

Unisa Open Scholarship Seminar
“Open in order to advance African Scholars and Researchers”

Creative Commons licensing

Dr. Tobias Schonwetter

Director: IP Unit, UCT & Legal Lead of Creative Commons South Africa

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Pretoria, South Africa



This presentation is not about **WHY** we should have OA,
this session is about the **legal mechanism behind OA**

I.o.w., what we discuss here is **HOW** we can (legally) open up copyrighted content to facilitate sharing & collaboration.



Open Access is the practice of providing *unrestricted access* [via the Internet] **to peer-reviewed scholarly materials such as journal articles, theses, scholarly monographs and book chapters/books.**

<green and gold OA>



Gold OA: Publication in Open Access publications (typically OA Journals)

Green OA: Publication in 'closed' Scholarly publications & manuscript deposited in Open Access (institutional) Repository

Open Access: Unlocking Scientific Knowledge

Open Access (OA) is the free, unrestricted access via the internet to knowledge in the form of research outputs – so research is free to access and includes full re-use rights.

Making knowledge both free to access and free to use, re-use, and build upon is critical for international development. Science builds on itself and requires collaboration and the exchange of ideas, but individuals must be able to access and fully use this knowledge base in order to engage.

OPEN ACCESS is:
Scientific research that is
DIGITAL,
Free to **ACCESS &**
Free to **USE**
with minimal restrictions

Open Access is right for the World Bank. If you are a mission-driven organization, Open Access should be right for you.

– Carlos Rosel, Publisher for the World Bank

Nothing in the past has ever given Africa such an opportunity to share its knowledge

– Dr. Buhle Mbambo-Thata,
Africa Section of the International
Federation of Library Associations (IFLA)

Implementing Open Access

<p>“Gold” Open Access Journals</p> 	<p>Authors publish in Open Access journals, i.e. scholarly journals which are: peer-reviewed, free to access, and free to use</p>
<p>“Green” Open Access Repositories</p> 	<p>1) Authors publish in scholarly journal, AND 2) Deposit manuscript into an Open Access repository</p>
<p>Open Access Policies</p> 	<p>Mandate Open Access through:</p> <ul style="list-style-type: none"> - Organizational OA policies by funding agencies - National policies - Universities with institutional policies

Why Open Access?

Development-focused arguments in support of Open Access



In *The Future We Want for All*, the “knowledge challenge” is described as one of the key challenges and opportunities to which the post-2015 UN development agenda should respond:

Limited access to knowledge hampers progress towards inclusive growth and employment creation, technological progress for sustainable development and health improvements. Greater knowledge sharing will be critical to induce the transformative changes needed to achieve food, nutrition and energy security in sustainable ways and to contain the threat of climate change.

- ✓ Public access to publicly-funded research
- ✓ Open Access accelerates the research & development cycle
- ✓ Access to knowledge as a human right
- ✓ Increased visibility for authors
- ✓ Increased uptake and usage of research sponsored by funding agencies
- ✓ Advances in technology support innovation – if research and data are openly licensed

If we want to accelerate the development of Africa, we must embrace Open Access.

If knowledge is the currency of our time, then Open Access is a redistribution mechanism.

– Russel Botman, Rector and Vice-Chancellor, Stellenbosch University

Open Access Resources

Reports, Books, Articles
 Clonbridge, Abby. *Building a Digital Repository Program with Limited Resources*. London: Chandos Publishing, 2010. <http://bit.ly/cc-bdrpwr>

Clonbridge, Abby. “You Say You Want an OA Revolution?” March/April 2013 edition of *Online/Seacher*. <http://bit.ly/oa-revolution>

The Case for Interoperability for Open Access Repositories. Edited by Eloy Rodrigues and Abby Clonbridge for the Confederation of Open Access Repositories (COAR). 2011. <http://bit.ly/coar-interoperability>

Suber, Peter. *Open Access*. Cambridge: MIT Press, 2012. <http://bit.ly/oa-book>

Open Access spurs innovation, generates jobs, and creates wealth.

– Máire Geoghegan-Quinn,
European Commissioner for
Research, Innovation and Science

Organizations & Other Resources

- African Journals Online (AJOL)
- Confederation of Open Access Repositories (COAR)
- Directory of Open Access Journals (DOAJ)
- Directory of Open Access Books (DOAB)
- EIRL Open Access Programme
- INASP Strengthening Research and Knowledge Systems Programme
- OpenAIRE
- Public Knowledge Project (PKP)
- Scholarly Publishing and Academic Resources Coalition (SPARC)
- UNESCO Global Open Access Portal
- OpenDOAR – Directory of OA Repositories
- Registry of Open Access Repositories (ROAR)
- Registry of Open Access Mandates (ROARMAP)
- SHERPA/InMEd Publisher copyright policies & self-archiving

Sources

Quotes from Carlos Rosel, Russel Botman, and Máire Geoghegan-Quinn from Berlin 10 Conference, November 2012, Stellenbosch University. Quote from Buhle Mbambo-Thata in response to launch of UNECA OA repository. <http://www1.unece.org/Tdbid/3018/Default.aspx?ArticleId=03>

Realizing the Future We Want for All:
www.un.org/millenniumgoals/pdf/Post_2015_UNTReport.pdf

Open Access Checklist for Development Organizations:

- ☐ Build a repository of current and archived open research, reports, data
- ☐ Use *Creative Commons (CC) licenses* instead of copyright © for research outputs
- ☐ Adopt an *Open Access model for all publications*
- ☐ Develop and implement an *Open Access policy* covering internally-produced & sponsored research
- ☐ Connect *Open Access to the organizational mission*
- ☐ Help build awareness of *Open Access* among researchers and other organizations
- ☐ Plan for and invest in *OA at a programmatic level* to ensure adequate resources and staffing to develop, launch, and sustain OA publishing & initiatives

Examples of National and Research Funders’ OA & Related Policies

- Argentina (national policy)
- Australian Research Council
- Autism Speaks
- European Commission
- Food & Agriculture Organization (FAO)
- Higher Education Funding Council of England (HEFCE)
- Germany (national policy)
- International Development Research Centre (IDRC)
- Norwegian Research Council
- Spain (national policy)
- UK Department of International Development (DFID)
- United Nations Economic Commission for Africa (UNECA)
- United Nations Educational, Scientific, and Cultural Organization (UNESCO)
- White House Office of Science & Technology Policy (OSTP) [covers top US federal funding agencies]
- US National Institutes of Health (NIH)
- Wellcome Trust
- World Bank

<Background>

Increasingly, copyright restrictions are seen as a potential bottleneck for digital sharing



<Background>

Copyright supports orthodox **models of publishing** that many feel are somewhat **broken**, especially in the context of knowledge produced with public funds.



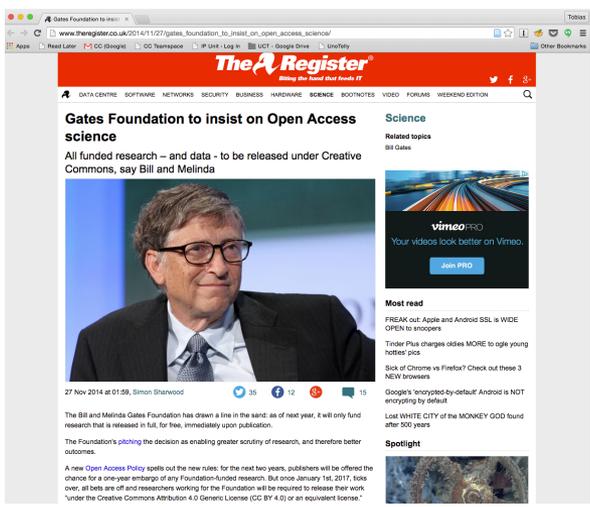
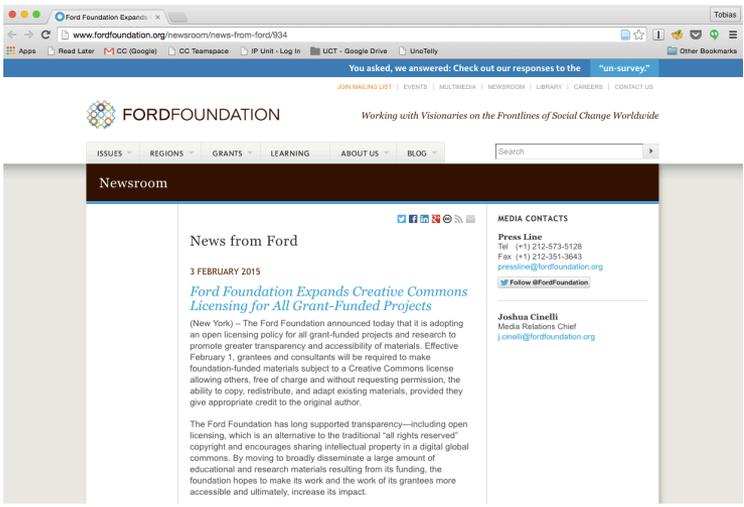
<Background>

Criticism: the **actual content is produced and usually peer-reviewed by academics** – free of charge

&

isn't it a bit absurd that while the content is produced by academics that are paid with **taxpayers' money**, taxpayers have to pay (again) to access the material?

Funders / institutions increasingly request to publish project results openly



National Research Foundation





PASA

**PUBLISHERS' ASSOCIATION
OF SOUTH AFRICA**



<but why do we need *open licensing*
in the first place?>

The way copyright laws around the world operate is that the moment creative works are created (including scholarly works), creators get a **monopoly** that allows them to decide if and how others can use this work.



Default & automatic **All Rights Reserved** situation

Duration of copyright protection in



- ✓ depending on the nature of work
- ✓ rule of thumb for literary works: end of the year in which author dies + 50 years

<Ownership>

Author = owner

but in **employer-employee relationships (incl. at universities)** the **employer** usually owns the copyright

and funding contracts may assign © to the funder...

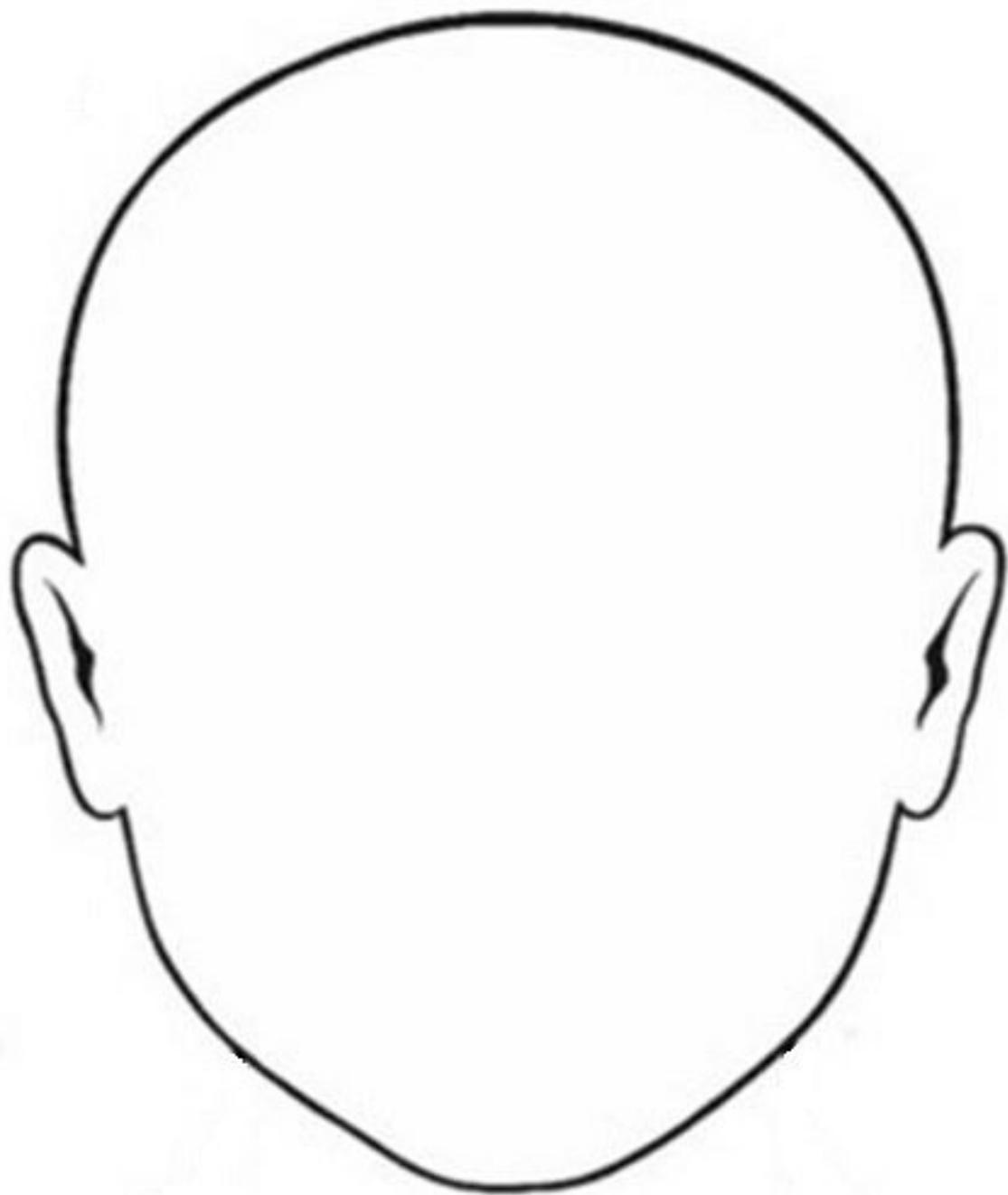


Assignment
transfer of rights

Licensing
permission to make
use of copyrighted
material

Sounds all good ...

But what happens if you actually **want to share**
your material more freely?



E.g., because your main objective is widest-possible dissemination rather than making money?



OpenUCT Guide

open.uct.ac.za



ACADEMICS' ONLINE PRESENCE

A
FOUR-STEP GUIDE
to taking control of your visibility

Sarah Goodier and Laura Czerniewicz

<https://tinyurl.com/qazbap5>

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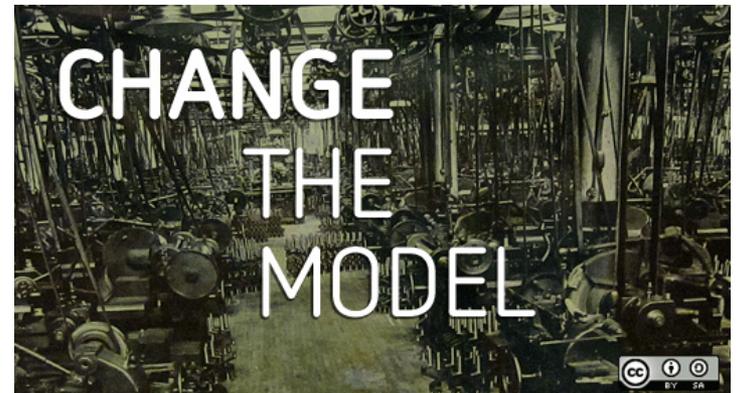




Should we really create and accept private ownership
and monopolies in cultural and knowledge
material

As this can severely hamper access to knowledge, incl.
educational / scholarly material?

Could it be that new modes of copying and sharing creative content brought about by digital technologies require a re-thinking of the traditional concept of copyright protection and copyright based business models?



<open licensing / Creative Commons>



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to disseminate their works and
share and build upon the work of others

consistent with the rules of copyright.



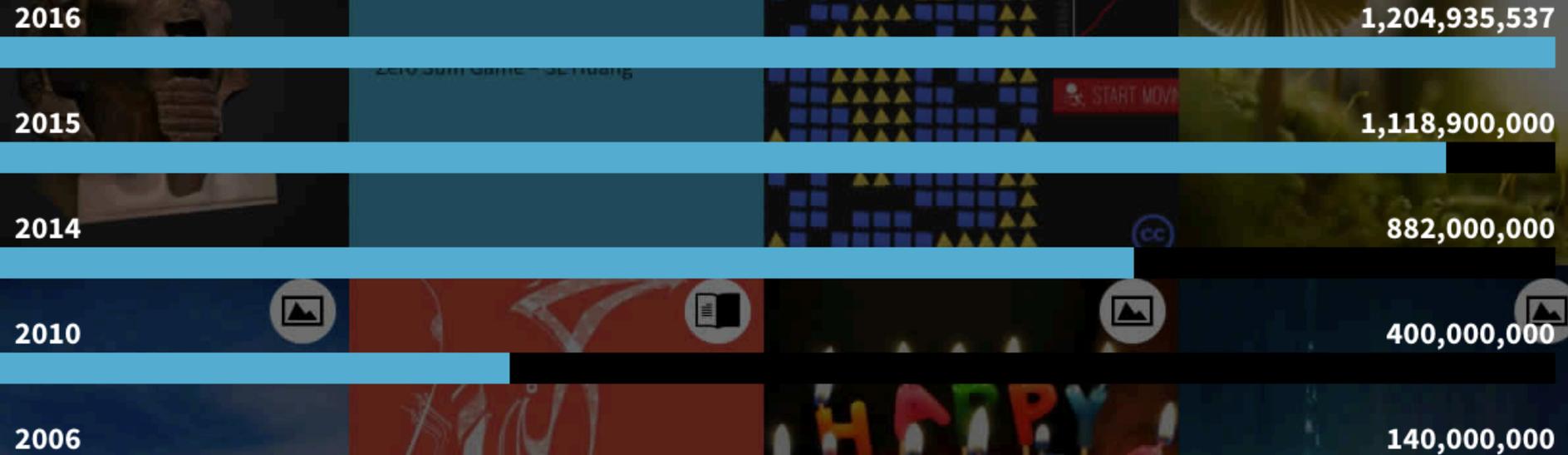


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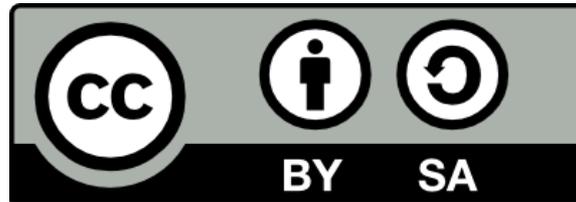
1.2 BILLION

CREATIVE COMMONS LICENSED WORKS



<this is how it works>

If you want to use CC licensed material created by others, just look out for a symbol like this:



or

The Google logo, featuring the word 'Google' in its characteristic multi-colored font (blue, red, yellow, blue, green, red).

Advanced Search



WIKIPEDIA
The Free Encyclopedia

The Flickr logo, with the word 'flickr' in a bold, lowercase, sans-serif font. The 'f' is blue, and the 'r' is pink. A small 'TM' trademark symbol is located to the right of the 'r'.

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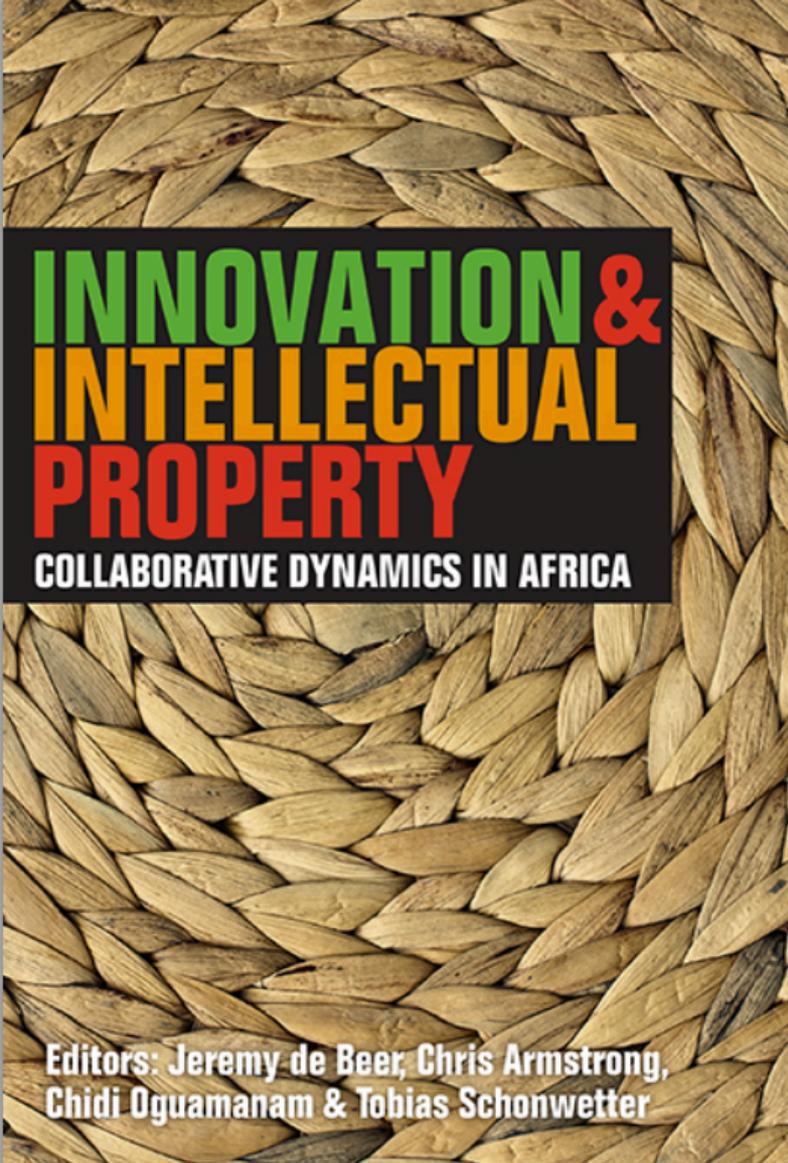
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**INNOVATION &
INTELLECTUAL
PROPERTY**
COLLABORATIVE DYNAMICS IN AFRICA

**Editors: Jeremy de Beer, Chris Armstrong,
Chidi Oguamanam & Tobias Schonwetter**

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Latest News

Greater visibility to APCs: amount, currency, URL
There has been a lot of focus in research on author processing charges (APCs) and submission charges, particularly in the last 16 months or so and DOAJ data is often used as a basis of that research. Heather Morrison's recent article in Publications and Walt Crawford's research published in Cites and Insights are two very [...] [Read More...](#)
Tue, 10 Feb 2015 at 08:12

Applications: a note about Archiving and Preservation
One of the questions in our Application Form asks: 'What digital archiving policy does the journal use?' (Question 25). The words "archive" and "archiving" are used frequently in academic publishing and more often than not refer to very different things so I want to add some clarity to what DOAJ is referring to with this [...] [Read More...](#)
Wed, 28 Jan 2015 at 15:47

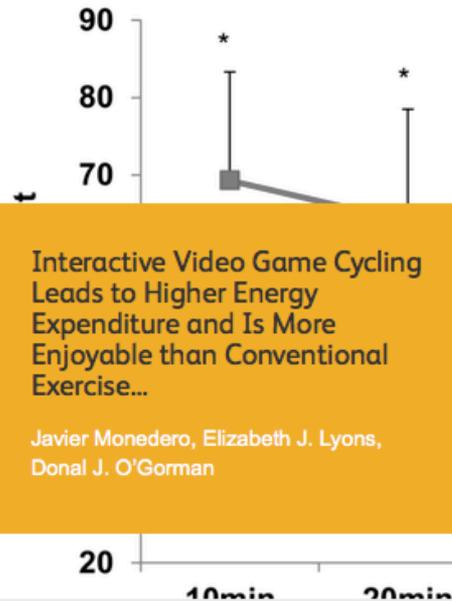
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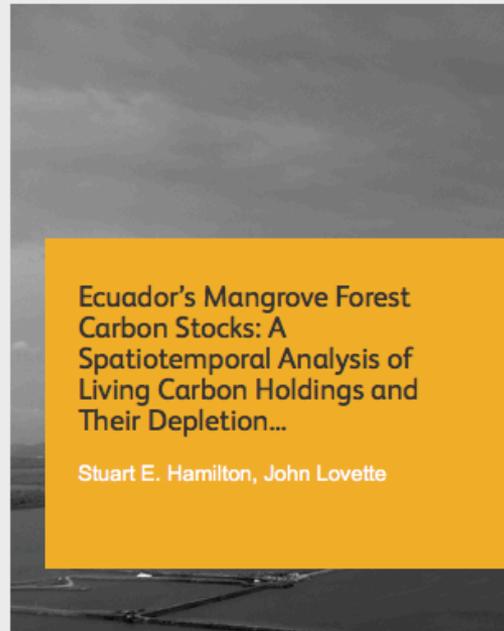
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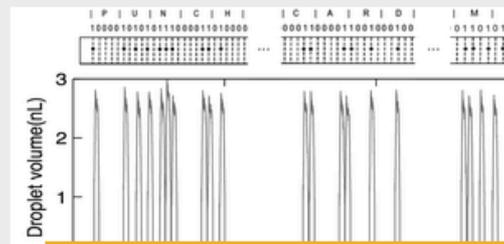
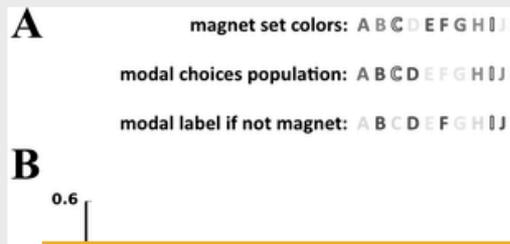
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Thank you!

my email address is:

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