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## Keeping Your Copyrights is Easier than You may Think

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## Keeping Your Copyrights is Easier than You May Think

By Emily Ford, Portland State University



For those of us caught in the “publish or perish” paradigm of academe, we are sometimes so eager to avoid the “perish,” that we will sign anything to get our work published! Although as LPSSers and librarians we should have a basic understanding of copyright--and some ease with legalese--we may not fully consider our own rights when it comes time to publish. We may be too quick to sign away our rights and transfer them completely to a publisher.

But keeping our copyrights doesn't have to be difficult. In fact, it can be quite easy. I recently had a very good experience negotiating author rights and wanted to share it in this issue of *LPSS News*. My hope is that by hearing about my recent experience, others will be more apt to approach copyright negotiations with publishers, and will do so with relatively more comfort than before. Below I present you with my recent successful experience negotiating a copyright agreement and suggest some reflective questions for you to consider regarding your personal values in publishing and copyright transfer. Finally, I list some tools that will assist you in understanding and negotiating copyrights.

### *A Recent Positive Example*

When my co-author--Laura Zeigen, User Experience Librarian at Oregon Health & Science University--and I received word that our chapter, “Inter-Institutional Library Collaboration: Support for a Joint Oregon Master of Public Health Program,” was accepted for publication in Volume 37 of *Advances in Librarianship* we were excited and relieved; our hard work would finally come to fruition! (Keep your eye out for this in the fall.) As with most acceptance notices, attached to the editor's good news email was the publisher's author agreement form. This is the form each author is asked to sign prior to publishing, which enables publishers to disseminate an author's work. Frequently this form asks authors to transfer all copyrights to the publisher. The agreement we received for our chapter reflected a pretty lenient agreement. It allowed for us to deposit final published versions of our work into institutional repositories, but it still asked that we transfer our copyrights to the publisher.

At this point in the publication process many individuals may simply eagerly sign any document so their work can be published. However, Laura and I knew that we would rather retain our copyrights in order to control the future re-publication of the article (we had both heard stories of authors seeing their works in volumes without even knowing their works were going to be re-used!). We felt we needed to negotiate this point and based on one previous bad experience, we were ready for a lengthy negotiation process. However, we were pleasantly surprised with how easy the process was.

After asking several colleagues about their experiences with the publisher in question and consulting with the Scholarly Communication Coordinator at my library-Sarah Beasley- we felt we had some good options with which to respond to the editor. We generated a copyright agreement more to our liking using the [Science Commons Scholar's Engine](#), a project of [Creative Commons](#). We then sent this attachment asking for the publisher to consider it and waited nervously for a response. Within 24 hours we heard back and it was good news. Although the publisher would not accept the Science Commons addendum, they offered us a non-exclusive license to publish; we would retain copyright of the work and would be allowed to re-use and republish the work, given it cites original publication. This license addressed all of our concerns and we were both happy to sign it. Neither Laura nor I expected such ease in this negotiation, but we were happy to have the copyright issue taken care of to move on to the next step-- reviewing proofs!

### *Know Your Personal Copyright Values*

Before you enter into copyright negotiations with a publisher you will want to identify your personal copyright values. Think about what you want to be able to do with your work, and what you want others to be able to do; after all, it is YOUR work! To this end consider:

Do I want to be able to put this in an institutional repository? If so, which version?

Do I want to be able to re-publish this work in another publication?

Should I allow the publisher to re-publish my work in other formats?

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*Keeping Your Copyrights (Continued from page 4)*

What rights does a publisher need to distribute my work?

Once you have considered these and other questions, you will be able to know what rights you most value, and where your copyright threshold lies. What rights/uses are you willing to sacrifice in order to have your work published? Essentially, know where you draw the line.

By the time your work makes it to acceptance, your editor is dedicated to publishing your writing, so the publisher has reason to work with you. Already they have invested in you via the submission, review, and revision process. If in the rare event that a publisher is unwilling to accept any copyright negotiation, you have every right to pull your work from publication. There are plenty of other publishers and editors out there who would be willing to work with you that you would easily be able to find a better fit for your writing.

#### *Resources for Author Rights*

Before you are faced again with the task of negotiating copyright, consider perusing the following resources:

[Resources for Authors \(SPARC\)](#) - The Scholarly Publishing and Academic Resources Coalition offers an author addendum as well as provides educational resources on author rights.

[Science Commons Addendum Engine](#) - From the folks over at Creative Commons, create an addendum that best suits your need: immediate access, access-reuse, delayed access.

Your local Scholarly Communication Librarian/your colleagues. - If you're having to "publish or perish" so are your colleagues! Ask for advice and mentorship from those around you.

[ACRL Scholarly Communication Discussion Group](#) - connect with others in ACRL on these issues.

[ALCTS Scholarly Communication Interest Group](#) - connect with our friends in ALCTS on these issues.

**Conclusion:** No matter what your experience with writing and publishing, it's never too late to keep your copyrights.

*Chair's Message (Continued from page 1)*

implementing the LPSS Strategic Plan for Excellence. As one key item in the plan focuses on professional development for the membership, the Executive Committee has been discussing the formation of a Professional Development Committee. Additionally, we discussed some much needed revisions to our Manual and website that are currently underway.

It's hard to believe that summer is just around the corner, and with it ALA Annual in Chicago! This year's program is scheduled for Saturday June 29<sup>th</sup>, from 1:00-2:30 pm at McCormick Place. Entitled "Preparing, Sharing, & Archiving: What Scholars in Political Science and Law Need to Know & How We can Help Them," the program will include speakers from across the scholarly communications landscape for a discussion on the role of librarians in this arena. Participating in this event are Claire Stewart, Head of Digital Collections and Scholarly Communication Services at Northwestern University; Professor Bernard Black of Northwestern, Managing Director of the Social Science Research Network-Legal Scholarship Network, and Harvard professor Jennifer Hochschild, founding editor of Perspectives on Politics and co-editor of the American Political Science Review. Past LPSS Chair Erik Estep has graciously agreed to moderate. It should be a wonderful conversation, so come and bring your ideas and questions!

Also at Annual we are excited to honor Marta Lange/Sage-CQ Press Award winner, Kathi Fountain. Kathi's contributions are well known both within and outside of the Section. Beyond her more recent service as our webmaster, her work in developing and maintaining the online resource Political Advocacy Groups: A Directory of United States Lobbyists has been a benefit to scholars the world over. Thanks again to all of you for your work and engagement on behalf of the LPSS. Your willingness to volunteer and share your expertise with the membership is a real strength to the Section and to ACRL. Hope to see you in Chicago!

