Copyright Management for Authors

- Copyright Transfer Agreements
- Preserving your rights as an author
Your work – your rights

You are the creator / owner of your manuscript
The publisher needs your permission to publish your work

Three options:

- **You assign the copyright **exclusively** to the publisher**
- **You assign the copyright **exclusively** to the publisher, but retain some specified rights**
- **You retain all rights and transfer the **non-exclusive** licence to publish your work to the publisher**
## Exercise – Copyright Transfer Agreements (CTAs)

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I hereby assign to the Copyright Owner [i.e. the publisher!] the copyright in the manuscript identified above (…) and any tables, illustrations or other material submitted for publication as part of the manuscript (the “Article”). This assignment of rights means that I have **granted to the Copyright Owner the exclusive right to** publish and reproduce the Article, or any part of the Article, in print, electronic and all other media (whether now known or later developed), in any form, in all languages, throughout the world, for the full term of copyright, and the right to license others to do the same, effective when the Article is accepted for publication.
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Accepted Manuscript:

(i) immediately on acceptance: sharing of the Accepted Manuscript by an author:
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- via the author’s research institute or institutional repository for Internal Institutional Use or as part of an invitation-only research collaboration work-group
- directly by providing copies to the author’s students or to research collaborators for their personal use
- for private scholarly sharing as part of an invitation-only work group on commercial sites with which the publisher has a hosting agreement

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The publisher has agreements with certain funding agencies (…)

2a

2b

2c
**Published Journal Article:** the author **may share a link** to the formal publication through the relevant DOI. Additionally **theses and dissertations which contain embedded Published Journal Articles** as part of the formal submission **may be hosted publicly by the awarding institution** with a link to the formal publication through the relevant DOI. Any other sharing of Published Journal Articles is by agreement with the publisher only.
Considerations about CTAs

Original work
Version of your work:
pre-print – post-print – publisher’s version

Portion of the work concerned:
part of – percentage – complete work

Conditions
Who does the reuse:
you as the author –
your institution – somebody else

Funder’s requirements:
Open access
mandatory – eligible

Embargo time:
6 – 24 months

Re-used work
Adaption:
as is – derivative

Purpose:
teaching – compilation (dissertation,...) – repository

Exploitation:
commercial – non-commercial
How to deal with CTAs

Prepare
- understand the agreement (and the publisher’s needs)
- anticipate your future needs (deal-breaker or nice to have?)

Discuss / negotiate
- explain your needs
- remember to barter (ask for more)

Are there other options?
- aims, you can concede
- other journal / publisher?
- licence back necessary rights
- pay for hybrid Open Access (not recommended!)

Execute the agreement
- signed writing is necessary
Read it, **change it** and then sign it

- Modify critical topics in the copyright transfer agreement such as „exclusive” transfer of "all" rights. It doesn’t have to be all or nothing.
- Alternatively, add an addendum that retains these rights
Exercise

Go to Scholar's Copyright Addendum Engine
http://scholars.sciencecommons.org/
and create an addendum for a hypothetical publication.

Discuss in groups, what are the differences between the options given.
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What if the publisher rejects the author addendum?

- **Explain** to the publisher why it is important for you to retain these rights in your own work.

- **Ask** the publisher to articulate why the license rights provided under the SPARC Author Addendum are insufficient to allow publication.

- **Evaluate** the adequacy of the publisher’s response in light of the reasonable and growing need for authors to retain certain key rights to their works.

- **Consider** publishing with an organization that will facilitate the widest dissemination of their authors’ works, to help them fulfill their personal and professional goals as scholars.

Thank you for your attention!

… and all the best for your work and for your negotiations with publishers!

Dr. Lothar Nunnenmacher
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Überlandstrasse 133 • 8600 Dübendorf
T +41 58 765 52 21
lothar.nunnenmacher [at] lib4ri.ch
www.lib4ri.ch
Sources and further reading

- Association of Research Libraries: Author Rights. online: [http://www.arl.org/focus-areas/copyright-ip/author-rights](http://www.arl.org/focus-areas/copyright-ip/author-rights)


- Science Commons: Scholar's Copyright Addendum Engine online: [http://scholars.sciencecommons.org/](http://scholars.sciencecommons.org/)

- SPARK, 2006: Author Rights & the SPARC Author Addendum. online: [https://sparcopen.org/our-work/author-rights/](https://sparcopen.org/our-work/author-rights/)