

Rights Retention Strategy

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The Rights Retention Strategy (RRS) enables authors to exercise the rights they have on their manuscripts to deposit a copy the Version of Record (VoR) or the Author Accepted Manuscript (AAM) in a repository on publication (= zero embargo) and provide open access to it (under the CC BY licence).

<https://www.coalition-s.org/resources/rights-retention-strategy/>

Who owns the copyright?

- According to the IPR legislation, the intellectual property belongs to the author, who is 'the first owner of copyright'.
- In case copyrighted materials are created by employees as part of their employment duties (work for hire), there is usually an agreement between the employee and the employer and in most cases copyright belongs to the employer.

Researchers = authors

Researchers' institutions = employers

Publishers ≠ (researchers') employers

- Publishers own copyright only if authors sign off their rights (by signing the copyright transfer agreement).

Copyright transfer agreement

About the IEEE Copyright Form

Before your accepted article can be published, you'll need to complete a Copyright Form.

Before your accepted article is published by IEEE, you will be asked to complete a publishing agreement. The IEEE Copyright Form is required for all publications that are not open access except for material in the public domain. Signing the IEEE Copyright Form transfers ownership of the article to IEEE.

The Electronic IEEE Copyright Form (eCF) makes signing a publishing agreement easy by determining which agreement meets your needs and enabling you to complete it on-screen.

Government employees

Articles written by government employees may require a different copyright form. The eCF will determine the appropriate form to match your circumstances. When an article's authors are a mix of government and non-government employees, one of the non-government employees should sign the copyright form.

- The author transfers the monetary rights.
- Authors are often required by publishers to transfer copyright (sometimes even by OA publishers).
- Due to this they can't make the published version of the publication publicly available.
- They often have to ask permission from publishers to reuse their own publications (or their parts).

The author who has retained copyright can:




















- reuse the publication
- translate it
- distributed under a licence of their choice

Rights retention

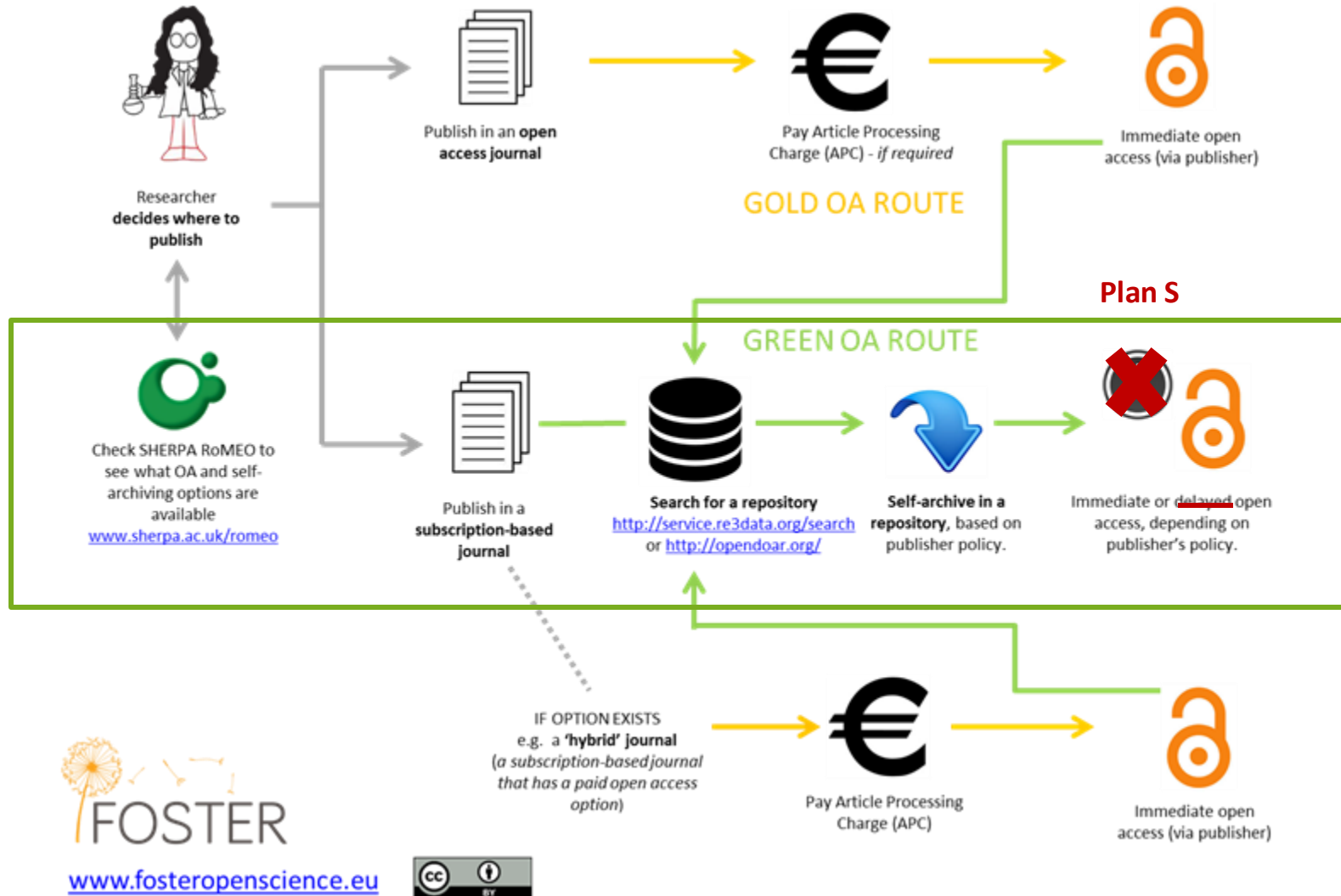
Even in case of copyright transfer, the author can retain some rights.

Legal basis for self-archiving

- Even if the author has transferred copyright to a publisher, the ownership of a manuscript \neq the ownership of copyright.
- Journal policies and copyright transfer agreements usually make provisions for self-archiving.
- Sherpa Romeo: a searchable database of self-archiving policies.
- Check journal websites, too.

Published Version	  None  CC BY  PMC  Any Website, Journal Website, +2
Accepted Version [pathway a]	 None   Author's Homepage
Accepted Version [pathway b]	 12m  Publisher's Bespoke License   Institutional Repository, Funder Designated Location
 Embargo	12 Months
 Licence	Publisher's Bespoke License
 Location	Funder Designated Location Institutional Repository
 Conditions	Published source must be acknowledged with citation Must link to publisher version with DOI Post-prints are subject to Springer Nature re-use terms
Submitted Version	 None   Preprint Repository, Author's Homepage

Green Open Access



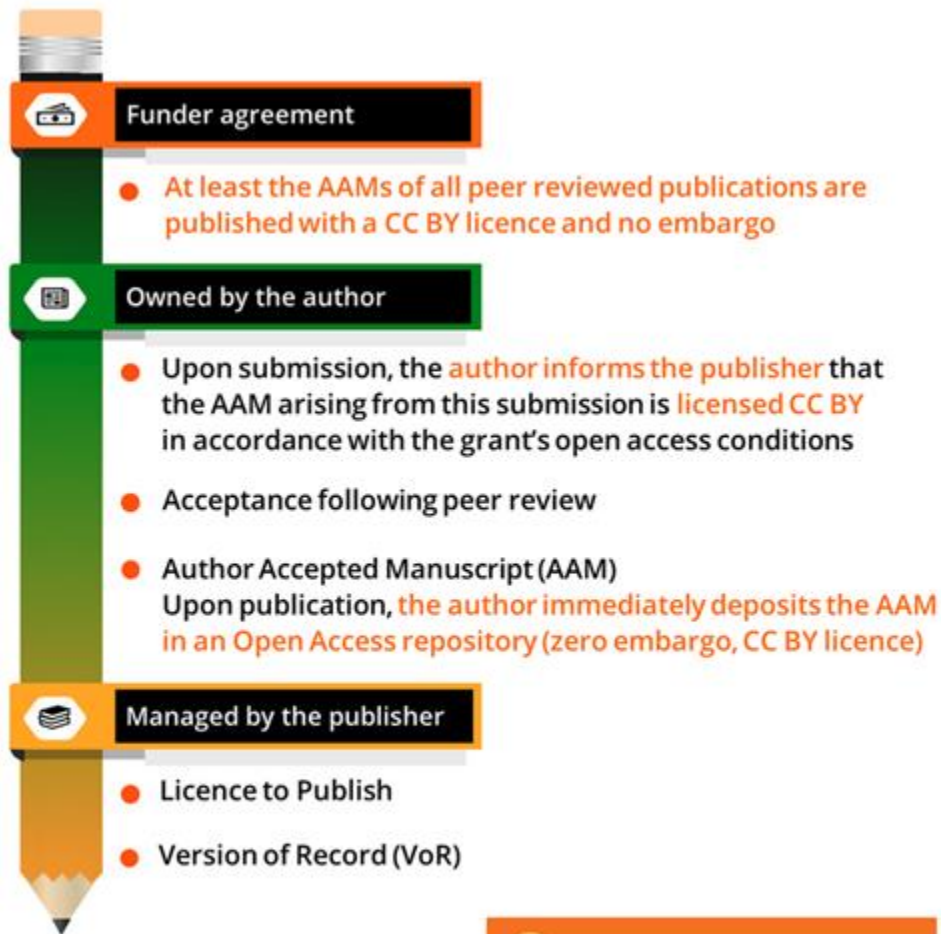
Rights Retention Strategy

- Authors who publish in subscription-based journals should retain SUFFICIENT rights to be able to immediately (no embargo) self-archive at least AAM under the CC BY licence.

- Exemption clause in the publishing agreement:

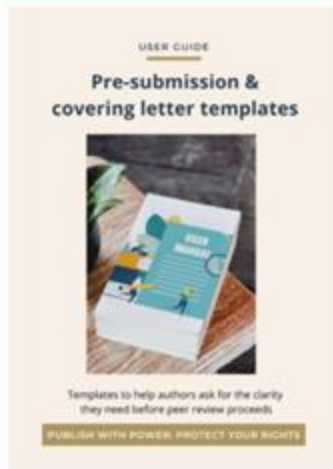
“[Insert publisher name] acknowledges that, notwithstanding any other terms or conditions in this agreement: Author Accepted Manuscript versions, which arise from submissions based on results from research funded fully or partially by cOAlition S Organisations, can be made freely available at the time of publication through any Open Access repository of the author’s choice;

the Author Accepted Manuscript can be shared under a CC BY or equivalent licence; CC BY-ND upon agreement by the cOAlition S Organisation).”



Informing the publisher

User guide



Pre-submission letter template



Submission cover letter template



Templates prepared by cOAlition S: <https://www.coalition-s.org/resources/rights-retention-strategy/>

Looks familiar? Remember [SPARC Author Addendum](#)?

Resources to support various stakeholders

- Researchers, publishers, librarians, research administrators
- cOAlition S resources, part of the online campaign “Publish with Power: Protect your rights”: <https://www.coalition-s.org/resources/rights-retention-strategy/>
- [Journal Checker Tool](#) to check the compliance of journal policies with Plan S.
- Fighting publishers’ ‘smoke and mirrors’: <https://www.coalition-s.org/the-rrs-and-publisher-equivocation-an-open-letter-to-researchers/>
- Different media: guidelines, presentations, videos, a quiz...
- Various scenarios are analyzed.

Project RETAIN

- Stichting IFLA Foundation Programme, in partnership with IFLA, LIBER and SPARC Europe are implementing a three-year programme to reform copyright laws and regulations that enable libraries to provide an improved access to and use of copyrighted works. SPARC Europe is leading the sub-project on rights retention called **Project Retain** (interviews, surveys and focus)
- Proudman, V., & Treadway, J. (2022). Rights retention, open licensing and copyright: Reforming the policy landscape. *Septentrio Conference Series*, (1). <https://doi.org/10.7557/5.6623>
- Recording: <https://uit.cloud.panopto.eu/Panopto/Pages/Viewer.aspx?id=cd122150-5ef4-4025-9424-af4e00a048f1>

Examples: France

- Implementing the rights retention strategy for scientific publications: Guide for researchers (France):
https://www.ouvrirlascience.fr/wp-content/uploads/2022/12/RRS_Guide_for_Researchers_web.pdf



Examples: University of Edinburgh

- Tate, D. (2022). Open Science Policies at the University of Edinburgh: Putting Policy into Practice. *Septentrio Conference Series*, (1). <https://doi.org/10.7557/5.6759>
- Recording: <https://uit.cloud.panopto.eu/Panopto/Pages/Viewer.aspx?id=c7a79fd4-78bd-4a72-9ea2-af49009fafee>

Research Publications & Copyright Policy (2021)



Purpose of Policy

This will allow University of Edinburgh researchers to make their journal articles and conference proceedings available on an open access basis as required by research funders under Plan S <https://www.coalition-s.org>.

Overview

Immediate Open Access to research outputs, with rights retention, is the direction of travel major researcher funders are taking. On 1 January 2021 the Wellcome Trust introduced its new Open Access policy which requires its grantholders to immediately make their research outputs open access upon publication and to be openly licensed with a Creative Commons attribution licence (CC BY).

It is expected that the new UKRI open access policy, which is due to be announced shortly with a start date of 1 January 2022, will have similar elements of rights retention that allow their grantholders to make their research outputs freely available by the official final publication date.

Furthermore, the recently announced Horizon Europe programme, which is world's largest multinational research and innovation programme, will require immediate open-access publishing for all recipients of Horizon Europe research grants. Authors must also retain intellectual-property rights for their papers.

The original Research Publications Policy was originally developed and implemented in January 2010, and has been revised in 2021 to bring it in line with research council strategies, policies, and practices.

Scope: Mandatory Policy

This policy applies to all staff on research contracts.

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Myths and misconceptions

- Copyright to published works is always owned by publishers.
- Authors who have signed off copyright cannot share their work.
- Authors (must) sign off all rights if they wish to publish in a subscription-based journal.

Training challenges

- Complexity
- Poor understanding of IPR
- Confusing and misleading guidance to authors (by publishers)

Handling training challenges

- Use simple, yet accurate explanations.
- Help authors navigate through abundant resources
- Help authors use the templates provided by cOAlition S
- Present use cases from the literature and try to identify examples from your local environment.

THANKS

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