

These guides are tools designed for library leaders to use for organizing a summer- or semester-long discussion series. Each guide offers a brief scoping statement, a suggested reading or resource to review, and a set of discussion questions to launch an hour-long informal conversation among library staff.

revised May 2008

Developed by the Association of Research Libraries
Office of Scholarly Communication

The complete series is at www.arl.org/sc/brownbag/



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Library Brown Bag Lunch Series



Issues in
Scholarly Communication

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Discussion Leader's Guide

Author Rights: An Introductory
Discussion

Author Rights: An Introductory Discussion

Discussion Leader's Guide (revised May 2008)

Each brown bag session provides an opportunity for participants to deepen their understanding of a particular set of issues involved in the changing processes of scholars' communication efforts. This guide is designed for a simple hour-long lunchtime discussion. Prework will be essential in creating common ground and providing a foundation for the conversation. Distribute the assignment at least a week prior to the session. A list of discussion questions are arranged in sequence below, but feel free to skip some if you want to spend more time on particular questions. It is not necessary to distribute the questions before the session; however, if you think it would be helpful to your group in launching discussion, consider sharing a couple of the questions in advance.

Scoping Statement

Many librarians find that author rights management is a very engaging topic to raise with faculty. Most faculty have published works or plan to publish. Although copyright law is relatively clear about the rights granted to authors (compared to use rights), authors often do not know what rights they have or how rights transfer can affect their ability to use their own works.

Two recent developments have illustrated authors' need to manage their rights. The NIH Public Access Policy requires funded authors to retain the rights they need to deposit their journal articles in Pub Med Central. In February 2008, the Harvard Faculty of Arts and Sciences voted to grant Harvard the right to distribute their articles through a digital repository. A number of tools are now available and many institutions are creating their own policies and legal tools (e.g., addenda) to help faculty better manage their rights as authors.

Goals

Participants will learn the basics of authors' copyrights and develop strategies for engaging faculty in evaluating their publishing agreements and offering alternatives they can use in negotiating with publishers.

Optional Tools for Facilitating Discussion

- A flip chart or white board for brainstorming and gathering responses, particularly for the later questions.

- If your institution has its own policy or addendum, provide copies to all participants.

- Copies of the SPARC author rights brochure and author addendum.

Prework for Participants

(Distribute prior to the session with the directions below.)

Review the SPARC "Resources for Authors" Web page and review the *Author Rights* brochure at <http://www.arl.org/sparc/author/index.html>.

Extra credit: Show the brochure to a faculty member and spend 15 minutes discussing his or her reaction to it.

Discussion Questions

- ⊗ If anyone in the group has published a journal article, do they remember receiving the publisher's copyright agreement? What kinds of terms were described?
- ⊗ What uses might authors expect to make that may in fact be restricted by their agreement with the publisher?
- ⊗ Faculty members often have not read their agreements with publishers. What would you suggest they look for in reviewing publisher agreements? What could they do if they want to modify a publisher agreement?
- ⊗ Does your institution have an author addendum that faculty can use? Why are universities creating these tools?
- ⊗ Authors of books often expect to actively negotiate publishing agreements and publishers tend to be willing to accommodate a range of agreements. What kinds of different rights might an author like to see in a journal article agreement compared to a book agreement?
- ⊗ Does anyone in the group know someone who has used an author addendum? What was the outcome?
- ⊗ What concerns might an author have about trying to negotiate with a publisher?

Further Reading

Suber, Peter. "Balancing Author and Publisher Rights," *SPARC Open Access Newsletter*, issue #110, June 2, 2007.

<http://www.earlham.edu/~peters/fof/newsletter/06-02-07.htm#balancing>

ARL Authors and Their Rights Web page. 

<http://www.arl.org/sc/copyright/author-rights-resources.shtml>

Willinsky, John. "Copyright," in *The Access Principle: The Case for Open Access to Research and Scholarship*. The MIT Press. 2005.

<https://mitpress.mit.edu/books/willinsky/0262232421chap3.pdf>

Harvard passes OA Mandate. <http://www.libraryjournal.com/info/CA6532658.html> 

The Scholar's Copyright Addendum Engine

<http://scholars.sciencecommons.org>

Smith, Kevin L. "Managing Copyright for NIH Public Access..." *ARL: A Bimonthly Report* no. 258 (June 2008) <http://www.arl.org/resources/pubs/br/br258.shtml> 