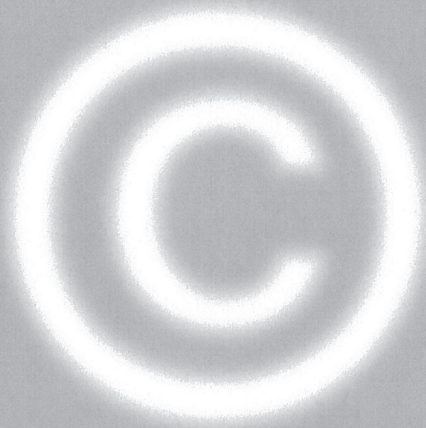


Brochures and Handouts

Is copyright a little fuzzy?



We can help you clear things up.

Whether you're a professor, a student, a writer, a musician, a GSI, an editor, an artist or a lecturer, copyright is a part of your life.

Unfortunately, the law is complex and confusing. Protect your rights, and the rights of others; we'll show you how.

<http://copyright.umich.edu>

WHY DO AUTHOR'S RIGHTS MATTER?

The free flow of ideas is essential for scholarship. Improving global access to scholarly work serves the greater good of the scholarly community. Retaining your rights as an author is key to improving access to scholarly information—it puts you in control instead of your publisher.



THE RISK OF RIGHTS TRANSFER: ONE SCHOLAR'S STORY

Kenneth Crews, copyright officer at Columbia University, relates: "I had a situation in which a med school professor signed the standard agreement and transferred the copyright in his article to the publisher. All went well. Five years later, the same publisher included the article as a chapter in a book. The publisher had the legal right to do so, because the publisher held all rights. The author's concern? The article was five years old, but the book version conveyed the impression that the work was new. Because the subject was medicine, the article was already seriously out of date, and the author thoroughly embarrassed. The original publication agreement could have prevented this situation."

BY RETAINING YOUR AUTHOR'S RIGHTS YOU CAN:

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- Share your work with colleagues and use it in the classroom without fear of legal action
- Contribute your work to an Open Access repository, such as the University's Digital Conservancy
- Keep the free and open exchange of scholarly ideas a priority for the 21st century

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EXPANDING THE REACH OF YOUR RESEARCH

WHAT RIGHTS DO I HAVE AS AN AUTHOR?

- To publish and distribute the work in print or other media (e.g., a website)
- To reproduce it (e.g., photocopy it)
- To prepare a translation or other derivative work
- To perform or display the work publicly
- To authorize others to exercise these rights



Do I Have to Register Copyright?

No, copyright is automatic; however, registration with the U.S. Copyright Office does provide protection if enforcement issues arise. For more information, visit <http://www.copyright.gov/register/>

For the University of Minnesota's copyright resources, see <http://www.lib.umn.edu/copyright>

AUTHORS TOO OFTEN GIVE AWAY ALL THEIR RIGHTS TO PUBLISHERS

WHAT CHOICES CAN I MAKE TO BETTER CONTROL MY RIGHTS?

When choosing a publication venue and evaluating its publication terms, consider your goals. How widely do you want your work disseminated? Do you want it published in a vehicle that is free or at least affordable? Do you need to meet federally-mandated requirements for public access? Do you want to use it in class? Do you want to share it on your website? Will you want to make a future edition?

Choose publishers carefully

Many publishers are moving toward copyright policies that are less restrictive and more favorable to authors.

Modify your publishing contracts to retain more of your rights

Contracts are legal documents whose terms can be negotiated.

Ask to retain the right to use your work in your teaching; to repurpose some of it as part of another product; to post it to the University's Digital Conservancy or another open-access site. The University of Minnesota Senate has endorsed an Author's Addendum that can be incorporated into your publishing agreement to protect these rights. NIH-funded authors can also get assistance in complying with the agency's open-access mandate.

Consider alternative publishing models
Peer-reviewed Open Access journals have been developed in many disciplines—in both the sciences and the humanities—as alternatives to traditional journals.

Get help

- Your Libraries liaison can help you
- identify author-friendly journals in your field
 - use the UM Author's Addendum to retain more of your rights
 - deposit your work in the open-access UM Digital Conservancy
 - learn more about new trends in scholarly communication and how they affect you.

TRANSFORMING SCHOLARLY COMMUNICATION
Supporting growth of the scholarly communication and publication system to maximize the dissemination of research.

EXPANDING THE REACH OF RESEARCH
Scholars at the University of Minnesota and elsewhere are transforming scholarly communication. We need our authors, editors, reviewers, and librarians to help us create a new system that supports publishing practices that expand the reach and impact of research.

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Phrases to Look for in Publisher Copyright Agreement Forms

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Authors are strongly encouraged to carefully review the copyright agreement form before signing to confirm that the rights the author wishes to retain or the rights granted by the publisher are noted on the form. If not, authors should seek clarification from the publisher before signing. In addition, authors should be aware of any stipulations that are required to be followed.

Following are examples of rights and stipulations as found (current as of December 2007) in various copyright agreement forms:

Does the publisher allow the author to retain patent and trademark rights?

Journal recognizes the retention of the right by the author to patent and trademark rights and rights to any process or procedure described in the article. [Japanese Journal of Ophthalmology]

Does the publisher state a specific number of times that a work can be sent to colleagues?

The undersigned author and all coauthors retain the right to revise, adapt, prepare derivative works, present orally, or distribute or transmit to not more than 50 colleagues, their own paper. [ACS Journal of Natural Products]

Does the publisher allow the author to self-archive their work?

An author may self-archive an author-created version of his/her own website and his/her institution's repository, including his/her final version; however he/she may not use the publisher's PDF version . . . Furthermore, the author may only post his/her version provided acknowledgement is given to the original source of publication and a link is inserted to the published article on the publisher's website. [Springer]

Does the publisher allow the author to post the work on a laboratory or institutional website on a secure network?

The right to post the article on a secure network within your employers or institution's network. [Journal of Applied Research]

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[Journal of the American College of Surgeons]

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An author may self-archive an author-created version of his/her own website and his/her institution's repository, including his/her final version; however he/she may not use the publisher's PDF version . . . Furthermore, the author may only post his/her version provided acknowledgement is given to the original source of publication and a link is inserted to the published article on the publisher's website. [Springer]

Posting of the article as published on a public server can only be done with specific written permission. [Journal of Applied Research]

Does the publisher limit what the author can post on a laboratory or institutional website?

Authors/employers may post the title of the paper, abstract, tables, and figures of their own papers on their own Web sites, and include these items in their own scholarly, research paper. [ACS Journal of Natural Products]

Does the publisher specify an embargo period before the author can post the work to a public repository?

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Authors are encouraged to submit the author's version of the accepted paper (the unedited manuscript) to PubMed Central or other appropriate funding body's archive, for public release six months after publication. In addition, authors are encouraged to archive this version of the manuscript in their institution's repositories and, if they wish, on their personal websites, also six months after the original publication. In all these cases, authors should cite the publication reference and DOI number on any deposited version, and provide a link from it to the URL of the published article on the journal's website. [Nature]

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- If you choose, deposit your work in an open online archive where it will be permanently and openly accessible

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- Receive proper attribution and citation as journal of first publication
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- Explain to the publisher why it is important for you to retain these rights in your own work.
- Ask the publisher to articulate why the license rights provided under the SPARC Canadian Author Addendum are insufficient to allow publication.
- Evaluate the adequacy of the publisher's response in light of the reasonable and growing need for authors to retain certain key rights to their works.
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Chair, CARL Committee on
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April 2007

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