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ADVISOR REPORTS FROM THE FIELD

Heard on the Net

Rambling Through the Web

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By Jill Emery (*In between the University of Texas and Portland State University*)

This column is being written a little early due to the fact that my daughter has decided to arrive a little later than anticipated and there is an advantage to not having an infant in my lap at this point. There are four things which have surfaced via the internet tubes of late that require a bit of discussion/examination. First up will be the Amazon decision to allow Kindle library check-outs of e-books via OverDrive. Then there is the STM statement regarding authors' rights that was overshadowed by the Amazon announcement, the UNESCO announcement of their Global Access Portal, and last and certainly not least, the news of the passing of John Merriman from the United Kingdom, who was instrumental in both the founding of UKSG (United Kingdom Serials Group) and NASIG (North American Serials Interest Group). While these may seem like a scattered random selection of discussion topics, there is a thread of logic which ties all of these items together that can be woven.

Let's start with the Amazon announcement. This announcement is being lauded as a very positive move from various tech Web and news sites and, on the surface, this is a breakthrough for libraries; especially public and school libraries. Kindles are very popular e-readers and the sales of these appliances continue to grow. This will allow access to a larger breadth of content to Kindle users, and it has been seen that library lending of popular content does tend to increase sales of certain e-book titles. From the CNN Tech Web site on April 20, 2011 [<http://www.cnn.com/2011/TECH/mobile/04/20/amazon.kindle.library.loan/index.html?hpt=Sbin>]:

Amazon said the library books will be available through the Kindle "later this year," but the company did not specify a launch date. The free e-books will be available through Kindle apps on smartphones and on the Kindle e-reader device, which can download books over Wi-Fi or 3G internet connections.

The service will work only in the United States.

We're excited that millions of Kindle customers will be able to borrow Kindle books from their local libraries," Jay Marine, Amazon's director for the Kindle, said in a press release.

Besides the limitation to U.S. libraries only, there are other DRM restrictions applied by Overdrive that make this model harder to enforce and utilize on public college campuses. From the current Overdrive license agreement that was last updated in August 2008 [<http://www.overdrive.com/Solutions/Schools/HigherEducation/termsfuse.aspx>]:

The College Download Library Service is for remote use only (outside of the school). School Account and End Users may not download Digital Content to any school computers or devices.

And

At the end of the Lending Period, End Users agree to delete and/or destroy any and all copies of the Digital Content, including any copies that may have been transferred to, or created on portable devices, storage media, removable drives, CDs & DVDs. In the event the School Account, OverDrive, or a rights holder determine End Users of the CDL Service are violating the terms of this Access Agreement, the School Account and/or OverDrive reserves the right to suspend or terminate End Users' ability to use the CDL Service and to borrow Digital Content.

In order for OverDrive to know which end user is responsible for a violation, it means that personal account information for individual users is being tracked in some way through the DRM set-up. Most public academic institutions are legally bound by their state laws and statutes to not collect such end-user data, which puts this program in direct conflict with numerous state laws. In addition, the inability to use DRM-restricted e-books on locally owned and provided devices is also problematic.

For libraries to make purchase orders with Amazon directly, libraries must set up a "corporate credit line" in order to make purchases of traditional print materials. It is yet to be seen if OverDrive will be the only mechanism available to libraries to purchase Kindle-enabled e-books. Again, many public academic libraries are subject to purchasing guidelines set by the state in which they reside and many state institution laws and statutes do not allow for the establishment of corporate credit lines being established. Once the Amazon/Kindle program is actually put into play, it will be interesting to see if libraries are able to adjust and utilize the service. It will also be interesting to see if the rules for college and academic institutions change to allow for their participation in this program and at what point the rest of the world will get to take advantage of this program as well.

Let's move on to the STM press release: STM Statement on Negotiating Rights for Institutional Repository Postings and Author Rights (March 2011) [http://www.stm-assoc.org/2011_04_19_STM_statement_on_licensing_and_authors_rights.pdf].

Again, this is very positive news for libraries; especially reading this paragraph of the statement:

Publishers stand ready to engage in dialogue as to how this goal can best be achieved—without undermining the system of scholarly communication that has significantly furthered the progress of science and resulted in more researchers and scholars having more access to more content in more ways than at any time in human history.

However, it does seem impossible to engage in a valuable dialogue when this paragraph is preceded by this sentence:

We hold the view that conflating author rights issues and institutional content licenses serves only to add greater complexity and possible legal uncertainty to such licenses without adding meaningful benefits for authors.

It is an interesting position for STM to take given the continued growth among the STM content providers of hybrid journals that are comprised of both for-fee content and Open Access content. If institutions and libraries are unable to codify the costs of these publications in institutional agreements for content packages that include these dual-nature packages of author-paid and for-fee content, how then can we expect to engage in a dialogue that accommodates these very publication models? STM and institutions and libraries both find themselves caught in the crux of changing scholarly communication models. The age of the article is here, but we're still bundling content into peer-reviewed packages called journals. This model is beginning to evolve, via Open Access and author paid article creation, into article clusters and portals, but presently so much of our discovery and access is still based on the historic model of journals. New sets of both metadata and access structures need to be developed to allow for cost recovery for the value added features of peer-review and editorial control in order for all of us to move beyond the current models of scholarly output and cost recovery. Until then, the tensions of the historic institutional agreement and author's rights will continue to plague us all.

On 6 April 2011, UNESCO announced GOAP: Global Open Access Portal [http://portal.unesco.org/ci/en/ev.php-URL_ID=31316&URL_DO=DO_PRINTPAGE&URL_SECTION=201.html].

This tool is said to be the first destination for users seeking information on OA (open access).

From their Web site:

OA experts will collect, analyse and filter information related to the subject from different countries. This information will include: major national projects and initiatives; national and regional funding agencies; deposit mandates; and key organizations and institutions that are able to support Open Access initiatives. GOAP aims to assist UNESCO Member States in understanding the current state of Open Access and in taking appropriate decisions.

However, there have already been other projects of this magnitude undertaken and it is uncertain how these will be rolled into this proj-

ect by UNESCO. One such effort that has been underway since 2009 is the Open Access Scholarly Information Sourcebook (OASIS) [<http://www.openoasis.org/>].

The objectives of OASIS are listed as:

- The online content is intended to provide training and resources for anyone or institutions who wish to provide open access to their research publications. The objectives are:
- to increase the number of trainers and centres of expertise worldwide
 - to expand the knowledge base of open access implementation
 - to share resources and best practices
 - to demonstrate and record successful outcomes of OA around the world

OASIS currently works with researchers/authors, librarians, and publishers to maintain an open dialogue for the creation of Open Access content that can be made readily available anywhere in the world. It will be interesting to see how OASIS and the UNESCO GOAP will be developed simultaneously or if one of these initiatives will end up overriding the other.

What I think is the common thread from the Amazon Kindle library-lending program through to the UNESCO announcement is the continued need for the exchange of ideas and understanding of all areas of scholarly communication within the information chain. This was the very basis of the creation of the United Kingdom Serials Group in 1975 by John Merriman. According to a Telegraph announcement from April 19, 2011, John Merriman passed away at the age of 81. [<http://announcements.telegraph.co.uk/deaths/132363/merriman>].

John had been the director at Blackwell's in Oxford during his long career in publishing before his retirement to the British countryside to lead ramble walking tours. John's commitment to the continued exchange of ideas and dialogue of all partners in the information chain has been well honored by the United Kingdom Serials Group and by their sister organization, the North American Serials Interest Group. John will be greatly missed, but his legacy of maintaining venues for these very exchanges and dialogues have shown that as far as we've come, we still have much further to go in the scholarly communication landscape. ■