY
Copyright vs Creative Commons

http://www.aliprandi.org/cc-user-guide/
Nigerian health workers' views concerning factors influencing paediatric adherence to anti-retroviral therapy

Two studies have focused on paediatric antiretroviral therapy (ART) adherence in Nigeria, but mostly because of the ethical challenges involved in enrolling children.

The study aimed to identify factors that influence paediatric ART adherence as perceived by health care workers providing ART services in their clinics in Nigeria. Qualitative interviews of 30 health care workers were conducted in two states that provide free paediatric ART services in Nigeria to facilitate the role of the health care workers and the monitoring of the ART programme's adherence.

The exploratory descriptive qualitative research design was used to identify and to describe health care workers' views on ART adherence in Nigeria. Three factors were identified and considered for the study: factors promoting and facilitating ART adherence in children and factors that influence adherence to ART. The factors that influence adherence to ART were: patient education, appointments, and support for children and their families.

Stakeholder ART adherence levels in Nigeria could be enhanced by employing a combination of strategies that include: improving the quality of ART services and by increasing awareness and reducing stigma and discrimination.

Multiple factors influencing adherence to ART in Nigerian children were associated with adherence to ART and were influenced by their healthcare providers. These factors include: education, appointments, and support for children and their families. The study has shown that improving the quality of ART services and by increasing awareness and reducing stigma and discrimination are key factors in improving adherence to ART in Nigerian children.

Introduction

Children on antiretroviral therapy (ART) are not always retained on the ART programme (European Centers for Disease Control and Prevention, 2009) and parents of children might feel at risk by taking their children to ART clinics (Davidson et al., 2009). These parents might be urged to attend special antiretroviral care and support services to ART care providers.
Creative Commons license South Africa

http://www.creativecommonsza.org/
Copyright problems experienced in digital environment

- Most institutions follow mediated submission
- Library staff clear copyright & store responses internally
- Problems (Hanlon & Ramirez 2011)
  - Obtaining copyright policies
    - Slow response / no response
    - Overly aggressive licensing terms
    - Unclear / absent terms of licensing
    - Poor rights record-keeping
  - Interpreting these policies
  - Educating authors about their rights
  - Time
  - Resources
What can be done about copyright problems?

- Matter of finding the right balance – Trevor Clarke, IFLA session on copyright (Kniffel 2011)

- Educate, educate, educate
  - Librarians (interpreting conditions, sharing policies)
  - Researchers (Creative Commons license, signing CTA and its implications)
  - Publishers (formulate policies)

- The growth of Open Access and repositories depend on correct copyright procedures

- Let’s develop common copyright clearance practices

- Collaboration with SHERPA/RoMEO
Conclusion

- Copyright is still one of the major barriers to repository growth & success
- Copyright in the digital environment needs to be revamped!
- Collaboration is the answer
References

Thank you!

Questions?

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