

Менеджмент авторских прав в проектах открытого доступа

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Презентация на семинаре
«Открытый доступ: Эффективная модель научной
коммуникации»,
21 октября, БГУ, Минск

Политика в области ИС

- Должна быть разработана в организации
- Разговаривая с авторами, говорите о том, что можно сделать, а не то, что нельзя

Гарвард

- Harvard's Faculty of Arts and Sciences
- (1) сотрудники должны депонировать копии журнальных статей в институциональном репозитории
 - (2) автоматически передавать право университету и университетскую лицензию на предоставление открытого доступа к этим статьям через интернет.
- Сотрудникам важно распространение результатов исследований.

- Office for Scholarly Communication**
- About the OSC
- Open-Access Policies
 - Overview
 - Policy Texts
 - Addendum Generator
 - Policy FAQ
 - Procedural FAQ
 - Publisher FAQ
- Contact
- Open Access in the News
- Related Links

Office for Scholarly Communication

The goal of university research is the creation, dissemination, and preservation of knowledge. We collectively take this to be a good. It is an essential part of our duties as faculty members to distribute the fruits of our scholarship as widely as possible.

—Steven E. Hyman, Provost of Harvard University

Steven E. Hyman, Provost of Harvard University, has charged the Harvard University Library (HUL) with creating an Office for Scholarly Communication (OSC). The goal of the new Office for Scholarly Communication is to enable individual faculty members to distribute their scholarly writings in keeping with the University's long-standing policy that "when entering into agreements for the publication and distribution of copyrighted materials individuals will make arrangements that best serve the public interest."

The new Office for Scholarly Communication will be under the aegis of the distinguished historian Robert Darnton, who serves as Harvard's Carl H. Pforzheimer University Professor and Director of the University Library. Working in close collaboration with HUL's Office for Information Systems, the new OSC will oversee an open-access repository for current research.

According to Professor Darnton, "The open-access repository at Harvard is meant to promote openness in general. It will make the current scholarship of Harvard's faculty freely available everywhere in the world, just as the digitization of the books in Harvard's library will make learning accumulated since 1638 accessible worldwide. Taken together, these and other projects represent a commitment by Harvard to share its intellectual wealth. They belong to a cause that has gathered force over the centuries—the democratization of knowledge—and that now can be realized on a global scale, thanks to the progress of information technology.

"Put less grandly," Darnton stated, "the repository will implement the unanimous vote by the Faculty of Arts and Sciences on February 12, 2008, to transfer nonexclusive copyrights of their scholarly articles to the President and Fellows of Harvard. The articles will be stored, preserved, and made freely accessible in digital form. Faculty members will retain the rights to their articles and will be able to make individual arrangements for their publication with peer-reviewed journals. And by taking advantage of an opt-out provision, they may choose not to share the rights to a particular article. The policy is meant to be collective but not coercive."

In a related move announced on May 7, the Harvard Law School faculty unanimously voted to make each faculty member's scholarly articles available online for free, making HLS the first law school to commit to open access. "The Harvard Law School faculty produces some of the most exciting, groundbreaking scholarship in the world," said Dean Elena Kagan. "Our decision to embrace 'open access' means that people

- HIGHLIGHTS**
- **Unanimous Vote in HLS**
In a move that will disseminate faculty research and scholarship as broadly as possible, the Harvard Law School faculty has unanimously voted to make each faculty member's scholarly articles available online for free, making HLS the first law school to commit to open access. [Full story >>](#)
 - **New NIH Public Access Policy**
The National Institutes of Health have adopted a revised public-access policy, under which the author's final, peer-reviewed manuscript of articles reporting research funded in whole or in part by NIH must be submitted to the National Library of Medicine's PubMed Central database, where the articles will be made publicly available within 12 months after publication. [Full story >>](#)

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- Office for Scholarly Communication**
- Main Page
- About the OSC
- Open-Access Policy in FAS
 - Overview
 - Policy Summaries**
 - Addendum Generator
 - Policy FAQ
 - Procedural FAQ
 - FAQ for Publishers
- Contact
- Open Access in the News
- Related Links
- Search

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Harvard Open-Access Policy Summaries

To date, two faculties at Harvard have enacted policies promoting open access to their scholarly writings. Summaries of these policies are provided for reference here.

Harvard Faculty of Arts and Sciences Open-Access Policy
 voted February 12, 2008

The Faculty of Arts and Sciences of Harvard University is committed to disseminating the fruits of its research and scholarship as widely as possible. In keeping with that commitment, the Faculty adopts the following policy: Each Faculty member grants to the President and Fellows of Harvard College permission to make available his or her scholarly articles and to exercise the copyright in those articles. In legal terms, the permission granted by each Faculty member is a nonexclusive, irrevocable, paid-up, worldwide license to exercise any and all rights under copyright relating to each of his or her scholarly articles, in any medium, and to authorize others to do the same, provided that the articles are not sold for a profit. The policy will apply to all scholarly articles written while the person is a member of the Faculty except for any articles completed before the adoption of this policy and any articles for which the Faculty member entered into an incompatible licensing or assignment agreement before the adoption of this policy. The Dean or the Dean's designate will waive application of the policy for a particular article upon written request by a Faculty member explaining the need.

To assist the University in distributing the articles, each Faculty member will provide an electronic copy of the final version of the article at no charge to the appropriate representative of the Provost's Office in an appropriate format (such as PDF) specified by the Provost's Office.

The Provost's Office may make the article available to the public in an open-access repository. The Office of the Dean will be responsible for interpreting this policy, resolving disputes concerning its interpretation and application, and recommending changes to the Faculty from time to time. The policy will be reviewed after three years and a report presented to the Faculty.

Harvard Law School Open Access Policy
 voted May 1, 2008

The Faculty of the Harvard Law School is committed to disseminating the fruits of its research and scholarship as widely as possible. In keeping with that



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Publisher FAQ

[What is the Harvard open-access policy?](#)

[What versions of a faculty member's article are covered by the license to Harvard?](#)

[What version of the article will the author submit to the University repository? When will it be provided?](#)

[Will the author ever deposit the publisher's final version?](#)

[Our standard publication agreement is inconsistent with the Harvard policies. Does this mean that we can no longer publish papers by Harvard authors?](#)

What is the Harvard open-access policy?

In keeping with Harvard University's mission to create, disseminate, and preserve knowledge, the faculties of the Harvard Faculty of Arts and Sciences (FAS) and the Harvard Law School have adopted policies to enable broad access to their scholarly articles. Under these policies, faculty grant to the University a nonexclusive license in their scholarly articles to enable open-access distribution and use, provided that the articles are not sold for a profit, and they deposit a copy of their articles in Harvard's open access repository. The policies also permit faculty to obtain a waiver of the policy for any given article.

The [text of the policies](#) and [further background information](#) are available on this web site.

[Return to the top.](#)

What versions of a faculty member's article are covered by the license to Harvard?

If the FAS or Law School policy applies to an article, the license covers any version of the article to which the author holds copyright (or held copyright before it was transferred) or which the author otherwise has the right to allow Harvard to use in this way.

[Return to the top.](#)

- Office for Scholarly Communication
- About the OSC
- Open-Access Policies
 - Overview
 - Policy Texts
 - Addendum Generator
 - Policy FAQ
 - Procedural FAQ
 - Publisher FAQ**
- Contact
- Open Access in the News
- Related Links





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- Centers
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- Open Positions
- SUSE Open Access

Home > Faculty > Open Archive

Stanford University School of Education's Open Access Policy

An Open Access Motion was passed unanimously by the faculty of Stanford University School of Education (SUSE) on June 10, 2008. This motion commits the faculty to making a copy of their peer-reviewed journal articles publicly and freely available through the SUSE Open Archive. This motion exemplifies the faculty's commitment to sharing as widely as possible what we been able to learn about education from our research and scholarship.

[Visit the SUSE Open Archive](#)

Open Access Policy Resources

Although the policy applies to SUSE faculty, SUSE graduate students are welcome to use these resources in posting copies of their work in the SUSE Open Archive.

1. The SUSE Open Access Motion

The motion that was passed by SUSE faculty on June 10, 2008, which is based on the open access motion passed a month earlier by Harvard Law School.

2. Complying with the Open Access Motion

A list of steps that SUSE faculty are taking to provide open access to their refereed published journal articles to ensure that they are publicly available.

3. The Open Access Author Addendum

The Author Addendum is submitted to the publisher, along with the Publication Agreement, after the article has been accepted for publication.

4. Questions and Answers about the Open Access Motion

The result of a discussion that SUSE faculty had about the Harvard Law School Open Access





- navigation
- Main Page
 - Recent changes
 - Content
 - Projects
 - Categories
 - Practice editing
 - Help

- community
- Community portal
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 - Web chat
 - Mailing list
 - Bounties
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search

Go Search

- my collection
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Otago Polytechnic/Intellectual property

< [Otago Polytechnic](#)



Contents [hide]

- 1 Purpose
- 2 Statutory Compliance
- 3 National Guidelines
- 4 Policy and Procedures
 - 4.1 Definitions of IP
- 5 Policy
 - 5.1 Ownership of IP and outputs arising from intellectual activity
 - 5.2 Students IP
 - 5.3 Māori IP
 - 5.4 Attribution of Ownership of IP
 - 5.5 Disputes
 - 5.6 Plagiarism
- 6 Referral Documents

Purpose

Otago Polytechnic wishes to foster research and development that advances knowledge and scholarship; and to support projects where that leads to marketable products or services.

The Polytechnic:

- has a preference for the open sharing of information, knowledge and resources
- recognises that intellectual property (IP) is owned by the creator, unless there are specific agreements to the ownership of IP by others, and
- wishes to foster the empowerment of individuals in their endeavours in a protective and/or promotional framework for individual creators associated with Otago Polytechnic.

The policy recognises that the Polytechnic will accrue benefits from the outcomes of the IP created by the intellectual activity of its staff and students and the dissemination and sharing of these outcomes.

The Polytechnic wishes to support free and open access to IP generated through the "Creative Commons" attribution process.

All IP that is brought into the Polytechnic belongs with the creators/owners of that IP.

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- Помогает не нарушить авторское право
- Устанавливает формальные взаимоотношения между автором, репозитарием и конечными пользователями

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- Или дистрибуционное соглашение репозитария и конечных пользователей
- Зачем все это?



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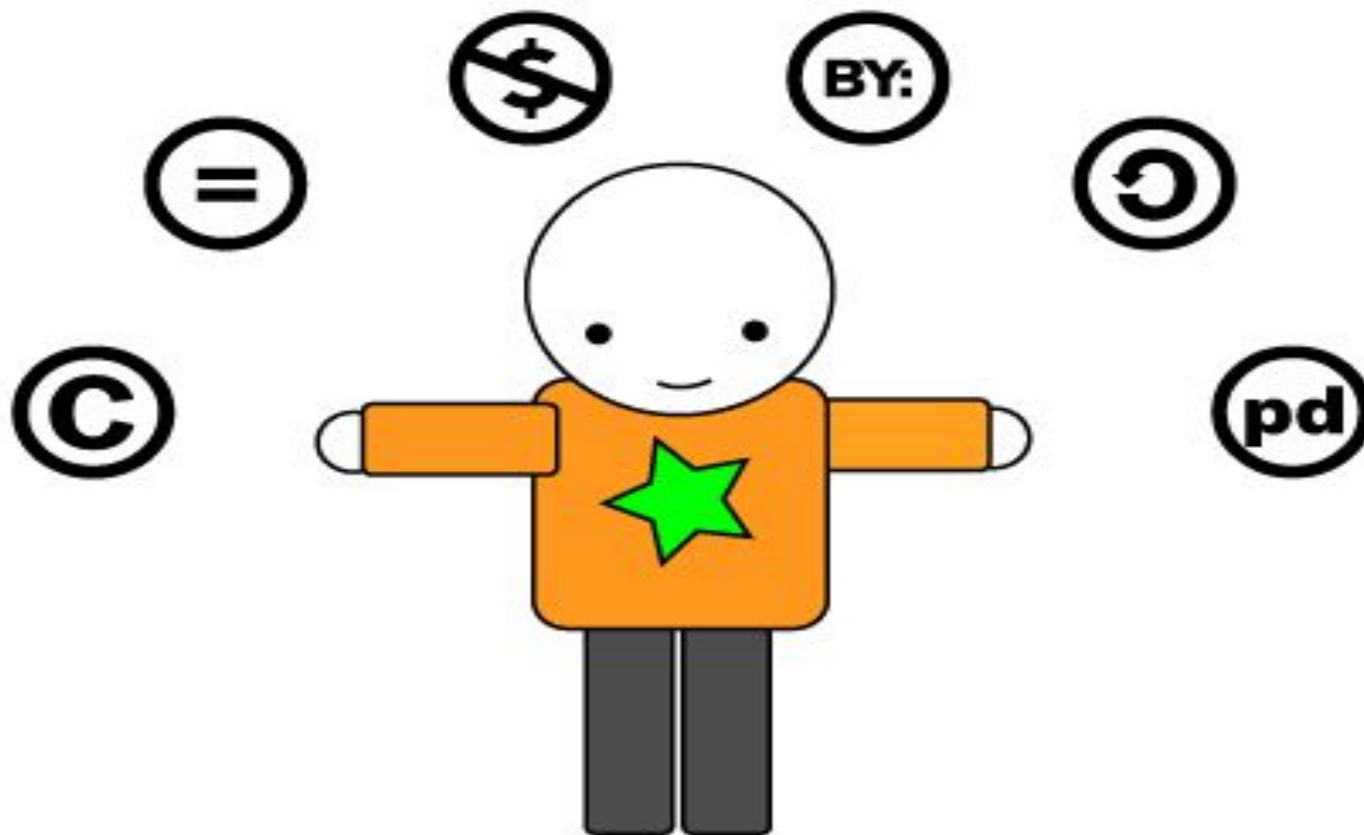
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23:54



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