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Mandatory Archiving and Copyright Issues of Open Access Resources in Institutional Repositories

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Abstract

The exponential growth of number of journals and increasing prices has engendered the idea of open access among academic communities. To boost the open access movement and to make it a success many institutions, organizations and funding agencies are framing policies making it mandatory for researchers/academicians to make their intellectual publications available on open access platform. The paper aims to examine the copyright issues related to mandatory open access self-archiving and the availability of defined policies to guide the authors of scholarly publications in mandatory deposition. The relevant data for the study was collected through published literature and websites. The result shows that along with the early advocates, many other Indian institutions and publishers are also gradually moving towards the open access platform. However, sufficient information is not available on the website of institutional repository to determine the archiving rights of the authors.

Keywords: Copyright, Institutional Repository, Open Access, Self-Archiving

1. Introduction

Accessibility to research information facilitates ~~in~~ smooth and proper research and development activities. The most common way to make the scholarly research available and accessible to the wider academic community is through published articles in peer-reviewed journals. In 1665 Henry Oldenburg, the secretary of the Royal Society of London, published the first issue of the first scholarly journal, i.e., The Philosophical Transactions (Cassella & Calvi, 2010)[2]. Since 1665, when the first scholarly journal, Journal des Scavans, was published as a new medium of communication, followed by the Philosophical Transactions of the Royal Society, the number of scholarly journals is growing exponentially (Osburn, 1984 as cited by Harter & Kim, 1996)[4].

Web of Science, the world's leading citation databases, provides authoritative, multidisciplinary coverage of more than 12,000 high impact research journals worldwide, including Open Access journals. It covers Science Citation Index Expanded, Social Sciences Citation Index Expanded, Conference Proceedings Citation Index, and Arts & Humanities Citation Index. It covers more than 7,000 academic and research institutions from more than 100 countries and in 32 languages (Thomson Reuters, 2016). Cassella and Calvi (2010)[2] stated that "from the Second World War to date the number of commercial journals has increased tremendously. Ulrich's Periodicals Directory, 2009, registers 23,973 peer-reviewed journals." Further, the prices of the journals are also increasing and this along with the increase in the number of journals has a direct effect on library budgets and purchasing power.

Tise (2011)[11] had rightly said that "the information that is available is so expensive that only a handful can afford to 'purchase' the information." *With academic libraries being less and less able to purchase the journals needed for their communities, the use of the term scholarly communication has evolved to illustrate the breakdown of the process of traditional scholarly publication; that is, as a means to disseminate research results, the present system of scholarly communication can no longer meet the needs of the scholarly community at large* (Thorin, 2003)[10]. The serials crisis which began in the 1970s and reached its crescendo in the 1980s resulted to the evolution of the open access movement (Utulu & Bolarinwa, 2009)[12]. *In response to this crisis, many academic libraries, institutions,*

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and governments worldwide have begun to support the Open Access (OA) movement (Hu, Luo & Liu, 2012)[5].

The main aim of open access movement is to change the traditional scholarly communication model by increasing accessibility to research output,- from subscription based access to free access. The acceptance of Open Access (OA) by the academic community can be gauged by the growing number of OA journals, OA repositories and policies for mandatory open access to funded research. In this context, the role of alternative scholarly communications models, such as institutional repositories, in breaking the monopolies of publishers and in increasing the awareness of university intellectual output grows increasingly clear. Utulu and Bolarinwa (2009)[12] commented that theoretically, open access initiatives have been described as scholarly communication models that promote making scholarly works and publications freely available on the internet to the global academic community without any form of restriction due to payment, geographical location, belief, or creed.

The Budapest Open Access Initiative (www.budapestopenaccessinitiative.org/) recommends two significant ways of achieving open access: through self-archiving or the green road and open access journals or golden roads.

Green Road- The green route, often referred to as "the 'self archiving' route, entails authors submitting manuscripts to traditional journals maintaining the right to mount a version of their work on an open access repository (Spezi et al. 2013)"[9]. One path to self-archiving is through institutional repositories hosted by university and research institutions or through a subject or discipline-based repository. Author self-archiving is another path to open access. Authors can post the pre-prints or post-prints of their journal articles and other scholarly publications on their personal web sites/blogs which are accessible publicly all over the globe.

Golden Road- The gold***en*** route, often referred to as "the 'author pays' route, involves payment of an article processing charge to publishers enabling the article to be made available to all without subscription or charge barriers (Spezi et al. 2013)"[9]. Open access journals are those journals which provide access to full-text articles published in that journal to the reader without any financial charges. The open access journal may be author paid, financed by external grants, or use voluntary work (Sahu & Arya, 2013)[8].

2. Research Method and Sample

The aim of the present paper is to examine the question of copyright in the context of mandatory open access, self-archiving and the availability of defined policies by Indian academic and research institutions to address this question. A thorough literature search was conducted to identify literature that has been published on open access, institutional repositories, and copyright issues. The other relevant data for the study was collected through the websites of the institutions having Institutional Repositories (IRs). The list of the institutions has been obtained from the Ranking Web of Repositories (http://repositories.webometrics.info/).

2.1 Mandatory Self-Archiving Policy and Copyright Issues of Indian Repositories

Institutional repositories, the "Green Road" to open access, have a great impact in developing digital collections that preserve and provide access to the intellectual output of an institutional community. Today institutional repositories are quite common and are helpful in making visible an institution's research output.

Paul Ginsparg, is the father of the very first digital subject repository called ArXiv of Physics literature established in 1991 at Los Alamos, New Mexico and which is now housed and managed by Cornell University. Following that, many universities around the world started establishing IRs, often referred to as e-prints archives, as an appropriate infrastructure to provide OA to their intellectual output (Ahmed & Al-Baridi, 2012)[1]. Open access publishing through OA repositories has also become an important platform for scholarly communication in India. It has gained a huge popularity among academic fraternities for publishing their articles, reports and other research output. As per the data of OpenDOAR and ROAR as on August 2016, the total number of repositories is 71 and 114 in India respectively. A number of new initiatives, still being in the initial stages, are yet to be listed by ROAR.

"The development and maintenance of an institutional repository requires the creation and continual revisiting of a broad set of IR-related policies" (Rieh, 2008)[7] including submission, access, metadata, preservation, copyright, etc. Although Open Access (OA) self-archiving mandates have a history spanning less than ten years, more than three hundred institutions, funding agencies, and other academic programs around the world have implemented

policies requiring scholars to self-archive their research outcomes in a repository or on a website, to promote free access and wide sharing of information. The earliest OA mandate was a program-based policy alternately called a departmental or sub-institutional policy by ROARMap, created and maintained by the University of Southampton's School of Electronics and Computer Science in England in January 2003 (Xia et al., 2012)[14]. Since then others have also followed suit and today according to Woutersen-Windhouwer (2013)[13] more and more funding agencies encourage or mandatorily require OA publishing of research results for the citizens who are indirectly funding the research through taxes. Mandate policies evidence a geographic diversity, with many in Australia, Europe, and the United States, but also in Africa, Asia, and South America (Xia et al., 2012)[14].

The history of mandatory open access began in India when the National Institute of Technology, Rourkela in 2006 mandated open access to all their in-house publications. Followed by that, many other institutions like International Crops Research Institute for the Semi-Arid Tropics (ICRISAT), Hyderabad; National Institute of Oceanography, Goa; Indian Institute of Horticultural Research, Bengaluru, as well as regulatory authorities such as University Grants Commission (UGC), Department of Biotechnology (DBT) and Department of Science and Technology (DST), Council of Scientific and Industrial Research (CSIR), National Knowledge Commission

Table 1. Open access mandate in India

Name of the Institution	Date of Policy Registration	Organisation Type	Policy URL
Bharathidasan University	1 November 2006	Research Organization (e.g. university or research institution)	Not Accessible
CGIAR	2 October 2013	Funder	http://www.cgiar.org/resources/open/
Council of Scientific & Industrial Research	6 February 2009	Funder	http://www.csircentral.net/mandate.pdf
Department of Biotechnology and Department of Science & Technology, Ministry of Science & Technology	12 December 2014	Funder	http://www.dbtindia.nic.in/wp-content/uploads/APPROVED-OPEN-ACCESS-POLICY-DBTDST12.12.2014.pdf_
ICRISAT International Crops Research Institute for the Semi-Arid Tropics	20 May 2009	Research Organization (e.g. university or research institution)	http://oar.icrisat.org/mandate.html
IITH Indian Institute of Technology Hyderabad	13 September 2014	Sub-unit of research Organisation (e.g. department, faculty or school)	http://raiith.iith.ac.in/policies.html Not available
Indian Council of Agricultural Research	19 May 2013	Funder	http://icar.org.in/en/node/6609
Indian Institute of Horticultural Research Bengaluru	NA	Funder and research Organisation	http://erepo.iihr.ernet.in/ Require Log in ID and PW
M S University	12 April 2013	Research Organisation (e.g. university or research institution)	Not Accessible
Madurai Kamaraj University	NA	Research Organisation (e.g. university or research institution)	Not Accessible
Mahatma Ghandi University	9 November 2008	Research Organisation (e.g. university or research institution)	Not Accessible
National Institute of Oceanography	6 December 2010	Research Organisation (e.g. university or research institution)	Not Accessible
National Institute of Technology, Rourkela	12 May 2006	Research Organisation (e.g. university or research institution)	Not Accessible
National Knowledge Commission	6 December 2006	Funder	Not Accessible

(NKC), Indian Council of Agricultural Research (ICAR) have also adopted the Open Access policy by making it mandatory to set up an institutional repository or provide open access to publicly funded research.

Table 1 was prepared using the ROARMap (Registry of Open Access Repository Mandates and Policies (http://roarmap.eprints.org/) database of open access mandate policy listing data about the host institution, date of OA mandate policy registration, type of organisation and URL link to the policy for easy retrieval. As on July 2016, ROARMap listed 14 Indian Institutions and Organisations in its database.

3. Copyright Clearance Support

Though the number of open access repositories is increasing among the Indian academic and research institutions, many of them are not performing well in terms of growth of collection. Hanlon and Ramirez (2011)[3] had rightly stated that "While the IR has become a more widely accepted component of preserving and disseminating the scholarly record of the university, formalized practices for populating repositories are still largely non-existent, a gap felt most acutely in the area of copyright clearance."

As normally the copyright issues are addressed by the IR administrator/staff it is necessary for them to ensure that copyright requirements are complied with before full-text files are deposited in repositories. A survey of institutional repository managers by Hanlon and Ramirez (2011)[3] indicated that a majority of IRs follow a mediated deposit process, with librarians and library staff holding the role of copyright clearance. Thus, IR staffs have to confirm that academics have permission from the relevant publisher to make the published work publicly available in open access platform. Many of the academics/authors who are willing to self-archive in IR have been deterred from doing so due to their apprehension about infringing publisher copyright and lack of adequate awareness about their own intellectual property rights. Therefore, sufficient information and assistance provided by the IR staff will reduce the risk of copyright violations and set right these apprehensions and will simultaneously help to increase the number of items deposited.

In a study conducted as a part of MIRACLE (Making Institutional Repositories a Collaborative Learning Environment) Project, Rieh et al., (2008)[7] found that three areas of policies emerged as most prominent: content contribution (who is entitled to submit and what can be accepted), copyright issues (what could be included and who is responsible), and access (who can access the material). In this paper, we are interested in the policy addressing "copyright issue" to OA repositories. Rao (2007)[6] said that each institution defines its own policies with reference to access to and use of materials in repositories. Copyrighted materials may carry a variety of restrictions. Some materials may be restricted to a small group of researchers or to people associated with the institution.

The SHERPA/RoMEO (www.sherpa.ac.uk/romeo.php) web site is a handy tool to verify the status of the copyright of a published works. SHERPA runs the service RoMEO, which lists journal publishers and their associated copyright agreements. This helps the authors to check the copyright status of the journal where their work is published. RoMEO's advanced searched interface can be used to search the database by journal title, ISSN, publisher's name, RoMEO ID, RoMEO colour, RoMEO update date and country. The journal information is provided by Zetoc based on the British Libraries collections, Directory of Open Access Journals (DOAJ) managed by Infrastructure Services for Open Access, and the Entrez journal list hosted by the NCBI. RoMEO also indicates if the publisher is compliant with funders' mandates. ROMEO database has listed different types of archiving policies under the following colours as given in Table 2. RoMEO has also about 351 additional policies for special exceptions. The RoMEO/EPrint's Journal Policies- American Psychological Association (http://romeo.eprints.org/publishers/12.html) has also listed 48

Table 2. Publisher's archiving policy (RoMEO Colour)

RoMEO Colour	Archiving policy	Total no. of Publisher	Indian Publisher
Green	Can archive pre-print and post-print or publisher's version/PDF	1086 (40.99%)	52
Blue	Can archive post-print (i.e. final draft post-refereeing) or publisher's version/PDF	826 (31.18%)	56
Yellow	Can archive pre-print (i.e. pre-refereeing)	225 (8.49%)	3
White	Archiving not formally supported	512 (19.33%)	9

journals which are allowing the authors to self-archive pre-print (pre-refereeing) or post-print (final draft post-refereeing).

As on date SHERPA/RoMEO has listed total 2,649 publishers and among this 120 publishers from India. The figure shows that significant numbers of Indian publishers are now moving towards open access by giving the rights of archiving post-print or pre-print of articles in open archives. Among the 120 publishers 52 publishers allow archiving of pre-print and post-print or publisher's version/PDF, 56 publishers allow post-print (i.e., final draft post-refereeing) or publisher's version/PDF, 3 publishers allows archiving of pre-print (i.e., pre-refereeing) and other 9 publishers do not formally support archiving. Another important source to check the publisher's policies are NCSI List of Selected Publishers Archiving Policies and the Directory of Open Access Journals lists.

4. Results

One of the strategies for the success of mandatory self-archiving is providing necessary support and guidance for submitting contents to the IR. Among the various issues which prevent faculty members from contributing to the repositories the questions surrounding copyright are the most common. According to Xia et al. (2012)[14] with regard to copyright issues, many institutions ask for copyright-free licensure like the Creative Commons (CC) non-commercial license on items. Some institutions invite the depositors to negotiate with publishers regarding non-exclusive right to open archive while some encourage publication in only OA journals. Inclusion of or link to adequate information for handling copyright issues related to research publications in IR website makes the task of self archiving simple for the authors and ultimately the success of IR. But among the 41 IR selected for the study only 8 institution repositories have link to copyright support information available in the homepage of the IR websites.

Further upon examination of the available copyright information in their IR websites, it is found that of the 8 institutions listed in ROAR Map only 3 institutions provide link to SHERPA/ROMEO website for publisher copyright and self-archiving policy. The list of 41 institutional repository for this study was selected from Ranking Web of Repositories, July 2016 Edition.

The oldest Indian IR the EPrints@IISc has listed some of the information sources relating to publisher's policies such as NCSI, SHERPA/ROMEO, Lund Directory of OA Journals from where the authors can ascertain the archiving rights. Other than that, most of the other websites contains almost similar information with slight variation in language. The IR@NAL website has guidelines to deal with copyright issues with regard to different types of publications like journal papers, conference papers, book chapters and Electronic Thesis and Dissertations (ETDs). The IR website of Central Food Technological Research Institute also has the same contents as in NAL's IR website. The IR website of Indian Institutes of Astrophysics has listed 19 renowned national and international publishers in Astrophysics and their copyright policies. The website also has link to a PDF file listing more than 100 OA journals in Astrophysics. Additionally it also has the link to the SHERPA/ROMEO website. The website of Digital Repository of Raman Research Institute has included guidelines to understand the commonly used terms in copyright agreements.

Table 3. Availability of copyright support information in IR website

Institution & Repository Name	URL of specific Institutional Repository	Copyright Support Information
Information and Library Network Centre Institutional Repository	http://ir.inflibnet.ac.in/	N
Indian Institute of Science Bangalore Institutional Repository	http://eprints.iisc.ernet.in/	Y
Central Marine Fisheries Research Institute Institutional Repository	http://eprints.cmfri.org.in/	N
National Institute of Technology Rourkela eThesis	http://ethesis.nitrkl.ac.in/	N
National Institute of Oceanography India Digital Repository	http://drs.nio.org/drs/	N
International Crops Research Institute for the Semi-Arid Tropics Open Access Repository	http://oar.icrisat.org/	N
National Institute of Technology Rourkela Digital Archive	http://dspace.nitrkl.ac.in/dspace/	Y (Link to SHERPA)
National Aerospace Laboratories Institutional Repository	http://nal-ir.nal.res.in/	Y
Dyuthi Digital Repository Cochin University of Science and Technology	https://dyuthi.cusat.ac.in/xmlui/	N

Indian Institute of Science Bangalore Electronic Theses and Dissertations	http://etd.ncsi.iisc.ernet.in/	N
Indian Institute of Technology Bombay Digital Repository	http://dspace.library.iitb.ac.in/jspui/	Y (Link to SHERPA)
Indian Institute of Astrophysics Institutional Repository	http://prints.iiap.res.in/	Y
Indian Institute of Technology Delhi Institutional Repository	http://eprint.iitd.ac.in/	N
Indian Institute of Management Kozhikode Institutional Repository	http://dspace.iimk.ac.in/	N
Open Access Repository National Metallurgical Laboratory	http://eprints.nmlindia.org/	N
Mysore University Repository	http://eprints.uni-mysore.ac.in/	NA
Raman Research Institute Digital Repository	http://dspace.rri.res.in/	Y
Repository Vikram Sarabhai Library Indian Institute of Management	http://vslir.iimahd.ernet.in:8080/xmlui/	N
Central Food Technological Research Institute Institutional Repository	http://ir.cftri.com/	Y
eTheses Saurashtra University	http://etheses.saurashtrauniversity.edu/	N
International Food Policy Research Institute Repository	http://ebrary.ifpri.org/cdm/	NA
National Science Digital Library Council of Scientific and Industrial Research	http://nsdl.niscair.res.in/jspui/	N
Indian Statistical Institute Digital Library	http://drtc.isibang.ac.in/DRTC/	N
Kautilya Digital Repository Indira Gandhi Institute of Development Research	http://oii.igidr.ac.in:8080/jspui/	NA
Open Access Repository Publications of Fellows of the Indian Academy of Sciences	http://repository.ias.ac.in/	N
Central Electrochemical Research Institute Repository	http://cecri.csircentral.net/	N
Madras Diabetes Research Foundation Repository	http://mdrf-eprints.in/	N
Osmania University Digital Library	http://oudl.osmania.ac.in/	NA
Knowledge Repository Open Network KNOOR University of Kashmir	http://dspaces.uok.edu.in:8080/jspui/	NA
DSpace Gokhale Institute of Politics and Economics Repository	http://dspace.gipe.ac.in/xmlui/community-list	N
Mahatma Gandhi University Online Theses	http://mgutheses.org/	NA
Inter-university Centre for Astronomy and Astrophyics Repository	http://repository.iucaa.in:8080/jspui/	N
National Physical Laboratory Institutional Repository	http://npl.csircentral.net/	N
Indian institute of Chemical Biology Open Archive	http://www.eprints.iicb.res.in/	N
Institutional Repository of the Kalsekar Technical Campus	http://www.aiktcdspace.org:8080/jspui/	N
Research Archive Indian Institute of Technology Hyderabad	http://raiith.iith.ac.in/	N
eprints NAARM National Academy of Agricultural Research Management	http://eprints.naarm.org.in/	N
National Institute for Research in Tuberculosis NIRT Institutional Repository	http://eprints.nirt.res.in/	Y (Link to SHERPA)
Central Scientific Instruments Organisation Institutional Repository	http://csioir.csio.res.in/policies.html	N
Yuj Research Gateway Cochin University of Science and Technology	https://yuj.cusat.ac.in/	N
Aligarh Muslim University Social Sciences Cybrary	http://socsccybraryamu.ac.in/	N

N= No, Y= Yes NA= Not Accessible

5. Conclusion

The mandated self-archiving policies of funding agencies and academic and research institutions in India to deposit contents in institutional or digital repositories have suggestions which are similar. The OA mandate policy of Consultative Group for International Agricultural Research (CGIAR) has provision for deposit of publications ~~as~~ soon after publication or between 3 to 6 months from the date of publication depending upon the type of resources. The Council of Scientific and Industrial Research (CSIR) even though it had made it mandatory for all CSIR laboratories and R&D organisation funded by CSIR to deposit the full-text of research papers and Electronic Thesis and Dissertations (ETDs) in IR had not defined any time limit. However, the Government of India's The Department of Biotechnology and Department of Science & Technology OA policy requires deposit within two weeks after the acceptance for publication by the journal. Further, the International Crops Research Institute for the Semi-Arid Tropics (ICRISAT) and Indian Council of Agricultural Research (ICAR) policies are at

the forefront of all these by mandating deposit of author's final version immediately upon receipt of acceptance from the publisher. The ETDs submitted to ICAR institutions are made openly accessible after an embargo period not more that 12 months. But the metadata are freely accessible from the date of deposition. Usually, the articles published in journals require early deposition which is recommended by most of OA mandate policies. Most Indian IRs encourage the deposit of journal articles, conference proceeding and ETDs under mandatory OA policies.

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