

New developments:

B) Enhanced access to research and public sector information. A new growth driver?

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ACCESS TO RESEARCH RESULTS AND RELATED IPR ISSUES

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THE PROBLEM AT THE MOMENT

- Scholars look to the publishing system for three things – speedy dissemination, economical access and peer review quality
- The traditional scholarly journal is failing to deliver this combination as well as it used to
- Scholars are therefore interested in alternative models, especially Open Access

IPR ISSUES

- Journal publishers sometimes insist that copyright is assigned to them before they will publish the article and authors often sign away their rights without thought
- Ingelfinger rule

IPR ISSUES

- Refuse to sign copyright assignment – give them a licence instead and retain rights
- Avoid publishers who will not allow OA – www.sherpa.ac.uk has list of publishers who offer OA-friendly licences
- Use an OA journal instead

HOWEVER....

- These all require some degree of self-confidence
- No problem if academic has high reputation
- Problem if the academic is just starting out

CREATIVE COMMONS LICENCES?

- A lot of enthusiasm for them at the moment
- However, they are not necessarily a panacea
- In some jurisdictions, they do not constitute a valid contract
- They sometimes don't allow archiving
- Materials cannot be confined to genuine academic readers (e.g., gynaecological images) using such licences

OTHER IMPLICATIONS OF IPR

- Should the employer insist that staff retain IPR?
- Should the funding agency insist that the outputs of research be made available by OA?
- Either approach has an impact on academic freedom and contracts of employment

CONCLUSIONS

- OA will soon be a significant part of the scholarly publishing scene, but “must have” journals will not wither away
- IPR issues, which hitherto have been avoided, need to be addressed by policy-makers
- Creative Commons licences may not be the answer, but some similar form of licence, such as Science Commons, will be