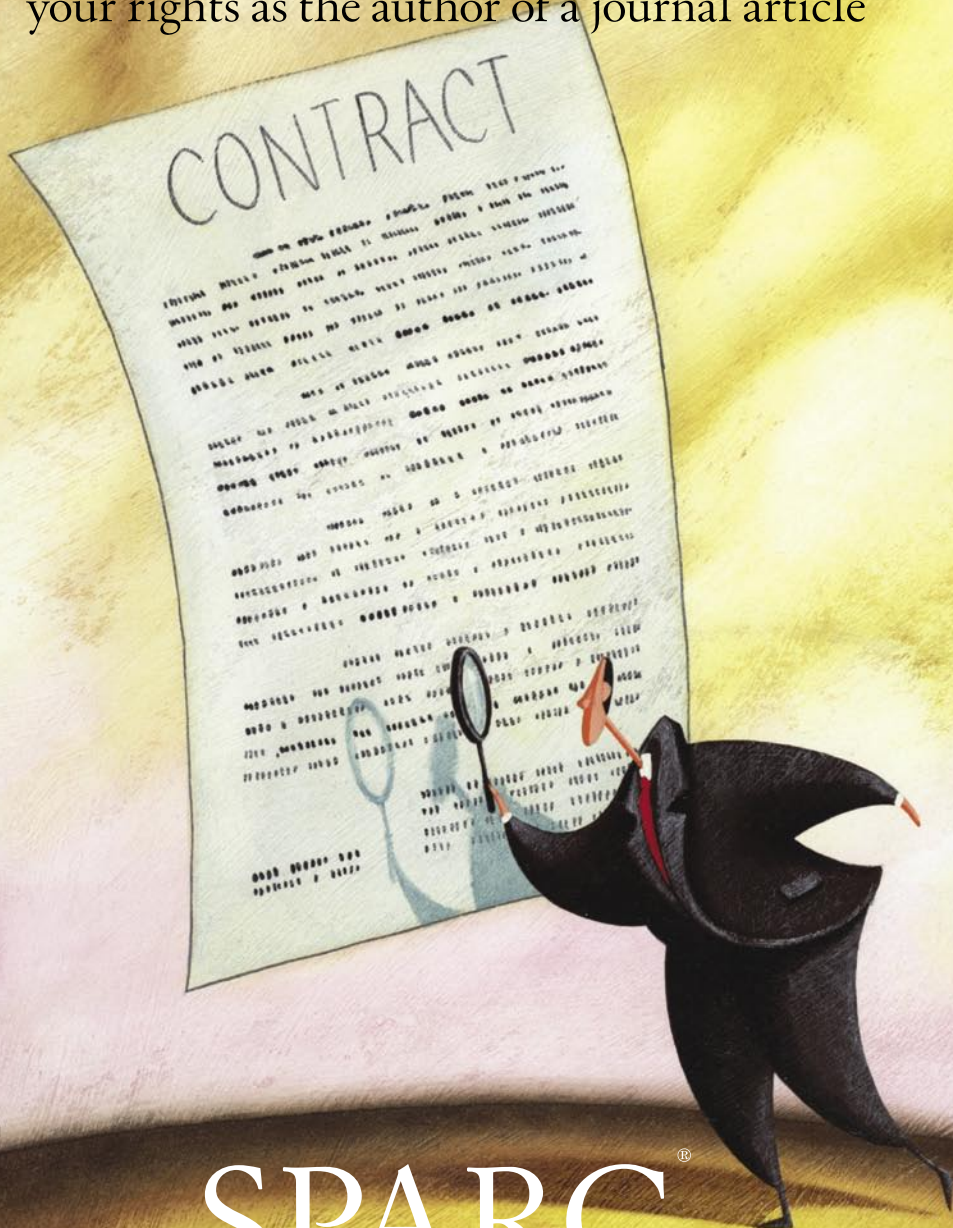


AUTHOR RIGHTS

Using the SPARC Author Addendum to secure your rights as the author of a journal article



BRUNO

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THE SPARC AUTHOR ADDENDUM

YOUR ARTICLE HAS BEEN ACCEPTED FOR PUBLICATION in a journal and, like your colleagues, you want it to have the widest possible distribution and impact in the scholarly community. In the past, this required print publication. Today you have other options, like online archiving, but the publication agreement you'll likely encounter will actually prevent broad distribution of your work.

You would never knowingly keep your research from a readership that could benefit from it, but signing a restrictive publication agreement limits your scholarly universe and lessens your impact as an author.

Why? According to the traditional publication agreement, all rights — including copyright — go to the journal. You probably want to include sections of your article in later works. You might want to give copies to your class or distribute it among colleagues. And you likely want to place it on your Web page or in an online repository if you had the choice. These are all ways to give your research wide exposure and fulfill your goals as a scholar, but they are inhibited by the traditional agreement. If you sign on the publisher's dotted line, is there any way to retain these critical rights?

Yes. The SPARC Author Addendum is a legal instrument that modifies the publisher's agreement and allows you to keep key rights to your articles. The Author Addendum is a free resource developed by SPARC in partnership with Creative Commons <<http://www.creativecommons.org>> and Science Commons <<http://science.creativecommons.org>>, established non-profit organizations that offer a range of copyright options for many different creative endeavors.

The SPARC Author Addendum is online at
<<http://www.arl.org/sparc/author/>>.

KNOW YOUR RIGHTS AS THE AUTHOR.

- The author is the copyright holder.

As the author of a work you are the copyright holder *unless* and *until* you transfer the copyright to someone else in a signed agreement.

- Assigning your rights matters.

Normally, the copyright holder possesses the exclusive rights of reproduction, distribution, public performance, public display, and modification of the original work. An author who has transferred copyright without retaining these rights must ask permission unless the use is one of the statutory exemptions in copyright law.

- The copyright holder controls the work.

Decisions concerning use of the work, such as distribution, access, pricing, updates, and any use restrictions belong to the copyright holder. Authors who have transferred their copyright without retaining any rights may not be able to place the work on course Web sites, copy it for students or colleagues, deposit the work in a public online archive, or reuse portions in a subsequent work. That's why it is important to retain the rights you need.

- Transferring copyright doesn't have to be all or nothing.

The law allows you to transfer copyright while holding back rights for yourself and others. This is the compromise that the SPARC Author Addendum helps you to achieve.

SCRUTINIZE THE PUBLICATION AGREEMENT.

- Read the publication agreement with great care.

Publishers' agreements (often titled "Copyright Transfer Agreement") have traditionally been used to transfer copyright or key use rights from author to publisher. They are written by publishers and may capture more of your rights than are necessary to publish the work. Ensuring the agreement is balanced and has a clear statement of your rights *is up to you.*

- Publishing agreements are negotiable.

Publishers require only your permission to publish an article, not a wholesale transfer of copyright. Hold onto rights to make use of the work in ways that serve your needs and that promote education and research activities.

- Value the copyright in your intellectual property.

A journal article is often the culmination of years of study, research, and hard work. The more the article is read and cited, the greater its value. But if you give away control in the copyright agreement, you may limit its use. Before transferring ownership of your intellectual output, understand the consequences and options.

A BALANCED APPROACH TO COPYRIGHT MANAGEMENT:

Authors

- Retain the rights you want
- Use and develop your own work without restriction
- Increase access for education and research
- Receive proper attribution when your work is used
- If you choose, deposit your work in an open online archive where it will be permanently and openly accessible

Publishers

- Obtain a non-exclusive right to publish and distribute a work and receive a financial return
- Receive proper attribution and citation as journal of first publication
- Migrate the work to future formats and include it in collections

WHAT IF THE PUBLISHER REJECTS THE AUTHOR ADDENDUM?

- 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 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.
- Consider publishing with an organization that will facilitate the widest dissemination of their authors' works, to help them fulfill their personal and professional goals as scholars.

The SPARC Author Addendum does more than make it easy for researchers to comply with the NIH Public Access Policy. Taking full advantage of new Web technologies, Science Commons is developing a machine-readable version of the SPARC Addendum in a language called "Resource Description Framework," or RDF (developed by the same inventors who brought us the World Wide Web). This version will pave the way for authors to preserve freedoms with just a few clicks on a Web page.

HOW TO USE THE SPARC AUTHOR ADDENDUM:

1. **Complete** the addendum at <http://www.arl.org/sparc/author/>.
2. **Print** a copy of the addendum and attach it to your publishing agreement.
3. **Note** in a cover letter to your publisher that you have included an addendum to the agreement.
4. **Mail** the addendum with your publishing agreement and a cover letter to your publisher.

DEPOSITING YOUR ARTICLE IN NIH'S PUBMED CENTRAL:

If your goal is simply to secure the right to deposit your article in NIH's PubMed Central, NIH suggests inserting the following language into the publisher's agreement:

"Journal acknowledges that Author retains the right to provide a copy of the final manuscript to NIH, upon acceptance for Journal publication or thereafter, for public archiving in PubMed Central as soon as possible after publication by Journal."



“The UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL encourages authors to use the *SPARC Author Addendum* as it fulfills a pressing need that all researchers and scholars have. The *SPARC Author Addendum* empowers researchers and authors to advocate for themselves in their relationship with their publisher, and has the potential to revolutionize the scholarly communication system.”

*Sarah Michalak, University Librarian
and Associate Provost for University Libraries
University of North Carolina at Chapel Hill*

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