

# Rights retention, open licensing and copyright

Munin Conference on Scholarly Communications  
November 2022

Watch the video at

<https://doi.org/10.7557/5.6623>



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# Overview of the project



Knowledge  
Rights  
21

Knowledge Rights 21 (KR21) is focused on bringing about changes in legislation and practice across Europe that will strengthen the right of all to knowledge.

**PROJECT  
RETAIN**

A one-year project which aims to promote change in European copyright law, in this case, to support Open Access. Research on rights retention and open licensing in Europe will underpin a campaign to develop copyright policy to support authors. Part of KR21



**SPARC\***  
Europe

One of Europe's key and long-standing voices advocating for unfettered access to research and education — for the academic and education community; for the whole of society. Committed to delivering on the promise of open access, open science, open scholarship and open education. Leading Project Retain.

# Institutional survey details

Asking all European academic institutions to complete their survey on copyright for Open Access at research institutions across Europe. The aim is to understand whether research institutions have put in place policies and support in a number of areas.

In particular, the survey includes questions about the following topics:

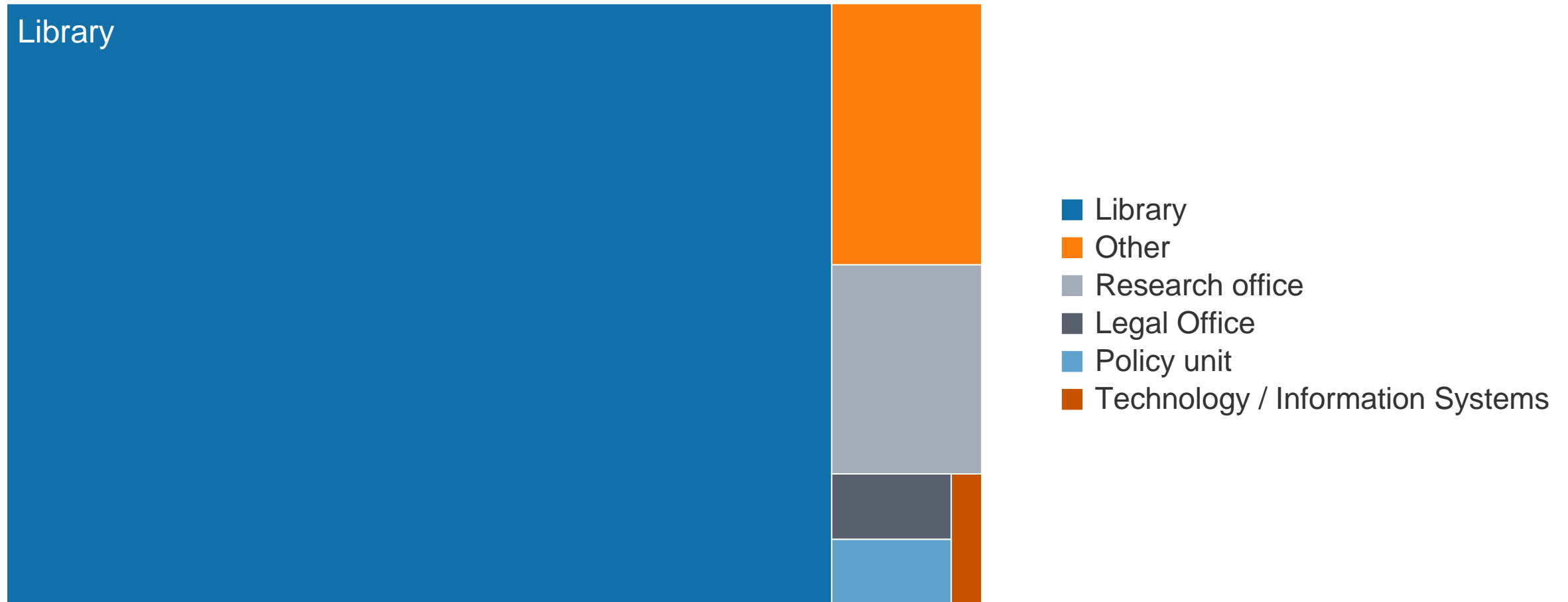
- **Copyright of scientific publications** – how intellectual property that protects original works of authorship applies to the written outputs of research. Specifically:
  - Whether the initial ownership of copyright is with authors or their employing organisation;
  - What rights are transferred from authors to the publisher.
- **Author rights retention** – the extent to which researchers retain rather than transfer control of their published research.
- **Open licensing** – the promotion of licences which grant permission to access, reuse and redistribute.
- **Reuse of scientific publications** – ensuring that the written outputs of research can be reused by the community as a whole but also by the original author in new contexts.

# Geographic profile of institutional survey respondents to Nov 11

212 respondents

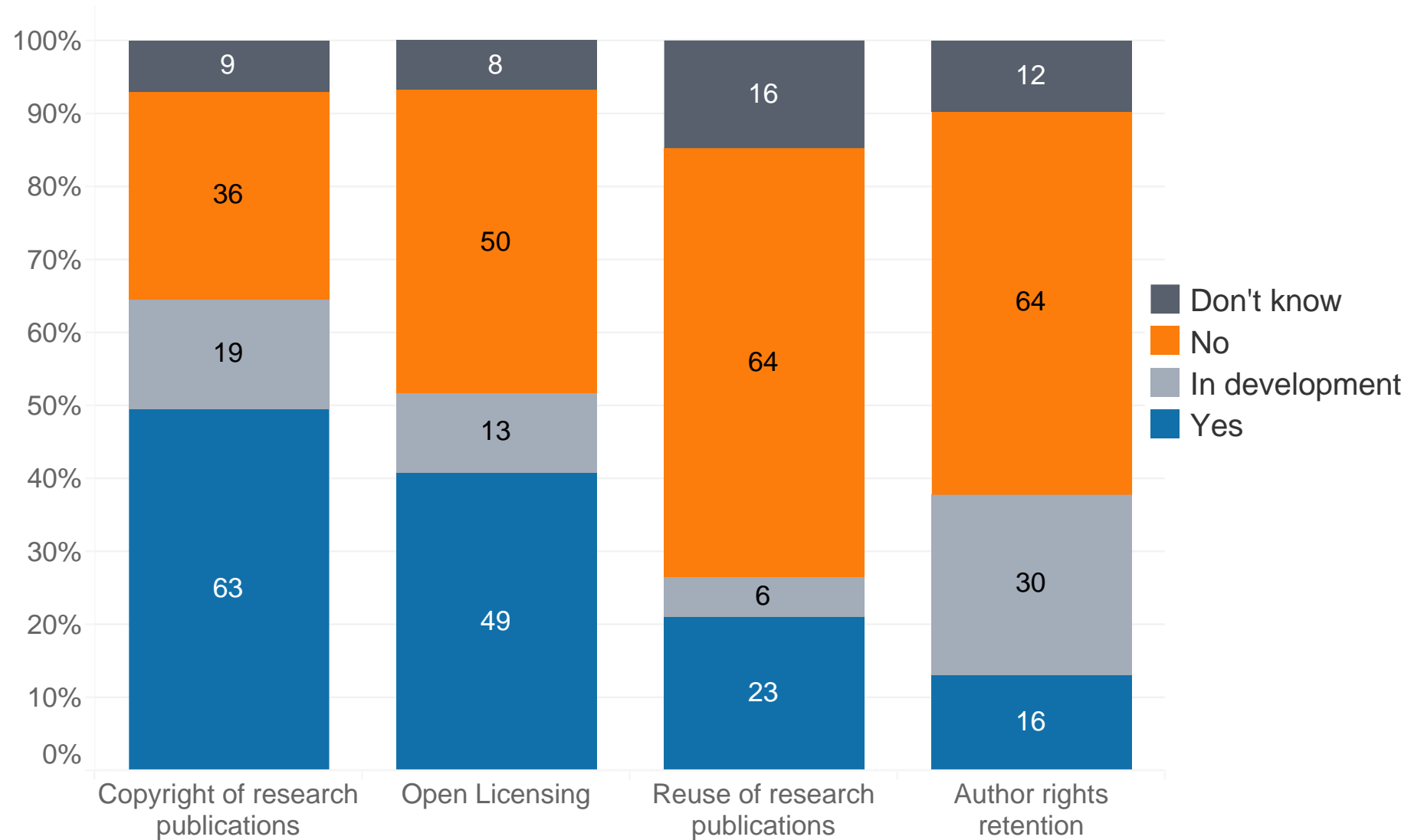


# Departmental profile of institutional survey respondents to Nov 11; 149 respondents

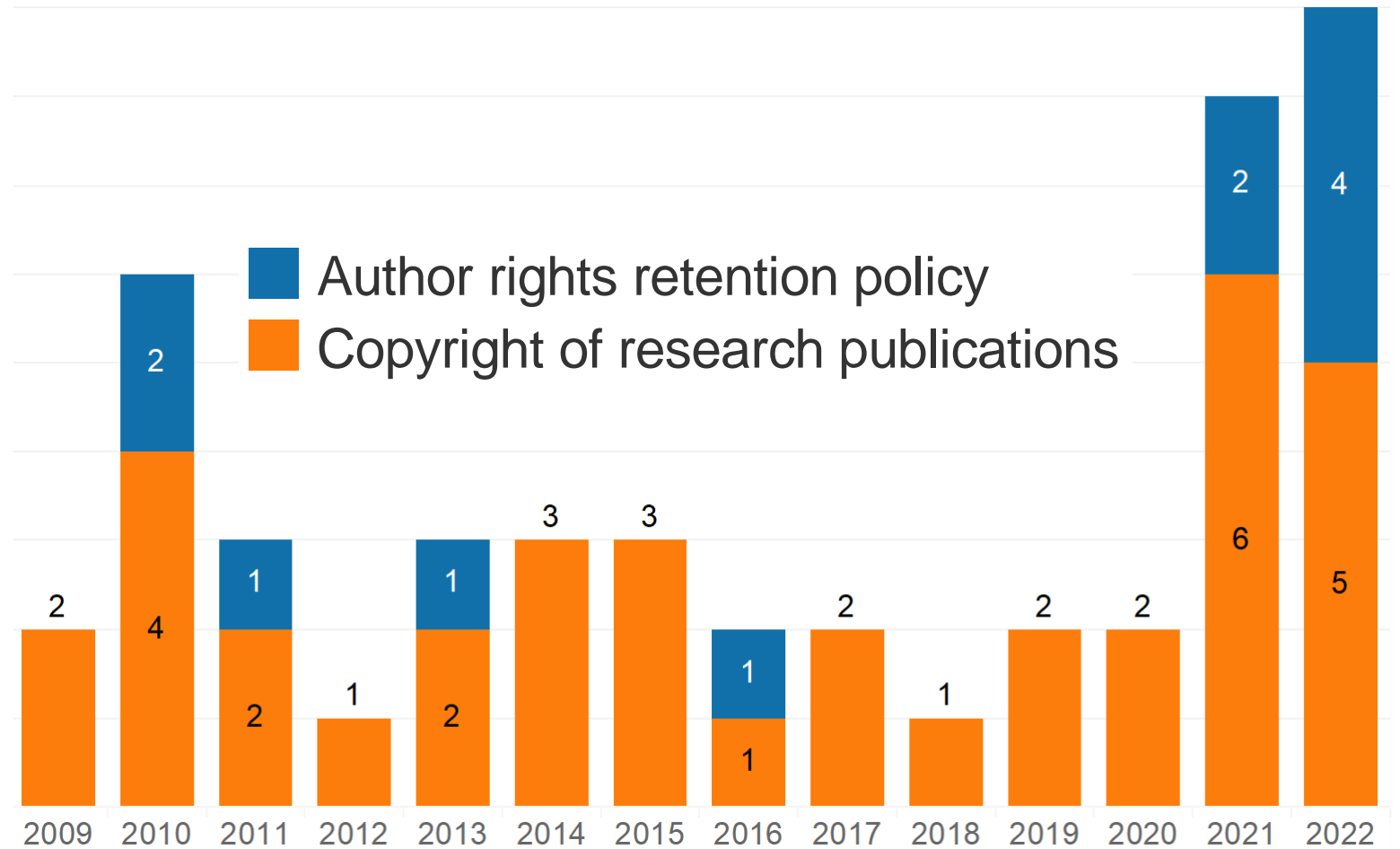


# Types of profiles in place at institutions

127 respondents

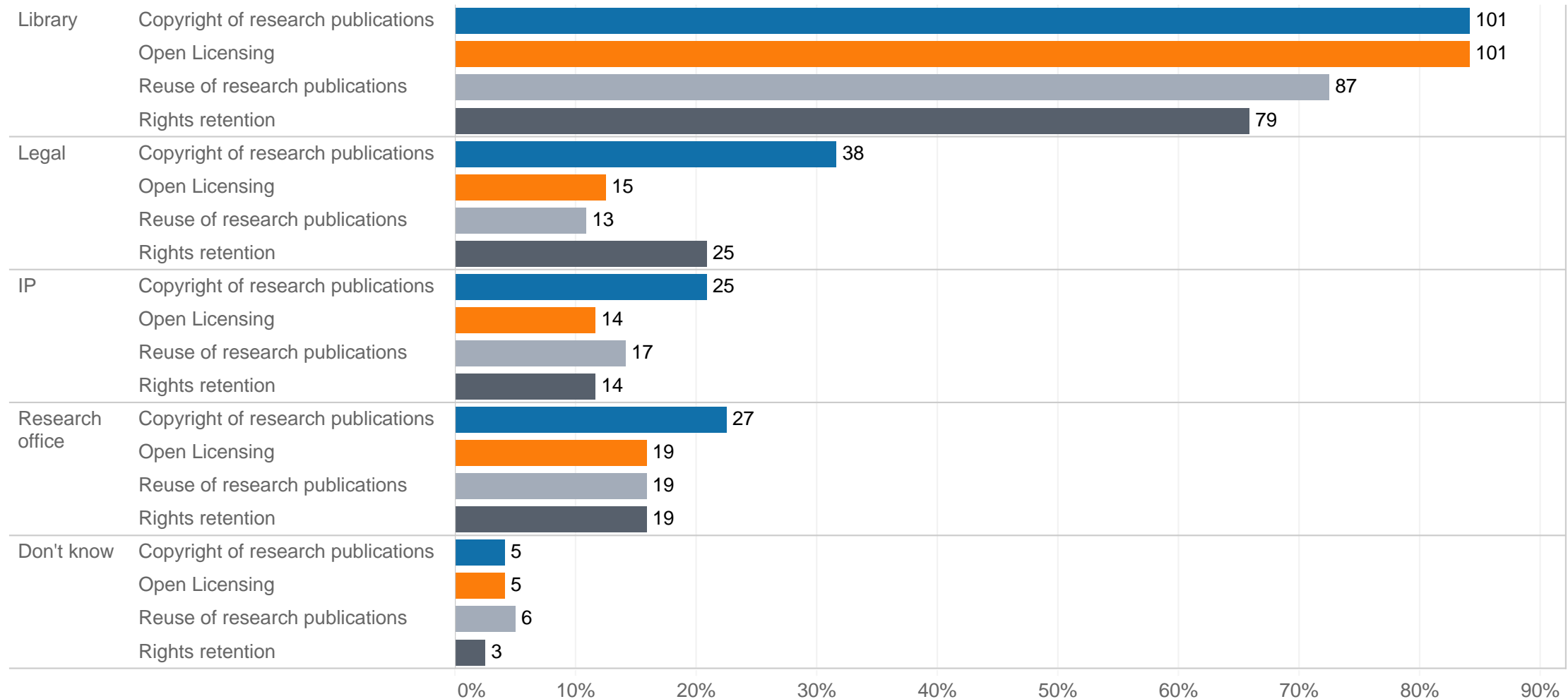


Policies covering  
copyright of  
publications &  
rights retention  
introduced over  
time  
55 respondents

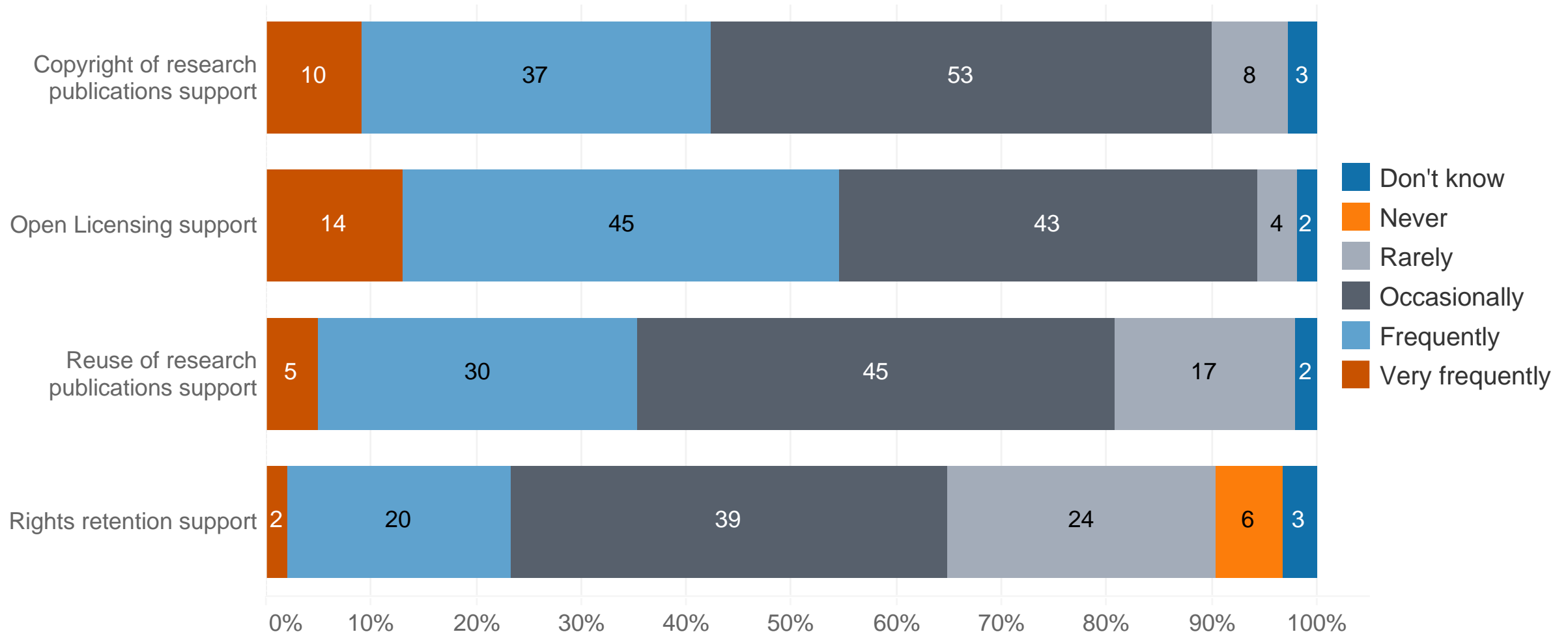




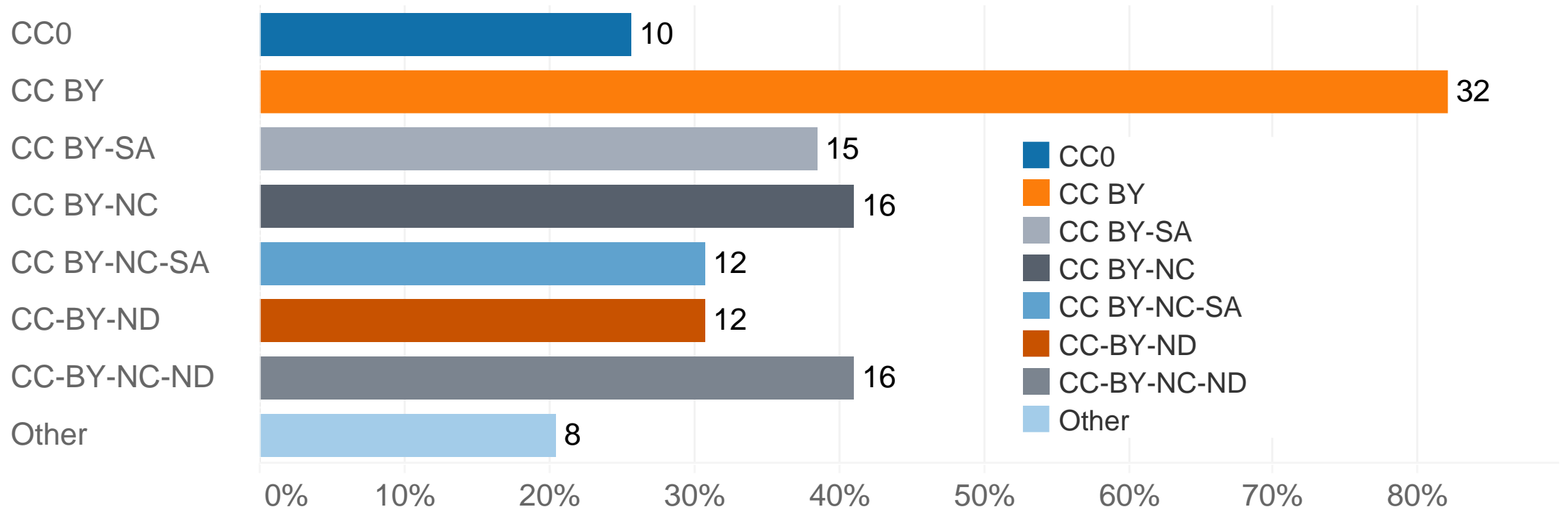
# Range of support provided to researchers by different departments, 120 respondents



# Frequency of requests for support from researchers; 119 respondents



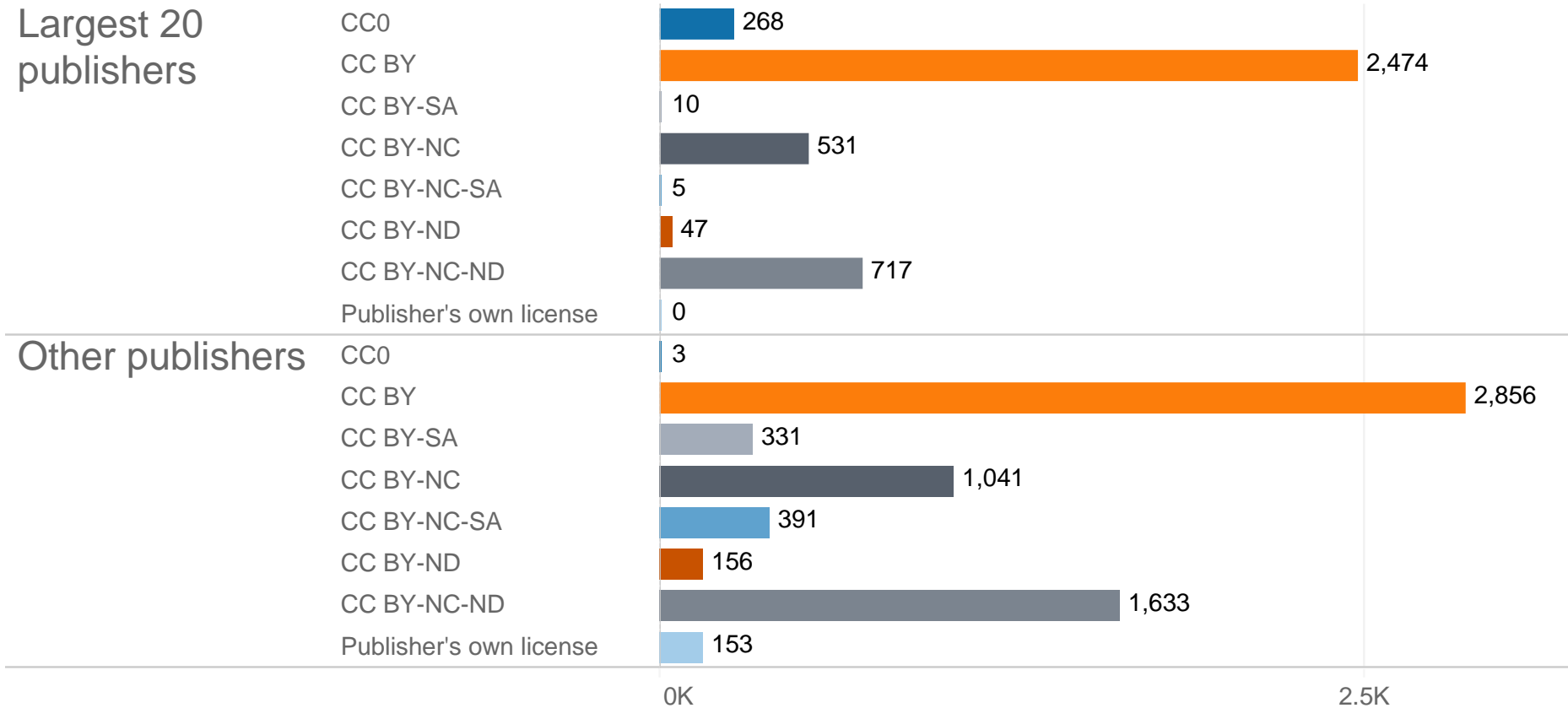
# Licenses promoted in open licensing policies; 39 respondents



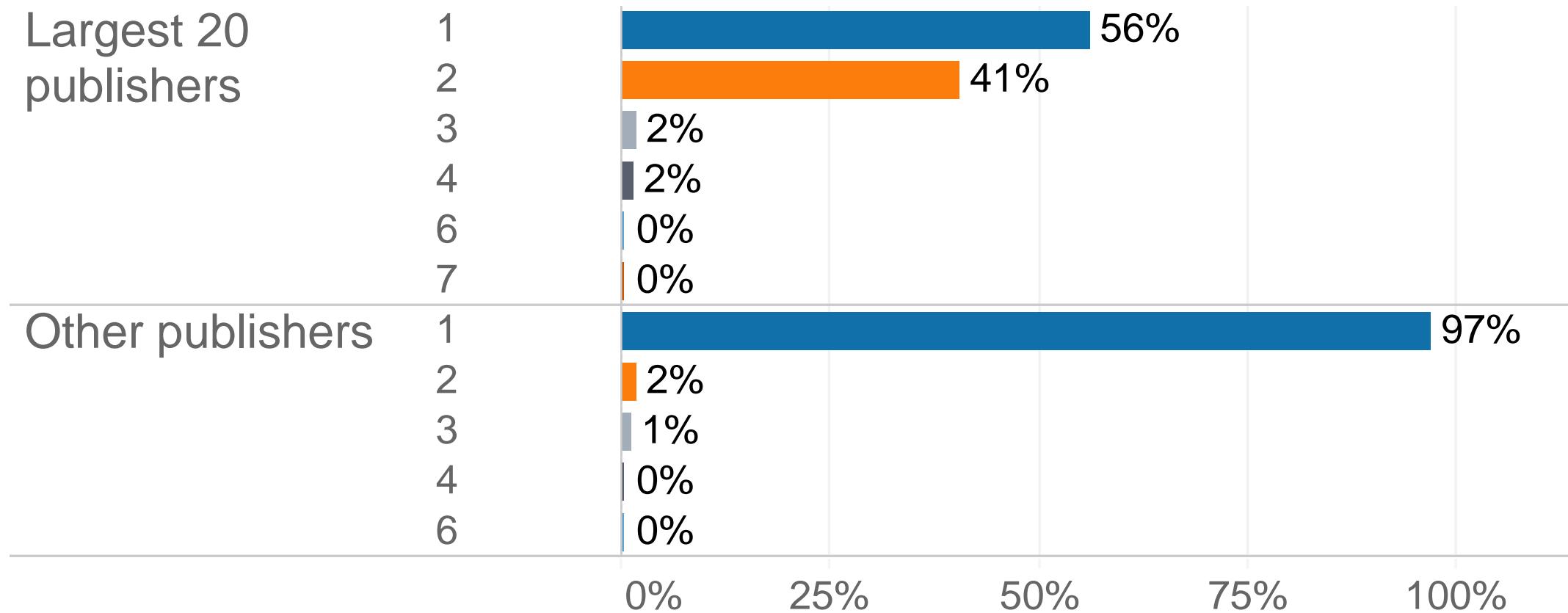
# Findings from review of publisher policies

1. Publishers continue to adopt policies that are in conflict with rights retention policies
2. While publishers have become more flexible in their approach to self-archiving by researchers, this has not led to elimination of embargo periods. It is hard to identify patterns any patterns in this shift. Changes to embargo periods are complex - different publishers making different changes in different subject areas.
3. Many publishers require exclusivity for commercial use when authors choose a NC or NC-ND license. Rather than allowing authors to prevent unauthorised use of their work and to retain control of onward use, such terms mean that the **publisher** has control of authorisation and only they can make and authorise derivatives and commercial use of the work

# Licenses types offered by OA journals



# Number of licenses offered by OA journals



# Changes in journal license between 2020 & 2022

	No change	Change
CC BY	47%	3%
CC BY-SA	3%	0%
CC BY-NC	15%	1%
CC BY-NC-SA	3%	0%
CC BY-ND	1%	0%
CC BY-NC-ND	24%	1%
Grand Total	94%	6%

	2020 license	2022 license					
		CC BY	CC BY-SA	CC BY-NC	CC BY-NC-SA	CC BY-ND	CC BY-NC-ND
CC BY			4	19	2	3	30
CC BY-SA		7			1		3
CC BY-NC		66	3		3	5	34
CC BY-NC-SA		5	5	1			6
CC BY-ND		1					
CC BY-NC-ND		106	8	33	11	1	

More work to do



# Next steps for Project Retain

Schedule of work into 2023 and beyond:

- Continue data analysis using review of policies and other sources, like ROARMAP and SHERPA ROMEO.
- Institutional survey remains open until 28 November 2022.
- Interviews and focus groups with institutions, publishers and authors continue through the rest of the year and into 2023.
- Developing a report summarising all of our findings and make recommendations in early 2023
- Developing a action plan and programme of activity to act on the recommendations of the report
- And then change!