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# 6th JST STM Seminar

Author rights and their importance:  
Why does this matter in the digital  
environment?

1<sup>st</sup> November 2023

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# Outline



Authors' rights/copyright – origins and some characteristics



International system



Role of copyright in the digital environment



Views on copyright



Open Access, licensing and policies on author rights



Conclusion

# Author Rights / Copyright

Human rights (Art 27(2) of the Universal Declaration of Human Rights protects the expression of ideas

- Copyright features:
  - technology NEUTRAL
  - protects both original and derivative works
  - arises AUTOMATICALLY (prohibition against formalities)
- **There are different traditions (Anglo/American vs ‘droit d’auteur’)**
- Lead and co-authors are covered by national laws;  
often, however, only the lead author enters into a publishing agreement



# International system of copyright conventions

Berne Convention  
[WIPO] (1886)

WIPO Internet Treaties  
[WCT & WPPT] (1996)

WTO TRIPS (1995)

- WTO TRIPS:
  - all of Berne minus Art. 6bis (moral rights).
  - bolsters Berne by providing an international tribunal through which member countries can bring cases against each other for improper implementation

but...

**copyright remains territorial**

# Implications of the digital environment

- Key point:

Copyright is still (even more)  
critical in digital environment

Why?

- ❖ Ensuring appropriate use, reuse, and attribution
  - ❖ Maintaining the integrity of record and preventing misinformation
- Copyright protections are especially important with the rise of Generative AI technology

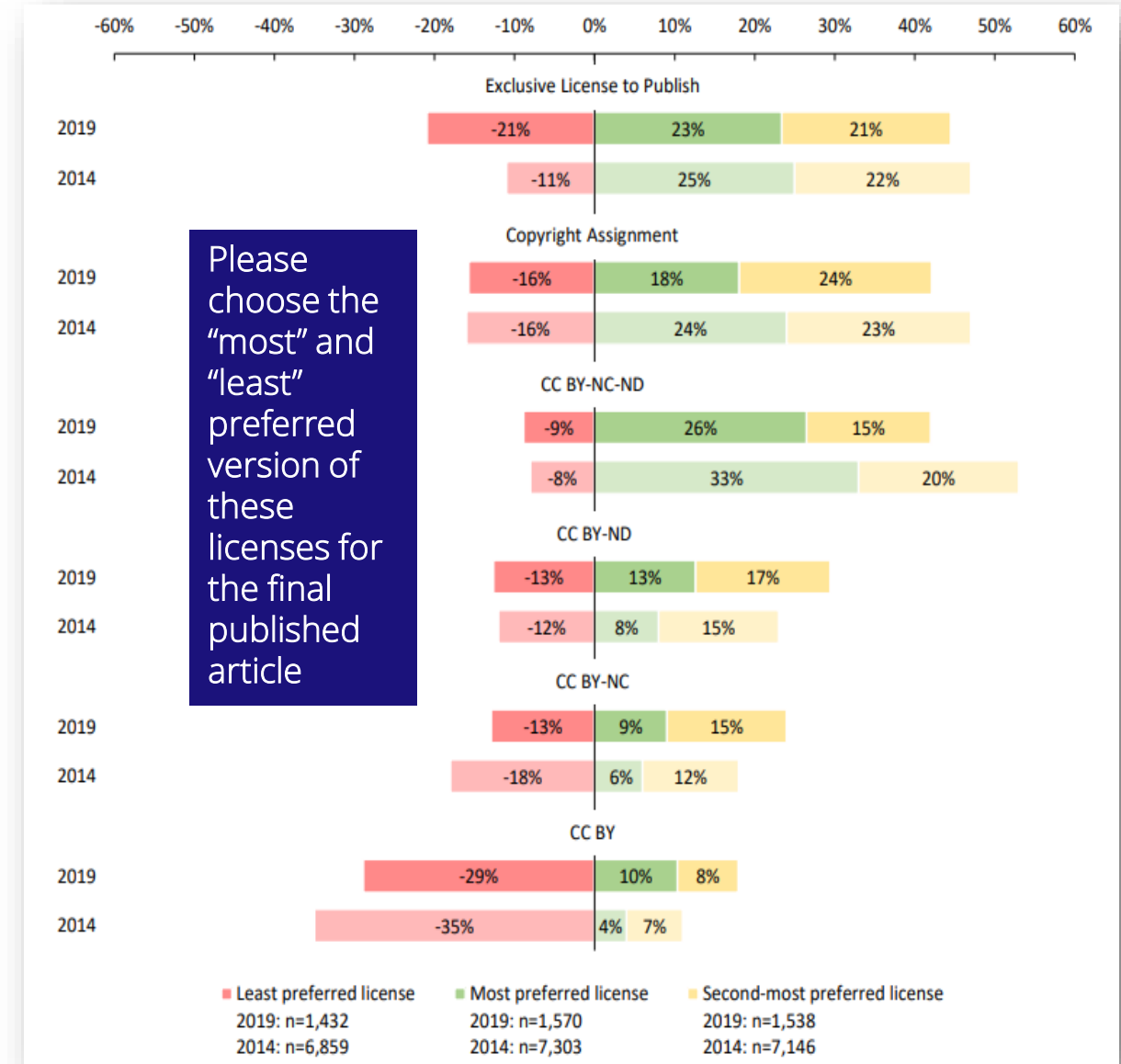


# Points and counterpoints on copyright

"Copyright is a print artefact"	With the rise of mis/dis/mal-information copyright (and attribution) is more important than ever in supporting research integrity.
"Copyright prevents innovation"	Copyright ensures that creators receive credit for their work and encourages creation of new works. Copyright also allows publishers to present work in new ways, supporting future innovation.
"Copyright is in opposition to open access"	Creative Commons licences include many of the inherent principles of copyright including moral right of attribution.
"Assigning copyright to publishers takes away author rights"	Authors assigning copyright to T&F are still credited, can reuse their own work, share with colleagues, print, etc.

# Open Access licenses

- Publishers offer a variety of licenses to suit author needs / desires
- Researchers consistently prefer licenses that put them in control
- While CC BY is dominant license used in scholarly literature for open access, it is far from the only one



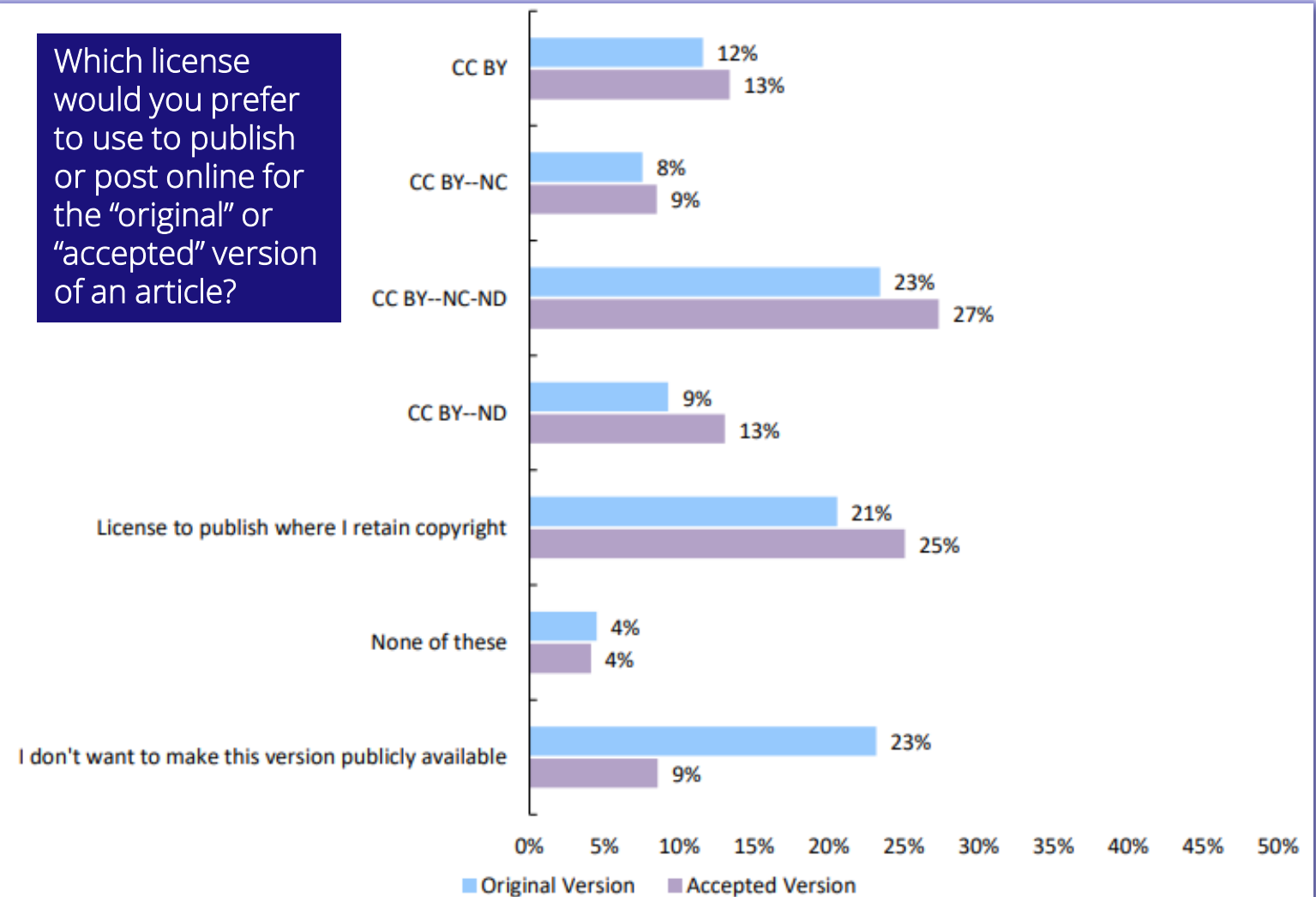
# Author views cont.

Authors still want control for AM / Original Manuscript:

Preference is

- a Licence to Publish or
- Creative Commons-NC-ND licence.

Which license would you prefer to use to publish or post online for the "original" or "accepted" version of an article?



Percentages given per total number of respondents who answered each question (Q10 n=1,606; Q11 n=1,587).

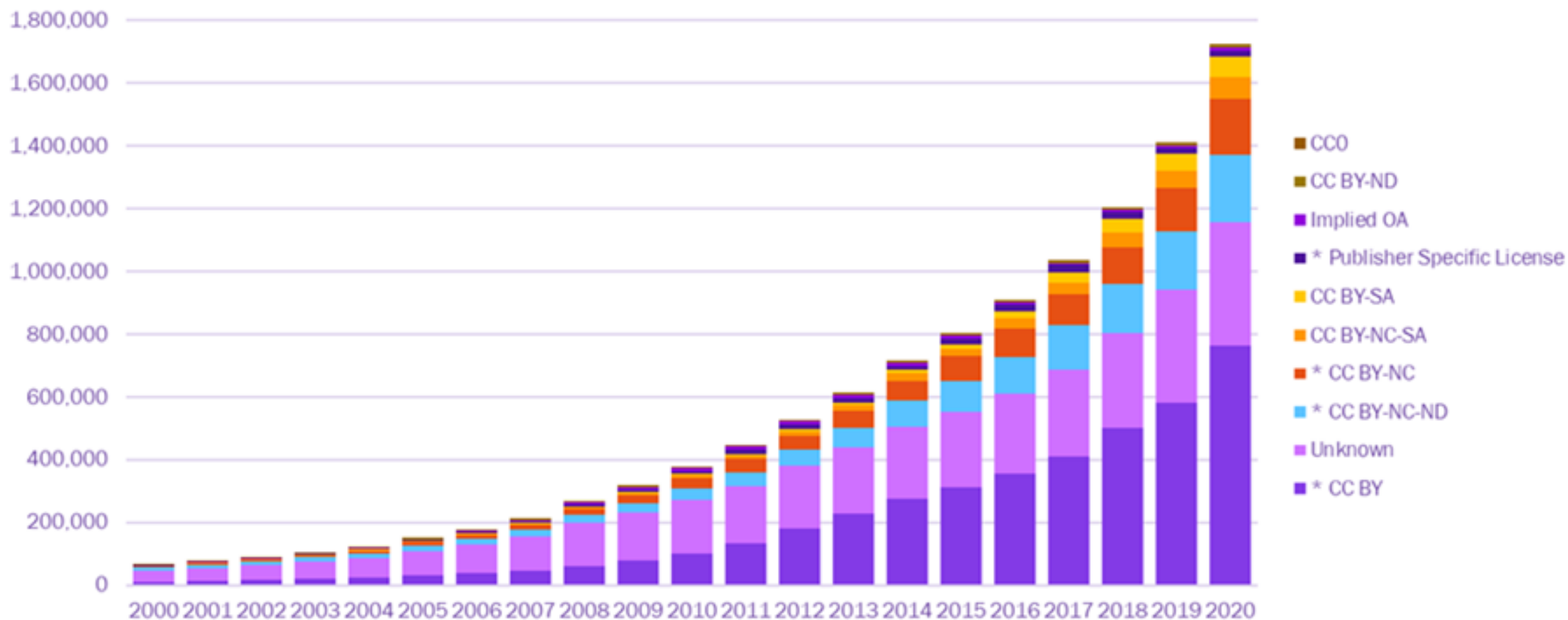


# Publishers / Open Access licenses

- Copyright assignment allows publishers to protect authors' copyright; but many publishers support a range of OA licences
- Publishers use Copyright Transfer or an Exclusive License to protect research integrity (use in plagiarism checker, etc.)
- Especially in an immediate OA environment, the ability of publishers to receive Copyright Transfer or an Exclusive License also supports various business models (subscriptions, reprint revenue, potential new models)



Licenses Applied to Journal Articles, 2000 to 2020 (Source: lens.org, 2022)



# Policies on author rights

- Flexibility on licensing is needed
- Academic freedom is inconsistent with demands that restrict author choice
- Quality and integrity are supported by publisher policies on copyright and licensing
- Dialogue on goals for publishing and open access can yield solutions



# Conclusion

Authors rights, Copyright and Open Access are not alternatives or antithetical; they **work together** and provide protection for authors.

**STM publisher members support and foster the management and protection of authors rights** which is of growing fundamental importance in the digital environment where plagiarism, fake publications and the growing use of AI are drivers for a much broader (uncontrolled] distribution.



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