WHAT'S DRIVING OPEN ACCESS?

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Hi, everyone, and thanks for having me; thanks also to Necia Wolff, who was very patient with me while I completely lost my mind trying to move from George Mason to Wisconsin.

I'll apologize in advance for running the driving-the-bus metaphor into the ground. By the time I'm done with this talk, you won't even want to get on the bus back to your hotel! But it's an awfully convenient metaphor, so I hope you'll forgive me. Forgive me also that I am an unabashed open-access advocate, and put up any mental bias filters you think necessary.

So before I can talk about what's driving this bus called open access, I think I should talk first about what the bus is. I'll try to keep it brief, because I know a number of you will already be aware of the issues.

OA's Big Bus

"Open-access (OA) literature is digital, online, free of charge, and free of most copyright and licensing restrictions." —Peter Suber

PEER-REVIEWED LITERATURE

Gray Literature

01010101 **OPEN DATA** 10101010

SOCIAL SOFTWARE
"Web 2.0"

Digital Libraries

Free Culture

Peter Suber of Earlham College is a hero of open access, and you'll hear his name several times during this talk. His definition of open access is a remarkably politic one that neatly dodges several contentious issues that I have no intention of talking about. (read definition, then click)

Now, for many open access advocates, the major concern is the peer-reviewed research literature. Indeed, some advocates consider peer-reviewed literature the *only* important concern. But out here in the real world that includes Texas, OA is a bigger bus than that, with lots of people and lots of issues heading in the same general direction. (CLICK to start animation)

Grey lit: has always been vital in some disciplines, notably the social sciences; now going digital, and needs to be collected as such. UW business-faculty member: "used to have access to thousands of working papers; now would be lucky to find 50." They're out there -- he just doesn't know where. This points to discovery as a major OA issue.

Open Data – sharing data from experiments. Meta-analysis, fraud prevention, datasets large and small, calls in some sciences for mandatory open data; wedge issue, makes OA to the final peer-reviewed result seem only logical

Social Software – more things to collect and archive (blogs, podcasts; note that EBSCO is now indexing some library blogs); more desire for "linkable" literature. It goes without saying, of course, that the Internet is the base technology of the OA movement; without it, none of this works!

Free Culture – Lessig, Creative Commons, etc. Tools such as CC and "Science Commons" licenses, as well as a base of people who think that OA is a darn good idea and can help with lobbying and outreach efforts.

Digital Libraries – have some of the same technical problems as OA, so they're solving each other's problems: e.g. preservation; also, staff skills transfer well.

Texas gray
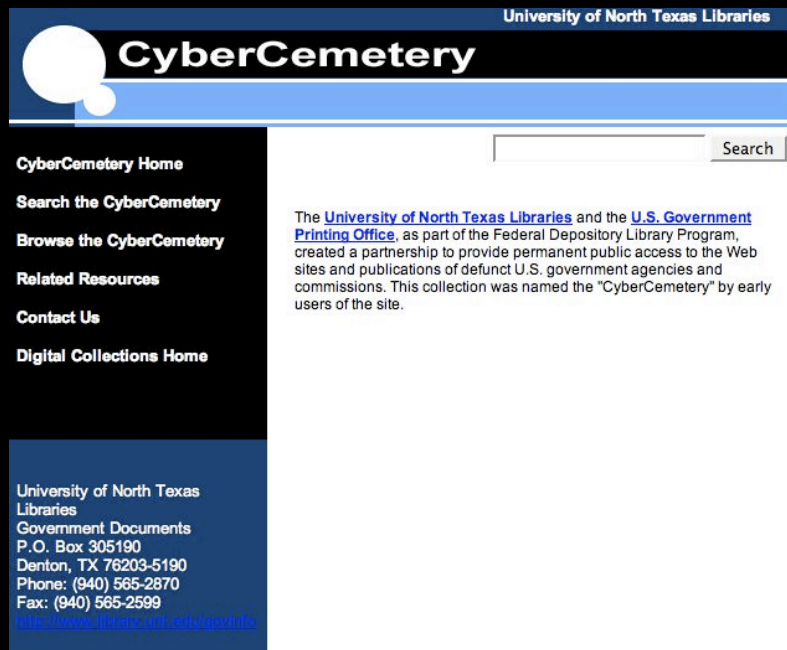
You can also consider government documents to be gray literature; they're not peer-reviewed, but that hardly makes them unimportant! To that end, I wanted to point out a great project from the University of North Texas called the CyberCemetery. It archives and makes available publications and website snapshots from dead US government agencies and commissions.

Great idea, and I love the sense of humor. It sounds like a little thing, but it isn't -- as deadly serious as these issues are, humor goes a LONG way in getting buy-in, as well as preserving OA advocates' sanity. Laugh! It can keep you from crying.

The green bus...

- "Self-archiving"

- Institutional and disciplinary repositories

- Depends...
  - On publisher permission, or...
  - Faculty paying attention to their rights, and...
  - Faculty making an effort

So. The Open Access peer-reviewed-literature bus is really two buses: the green bus and the gold bus. (I didn't come up with these colors for this presentation; believe it or not, 'green' and 'gold' are standard terminology in the field.)

The green bus is what's called 'self-archiving,' in which authors deposit versions of their own work someplace on the web, open for anyone to download and read. The exact deposited version could be a preprint or a postprint, or in rare cases the publisher's typeset PDF.

This can and does take place on a faculty member's own website, but that's not ideal for a lot of reasons -- it's not easy to find, it's not collocated with other works in the discipline, and if the faculty member moves or retires, the collection may just go away. So two kinds of managed repositories have sprung up for these materials: disciplinary repositories like arXiv or SSRN or, in our own field, E-LIS and DLIST; and institutional repositories maintained by an academic library or a consortium or a library system.

Now, frankly, a lot of current self-archiving is of dubious legality; faculty don't realize what rights they've signed away, and they don't know the difference between a preprint, post-print, and publisher PDF. So far, publishers haven't made an issue of this, I think because they know they can't afford to antagonize faculty.

For self-archiving to be legal, however, you need an enlightened publisher. A lot of publishers are fairly enlightened, and give blanket permission for some variety of self-archiving. A lot aren't. Google for SHERPA/ROMEO to find the best database of policies currently available, keeping in mind that it's still terribly incomplete.

Self-archiving also depends on faculty making an effort. An effort to pay attention to and keep sufficient rights to self-archive, and an effort to actually do the self-archiving. Faculty. Effort. Hm, could there *possibly* be a problem there?

Texas on the green bus
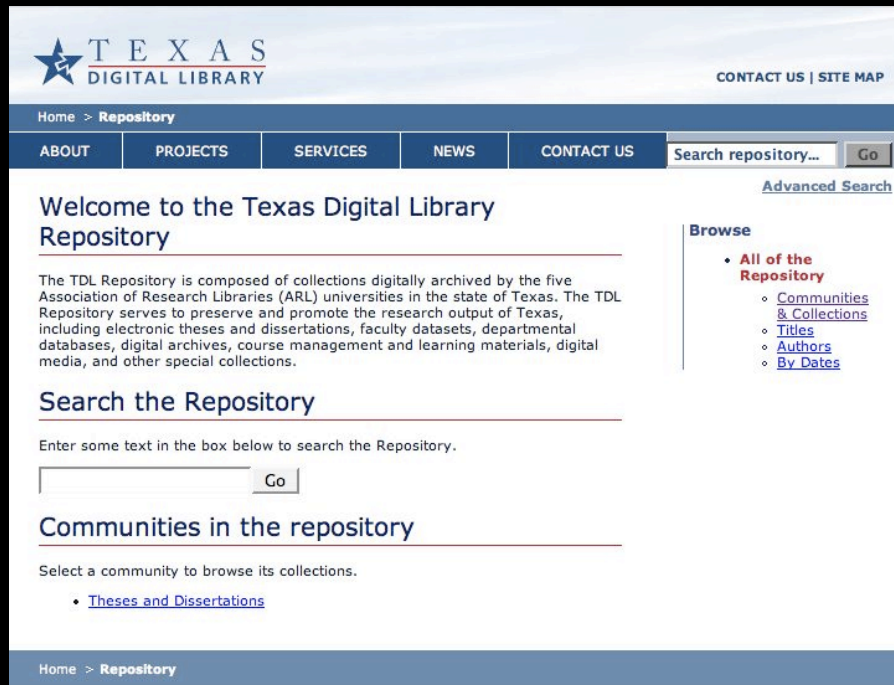
Texas is very definitely climbing on the green bus. Here's an example: the Texas Digital Library's brand-new consortial repository.
Five ARL universities in TX: TX-Austin, TX Tech, TX A&M, Rice, U Houston.
Just off the ground. If you're at one of those five, help out!

More Texas green

Some of these are probably pilot projects, superseded by the Texas Digital Library effort. But I put them here together on this slide so that you'd notice something about them... you see it? How suspiciously alike all these look?

Well, they're all based on the same software suite. It's called DSpace, as Rice tells you there, and DSpace software, I can tell you from experience, has a user interface that's been criminally hard to modify.

TAMU and Manakin

Until now. I want to call attention to the folks at Texas A&M who have been working on the Manakin project. Without inflicting the techie details on you, Manakin is a complete rewrite of the DSpace user interface that will mean much greater flexibility, capacity, and (let us hope!) beauty and usability going forward. It's a wonderful thing, a huge leap forward for DSpace and everyone in the DSpace community is very grateful.

The gold bus...

- **Open-access publishing**

- **No subscription fees,**
  no cost to access
  - **Not necessarily "author pays"!**
  - **Grants, voluntary** support, **in-kind** support,
    institutional support, **advertising**
  - Willinsky: "publishing **cooperatives**"

So that's the green bus. The gold Open Access bus is what most people think of when they hear "open access:" open-access journal publishing, such as what takes place at the Public Library of Science or BioMed Central.

The central idea is that instead of paying subscription fees to access a journal, the journal articles are free online for everyone to access, and production costs get paid for some other way. A common assumption is that publication is somehow paid for by the author directly, as in vanity publishing. That's one way -- but it's not the only way, and it's not the most common way by a long shot.

A lot of gold journals are run on a shoestring, off university servers using free software like Open Journal Systems. Some bootstrap themselves with grants. Some make articles OA but require subscriptions for additional material like book reviews and editorials. A few institutions (such as Wisconsin, I may say) are establishing funds to pay author-side fees for faculty. And some thinkers in the field, like John Willinsky of The Access Principle, think that the eventual outcome is going to be institutions, libraries, IT people, and presses all working together in non-profit cooperatives.

Interestingly, the often-heralded doom of the gold OA journal has been greatly exaggerated. In a few fields, notably biology and medicine, brand-new OA journals are absolutely cleaning up the impact factor race -- for those who don't know, a journal's impact factor is a rough measure of prestige based on how often the journal is cited. If faculty can get to it easily online -- and let's face it, getting to an OA article is way easier than going through a library database -- they WILL come!

Texas on the gold bus
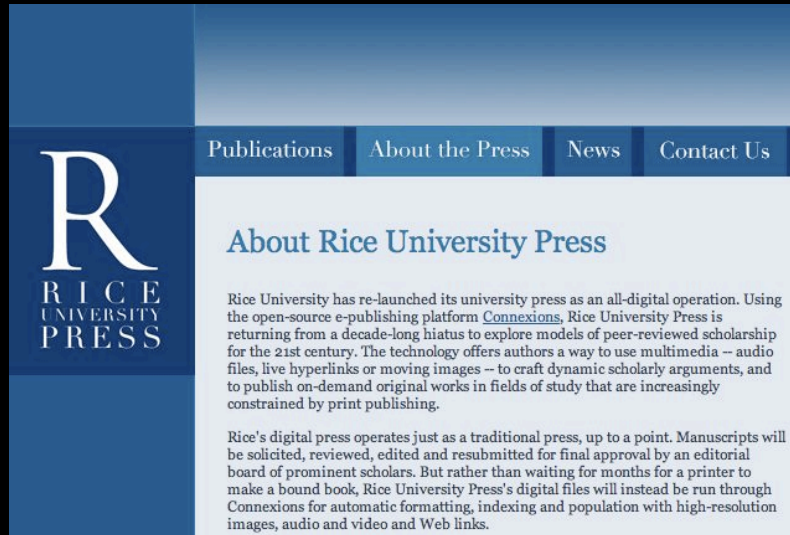
Rice UP, using Connexions, supported in part by the Rice libraries, run by Rice UL Charles Henry. (Applause please!)
Online version full OA, print/POD available for a cost.
The fascinating thing about Rice's effort is that unlike most gold-OA efforts, it isn't limited to journals. Book publishing, because of its wildly different workflows and cost models, is generally less compatible with OA than journal publishing. It's great to see Rice taking a stab at it, though -- and they aren't alone; Tennessee and a few other places are launching similar digital presses.
Note that actually operating a press or publishing house is only one way to further gold OA. The other way is the Michigan model -- they're not a press, they just offer publishing services. Conversion, digitization, storage, etc. These services, offered on a non-profit, cost-recovery basis, make it easier for faculty to build an OA effort themselves.

Who's in the driver's seat?

Okay, so now we have our definitions straight, and we see that Texas is involved all over the place. Now we can ask the presentation's main question. What *is* driving OA, and which kinds of OA are they driving?

Big-pig Publishers

- Spending big money on lobbyists

- Telling lies about OA

- Finding flacks to tell lies about OA

- Fighting a rearguard action

- Reluctantly: changing.

OW OW OW...

SCHOOL BUS

First there are the publishers who caused the serials crisis in the first place -- and before folks jump all over me, that isn't every publisher; it's mostly the gargantuan merger-crazy for-profit ones. (Though some society publishers, like the American Chemical Society, have given the big pigs a run for their money on sheer stubborn lunacy.)

These guys are NOT driving the OA bus. For the most part, they aren't even ON the OA bus. They fell off the bus while it was moving and are rubbing their painful rear ends and trying to figure out how to get back on! So what are they doing?

Elsevier is spending more money per year on lobbyists than our acquisitions budgets see in decades. And they're telling lies all over the place. "Gold OA isn't peer-reviewed." Well, that's garbage; if you pick an OA journal at random, it's no more or less likely to be peer-reviewed than a toll-access journal. "Green OA will kill our business model." Hasn't in fields like physics, with near 100% self-archiving rates. It really gets insane.

And then there's the Association of American Publishers. Wow, are those guys nuts. Nature broke this story back in January: the AAP was in talks with PR flack Eric Dezenhall, of "let's rehabilitate Jeff Skillings's reputation" fame, to come up with more lies to tell about OA. I can't make this stuff up; look it up for yourselves. There are no depths to which some publishers will not sink -- and I tell you this because we need to counteract it on our own campuses.

The thing is, they're fighting a rearguard action. The OA bus is driving forward whether they like it or not; the world is changing with or without them. They can't keep the status quo forever, and to their credit, they're starting to realize it. Several are piloting "hybrid-OA" projects, in which authors pay for publication either with their copyright, in which case the article is firewalled, or with money, in which case it's made OA. These hybrids usually aren't ideal -- they're almost always far more expensive than real gold OA journals, and what's worse, the publishers aren't promising to reduce subscription fees in proportion to OA uptake, so they're really double-dipping -- but it's a start. It's a start.

Now, you have to be very careful when you talk about these things to faculty, okay? Just trust me, if you call their favorite publisher or society a big pig, they will ram it right back down your throat. So be careful.

Gold OA Publishers

- Scrambling for start-up funds

- Living with the usual new-journal hassles

- Charging less than many toll journals!

- Making a splash with impact factors!

- Providing excellent service to authors

Gold OA publishers are not in an easy position, but they're doing their best with it. Like any other brand-new journal, they operate in the red for quite a while, and they have to find some source of funds or sponsorship to cover those expenses. A few Gold publishers are in fact already profitable (Hindawi notably), which is really quite remarkable.

New journals have other problems: recruiting content, recruiting reviewers, building awareness in the field, and so on. They have some inbuilt advantages; OA material *is* easier to find and to index and to read, so to some extent OA journals are self-advertising. Even so, it can be a struggle. Just remember, when somebody tells you "Oh, none of those OA journals are self-supporting, or making a splash in their fields," first, it's not true, and second, that may have more to do with being *new* than with being *OA*.

(note D-Lib's plight; as yet, library budgets aren't really set up to deal with this kind of thing, supporting a journal that doesn't have formal subscription fees. But we need to think about how to make that work! In the long run, it means less cost for everyone.)

Interestingly, even OA journals that *do* charge author-side fees (which, as I said, most don't) are often less costly to authors than toll-access journals and their page charges! Go figure. But it's something to talk about with your faculty, who may assume that OA charges will be exorbitant.

As I mentioned earlier, OA journals, particularly at PLoS, have done extremely well in the citation race. OA articles, it has been plentifully demonstrated, get cited sooner and more often than firewalled articles. In fact, I once heard Vivian Siegel, formerly of PLoS, say that some of their submitters don't even realize that the journals are OA! That's great. That means OA stands on its own practical advantages, not just ideology.

PLoS is also doing very well by its authors, as demonstrated in author surveys. This is a not-unimportant point. OA journals don't have any interests (such as, say, shareholders) competing with the desire to serve research and researchers. Again, these are things you can point out to faculty; every little bit helps.

Faculty: the few

- Peter Suber
- Stevan Harnad
- Physics and computer science
- "Open Access Anthropology"
- Editorial revolts
- Faculty-senate initiatives

Some faculty have their headlights on. Peter Suber is an academic philosopher; Stevan Harnad an economist. Both of them are irreplaceable treasures to the OA movement, Suber for his tireless outreach and chronicling, Harnad for take-no-prisoners green-OA advocacy.

Some disciplines have their headlights on. Physics is already nearing a 100% self-archiving rate, and CERN in Geneva is working on a plan to simply buy out as much of the literature as they can with a view toward turning it Gold-OA. Computer science loves its Citeseer. It too has very high self-archiving rates.

And then there's anthropology -- I love these guys because they're heroes. See, the American Anthropological Association's board came out against important OA legislation which I'll discuss in a moment *without* actually asking their membership *or* their publishing arm. The publishing arm promptly set up a howl, whereupon triple-A fired them en masse. Far from being cast down, they started up their own Open Access Anthropology website, and they're more committed to OA than ever.

Some editorial boards for journals owned by big-pig publishers have publicly revolted, resigning en masse and starting competing OA journals. This is mostly a US and Canada phenomenon; Peter Suber's website has a timeline.

And some institutions are turning on headlights too. Faculty senates at some institutions have gone on record opposing extortionate journal pricing. They've urged their fellow faculty members to pay attention to their rights, instead of blindly signing them over. They've supported libraries in protesting Big Deal serials bundling. These folks are great, and if you have them on your campus, support them however you can.

Faculty: the many

- Worried about their reputations
- Worried about their societies
- Don't care about our problems
- Unaware how much they're giving up
- Unwilling or unable to change their workflows
  (and we're not helping much)

They are, unfortunately, also the *few*. Most faculty are hanging out on benches asleep waiting for the bus to pass by.

Faculty don't have the same concerns we do. So faculty do *not* think about pricing when they submit articles hither and yon. They care about their reputation in their field. They care VERY MUCH about the health of their scholarly societies, which is another reason to be very, very careful when talking about OA to them. A lot of societies put all their cashflow eggs in the journal-subscription basket, and they're in a very poor position to move to OA. Those are problems that are very salient to faculty. Our problems? Not so much. To some extent, that's our fault; we've done a little too well at insulating them from the cost of journals.

A lot of them simply do not realize what their publishing agreements are making them sign over. They think they own their work when they don't. This is a hard problem to solve, because -- look, go up to a faculty member and tell him he hasn't made the best possible deal for himself. Then get on the bus to the hospital when he pushes your teeth in. I exaggerate -- but not much; these discussions get really contentious.

The other problem is workflow. Faculty are generally receptive to the idea of self-archiving, but they're *not* willing to put much -- or any! -- effort into it. Even the less-than-ten-minutes per article it takes to stick something in an institutional repository is like pulling teeth!

We have not as yet done enough to help with that. Most folks with IRs have now realized that the tech is the easy part, it's the *services* that make or break the project. And the state of automation is also poor; we need to connect a great big pipe between faculty desktops and IRs, and we just haven't done it yet.

Funders
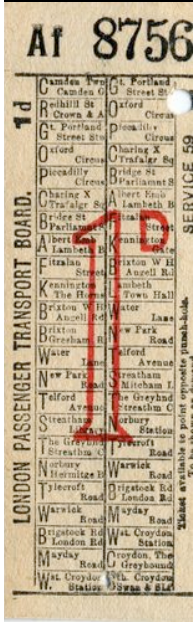
- **Zero interest in limiting access** to research they fund

- Money earns faculty attention!

- **Private funders** first to demand OA
  - Wellcome Trust (UK)
  - Gates Foundation (US)

- Tend to prefer green OA, but sometimes willing to fund gold

Grant funders have got firm hold of the OA steering wheel. After all, they're buying the bus tickets here; they want their bus ticket to take them as far as possible! If anyone is driving OA right now, it's them. Watch them closely.

Unlike publishers, grant funders have absolutely no reason to want the research they fund locked up behind somebody's subscription firewall. They want their stuff read, used, and built upon. Unlike us, funders have a nice big stick to use on faculty: money. We can howl and scream all we want about OA, but we have no power over where and how faculty publish. A grant funder, on the other hand, can write OA into a grant contract and make it stick.

The first funders to demand OA to the research they funded have been private. All hail the Wellcome Trust in the UK for being the very first; in this country, the Gates Foundation has been a pioneer.

Thus far, funders have wanted some form of green OA, usually deposit into a repository that the funder manages or has input into. That's how Wellcome Trust is doing it; they're helping build the UK analogue to PubMed Central. Sometimes, though, and especially if faculty are smart enough to ask, they are willing to fund any author charges associated with gold OA.

Government

- Major research **funder**!

- **NIH** open access plan

- Federal Research Public Access Act (**FRPAA**)

- **NEH**: OA means brownie points on grants

- **GovDocs** digitization activity

Government is a major research funder, in this country as in others. Other countries, in fact, have been a lot faster jumping on the OA bandwagon than the US; we are frankly behind.

The pioneers on the federal level were the National Institutes of Health. They wrote up an OA policy a couple years ago. It was a good policy, too, until the big-pig publishers got their hands on it and turned what had been a *demand* for green OA into a mere *request*. You can guess, knowing what you do about faculty, how well that went. Over the first year of the policy, a pathetic 3.28% of eligible articles actually made it into PubMed Central.

This abject failure turned out to be a blessing in disguise. Big-pig publishers can no longer say that voluntary OA policies work. It's obvious they don't. Nobody else has to waste time on them now.

A sort of successor to the NIH plan is a bipartisan legislative proposal -- about to be reintroduced in the Senate -- called by the unlovely initialism FRPAA. It would mandate green OA to research funded by the eleven largest federal funders, including the NIH. Exactly how that OA would happen would be up to the department doing the funding; they could open their own repositories, tag along with PubMed Central, or even let researchers use their own IRs.

FRPAA is under heavy attack by big-pig publisher lobbyists. For those of you who are SPARC members, be aware that SPARC is doing wonderful work trying to counteract that. Whatever you can do to support FRPAA supports OA, simple as that.

OA tends to be something you connect mostly with the hard sciences, but the humanities are getting into the act too. The National Endowment for the Humanities is not requiring OA at this juncture, but they have made tentative motions toward giving brownie points on grant applications to proposals that offer OA to the result. Consider this a chance to help faculty. Library support for making a research project OA can be invaluable, especially for a low-budget humanities grant.

And last but not least, we *are* ahead of the rest of the world in one way: our government documents are the free property of our people. (Seriously, there are huge debates in the UK right now over commercial companies playing dog-in-the-manger with public data.) And the feds, at least, are really taking the Internet seriously. CyberCemetery is just the start!

Libraries: under the hood

- Building, staffing, and filling institutional repositories

- Running presses and publishing-services outfits

- Building support for OA, one faculty member at a time

Right, so who have I forgotten... oh, yeah, us. We are the mechanics of open access. It is not a glamorous job, I'm here to tell you, but it's vital.

We build the software that makes institutional repositories run. We're also its chief userbase. We're *also* the staff that educates faculty, pushes the new service, helps out with metadata, deals with file formats and preservation. Bottom line: nobody else is running IRs. Research offices aren't. IT isn't, except when libraries ask them to help out. It's us. We're doing that.

We're also starting to become publishers -- hey, if you can't beat 'em, join 'em. My crystal ball is murky, but my faith is that this trend will only accelerate over the course of my career. Who's left? Scholarly societies, a lot of them, sold out to big-pig publishers. The big pigs, we're learning, can be out-competed, and they *need* to be if research libraries are to remain viable. University presses, the poor things, got eviscerated by the accountants, who told them to become cost-recovery operations no matter what their mission statements said. We're what's left. We're a cost center and we don't pretend to be anything else, so the accountants can't touch us. And OA means we're not selling anything, so often we don't *have* to play the cost-recovery game. We're what's left. The more we can do to adjust to that, the more relevant we are to our institutions and to the world generally.

And finally, we're the sixth column, the propagandists, the educators. This is a hard job. Of the many hats I wear as an IR manager, this one takes up most of my energy. But it has to be done, and until we get more faculty turning on their headlights, we're the ones who do it.

Libraries: pushing the bus

- **Filling IRs**: slow going
- **Educating faculty**: even slower going
- **Mandates**: out of our control
- Where's the **money** for us to help pay for **gold OA**?

I can't emphasize enough how slow a process this is. It frequently feels dizzyingly fast to *me*, because I'm very close to it and I see all the little incremental steps that added together mean progress. But honestly, there are days I feel like the lady in this picture, pushing a great big bus all by myself.

Filling IRs is slow going at best. This is the universal experience with IRs. A lot of us did originally think "if we build it, they will come." It didn't turn out that way. We're adjusting to that reality; I'm proof of that. My job didn't exist five years ago, and here I am on my second position doing it.

Educating faculty is also a slow process, for all the reasons I've talked about. It's hard work, but it's got to be done.

You will hear some OA advocates, notably Stevan Harnad, proclaim that institutional mandates are the way to go. Make the faculty deposit, and they'll do it! Well, this is true, and the institutions that have mandates like this have near-universal and remarkably frictionless compliance. But, honestly, for most of us? Who bells the cat? We don't control what faculty do. Institution-wide mandates are out of our reach.

Now, that doesn't necessarily mean we give up. One promising approach is the so-called "patchwork mandate," in which individual departments or research units impose mandates, and then become advocates for institutional mandates. It's feasible. But it takes time and a lot of talking.

The last question is how libraries contribute to the cost of gold OA. Some libraries do it by managing journal-management software. What we don't have structures in place for, though, is handling author-side OA fees, or even direct financial support for OA journals like D-Lib. We really need to work on this. I think the money is there, and using it this way will pay big dividends in the long term -- the barriers are really about change management and library culture.

So when the rubber meets the road...

... what can we do, what should we do, how do we have to change, to make things better for ourselves and the faculty we serve?

Serials librarians

- Call out overpriced toll-access journals

- Write green OA for your faculty into your serials contracts

- Actively collect OA journals

- Look into LOCKSS and Portico

- Consider allocating a piece of the serials pie to gold OA

Collecting and promoting OA journals gives them legitimacy. Right now especially, that's useful and important as a teaching tool for faculty.

E-reserves librarians

- Look for OA versions of articles. Call them out as OA on e-reserves pages.

- Faculty assigning their own articles? Ask them to self-archive.

- If OA turns out to save money, tell everyone!

Cataloguers

- Help out with the IR!
  - Authority control
  - Metadata for batch imports

- Put OA resources in your OPAC
  - OA journals
  - Digitized books

- Share MARC records for OA materials

Liaison and reference librarians

- Be informed about OA in your disciplines.
  - Know the gold journals (doaj.org)
  - Know where the gray literature is
  - Know the disciplinary repositories
  - Know what grant funders and societies are up to
- Tell your faculty about IRs and copyright
  - Encourage faculty to protect their copyrights
  - Push impact, preservation, convenience
  - No librarian jargon, please!
- Ears open for IR projects!

You guys are the shock troops. You're on the front lines. You're closer to faculty than I can ever be. Did you know that one study showed it took *seven mentions* of an IR before faculty actually did anything about depositing to it? I can't create seven mentions for every faculty member in a 26-campus statewide university system! I need help, and that means you!

(on jargon) I once stopped a really productive meeting with a visual-arts department dead in its tracks, just with the word "metadata." I kid you not. You have to be careful about the jargon. Even "institutional repository" is too much; I've gotten comments like "wow, that sounds vaguely obscene." Use "digital archive" instead; faculty get that, even if it isn't *entirely* accurate.

Systems librarians

- Think about **open data** issues

- Got **IR**? Why not? How about **OJS**?

- **Develop** for an open-source IR platform

- Get in on campus discussions of "**research computing**" and "**learning object repositories**"

- Get in on **faculty workflows**

One of the things open data does is open the door to the open-access bus. As soon as faculty become accustomed to seeing their data go online for everybody to use, it starts not to make sense to them to lock their actual publications behind firewalls.

Faculty workflows: how can you write middleware to get their stuff into the IR? how can you help them digitize? how can you help them keep track of their born-digital stuff?

Special-collections librarians

- Jump-start the local IR with your digitized collections.

- Got EAD? Why not?

- Steer your researchers to OA resources, and don't be shy about pointing out they're OA.

Administrative librarians

- The bus is moving. Offer to help get your institution on-board.

- Get a resolution on faculty copyright retention (à la MIT, California).

- Support FRPAA.

- Suggest programs.
  - IRs, ETDs
  - Publishing and copyright services

All academic librarians

- Read the SPARC Open Access Newsletter.

- Petition: publicaccesstoresearch.org

- Be an example! Protect your copyrights.
  - Self-archive in your IR, E-LIS, or DLIST.
  - Be a campus and legislative activist.

A real agreement

Each Work shall be a "work made for hire" and, as such, [publisher] shall own all right, title and interest in and to the Works including all copyrights and other intellectual property rights therein and all renewals and extensions thereof, in all formats and media, whether now known or hereafter developed, throughout the world in perpetuity. To the extent any of the Works are deemed not to be "works made for hire," you hereby assign to [publisher] all right, title and interest in and to the Works, including all copyrights and other intellectual property rights therein and all renewals and extensions thereof, throughout the world and in perpetuity. You waive all moral rights you have in the Works.

Here's a real piece of a real publishing agreement from a real library journal (*ahem*) publisher. I won't read the whole thing; what it boils down to is, we own you, we own your soul forever, and we'd own your firstborn child if we could.

Much better!

You hereby grant [publisher] (a) a worldwide, perpetual, royalty-free right and license to use the Work, including all copyrights and other intellectual property rights therein and all renewals and extensions thereof, in all formats and media, whether now known or hereafter developed, including without limitation to publish, display, perform, distribute, reproduce, digitize, transmit, translate, modify and create derivative works of the Work for all or any purposes including but not limited to advertising and promotion; and (b) the right to assign or sublicense all or any of the foregoing rights. You agree that the foregoing license shall be exclusive until six (6) months following the publication of the Work by [publisher] and non-exclusive thereafter.

Here's another such agreement, a much more reasonable one. For six months, this publisher has an exclusive right to show your content to the world. After that, they still have rights -- but so do you. The kicker? These two licenses come from the SAME PUBLISHER. All you have to do to get the good one is ASK. So start asking!

Get in the driver's seat!

Last thought: We can be in the driver's seat here. We haven't been for thirty years; the publishers have been driving us wherever they felt like. It would be criminal, a real betrayal of our mission, to let this chance slip away! So drive with me, won't you?

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Quick word on free culture: it's great if you're a beleaguered presenter. Thanks to the awesome Flickr service and even more awesome Creative Commons and all these generous photographers for all the bus images.

Thank you!

Slides will be available on MINDS@UW:
http://minds.wisconsin.edu/

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