

Copyright Guide

Author Rights and Copyright

Who owns the copyright in your work?

If a publisher agrees to publish your article or book who owns the copyright? The answer to this question will be important if you want to place the work on your website, send an electronic copy to colleagues, make copies for teaching purposes, deposit it in an online repository or reuse portions in a subsequent work. The legal position is that you retain the copyright until you sign over your rights to the publisher.

Each publisher has its own publication agreement and so the rights you retain will vary. If you transfer your copyright without keeping any rights you may be limiting your ability to give your research wide exposure and fulfil your goals as a scholar. Don't sign the publisher's agreement, often titled the "copyright transfer agreement", on the dotted line without reading it: always check carefully to see what rights you are retaining. If the agreement is too restrictive you can negotiate to keep the rights to use the work in the way that you want.

To aid you in retaining selected rights, SPARC (The Scholarly Publishing and Academic Resources Coalition) has developed an easy-to-use Author Addendum (<http://www.arl.org/sparc/author/addendum.shtml>) to the publisher's agreement.

What is an Author Addendum?

An Author Addendum is a document that can be used to modify the terms of a publisher's standard publication agreement to ensure that you keep key rights to use your article and to post it online. Science Commons has developed the Scholar's Copyright Addendum Engine (<http://sciencecommons.org/projects/publishing/scae/>): this offers a range of addenda, including the SPARC Addendum, with different options for retention of rights and will help you generate a PDF form which you can attach to a publisher's copyright agreement.

How do I use the Science Commons Addendum?

Just follow these easy steps:

- Select and complete the Author Addendum of your choice from the Addendum Engine.
- Save the PDF which is generated.
- Print, sign and date the Addendum.
- Sign and date the publisher's agreement. Immediately below your signature on the publisher's form, write: "Subject to attached Addendum." This is important to make clear that your signature is a sign that you accept the publisher's agreement only if the publisher accepts your Addendum.
- Make a copy of all three documents (the publisher's form, your Addendum, and your cover letter) for your records.
- Mail the three original documents to the publisher.

What if the publisher rejects the Author Addendum?

If the publisher refuses to publish your article under the terms of the Addendum you have some choices to make. You could try to negotiate. Find out which terms of the Addendum the publisher objects to most. Some publishers may be willing to agree to some modifications to their standard agreements.

If the publisher's position is take-it-or-leave-it you could consider what alternative publishers would be willing to enter into a fair copyright agreement and facilitate the widest dissemination of your work.