



Plan S

Making full & immediate
Open Access a reality

Plan S Rights Retention Strategy for Open Research

Your right to make your work open access

University of Oxford | 16 March 2021

Johan Rooryck | cOAlition S

Sally Rumsey | Jisc





Plan S

Making full & immediate
Open Access a reality

Part 1: **cOAlition S and Plan S**



27 organizations worldwide

National funders

- Austria: FWF
- Finland: AKA
- France: ANR
- Ireland: SFI
- Italy: INFN
- Luxembourg: FNR
- Netherlands: NWO
- Norway: RCN
- Poland: NCN
- Portugal: FCT
- Quebec: QRF
- Slovenia: ARRS
- Sweden: FORMAS, FORTE, VINNOVA
- UK: UKRI

European Commission (Horizon Europe)

Charitable foundations

- The Wellcome Trust
- The Bill & Melinda Gates Foundation
- Howard Hughes Medical Institute (HHMI)
- Aligning Science Across Parkinson's (ASAP)
- Templeton World Charity Foundation (TWCF)

Global dimension

- World Health Organisation + TDR
- Jordan: HCST
- Zambia : NSTC
- South Africa : SAMRC
- African Academy of Sciences

\$40bn in research funds, 150k articles/ year

Plan S: strong principle

- Plan S: ““With effect from 2021*, all scholarly publications on the results from research funded by public or private grants provided by national, regional and international research councils and funding bodies, must be published in Open Access Journals, on Open Access Platforms, or made immediately available through Open Access Repositories without embargo.”
- All papers must be immediate Open Access with a CC-BY license



Plan S: three routes to compliance

Route 1

Full Open Access venues

- Authors publish in Open Access journal or platform indexed by *Directory of Open Access Journals* (DOAJ)
- cOAlition S funders financially support publication fees for author

Route 2

Subscription journals

- Authors publishing in a subscription journal **must** make the Version of Record or Author Accepted Manuscript instantly available in a repository
- ***NOT*** financially supported by cOAlition S funders

Route 3

Journals under a transformative arrangement

- Authors publish in a journal with a Transformative Arrangement.
- cOAlition S funders ***CAN*** financially support Transformative Arrangements



Plan S

Making full & immediate
Open Access a reality

Part 2:
Author's copyright and licensing:
caveat auctor!



Questions for researchers 1 & 2

Qu 1. Who owns the original copyright in the content of your research article?

You do

- “Copyright protects your work and stops others from using it without your permission.
- You get copyright protection **automatically**: you don’t have to apply or pay a fee.”

Qu 2. If you sign a licence to publish your research article, can you control the use of the content of your article?

It’s up to you. UK IPO states:

- “As a copyright owner, **it is for you to decide** whether and how to license use of your work.
- You can license the use of your work if you own the copyright. **You can also decide how your work is used.**”

Questions for researchers: 3

Qu 3. What happens in practice?

Compare this Copyright Transfer Agreement with the Licence to Publish.
What's the difference in control the publisher has over your work?

See
handout

CTA

“The Contributor assigns to the Owner, during the full term of copyright and any extensions or renewals, all copyright in and to the Contribution, and all rights therein...”

LTP

“The Contributor grants to the Owner an exclusive license of all rights of copyright in the Contribution during the full term of copyright and any extensions or renewals...”

Little difference between copyright transfer and granting an exclusive licence to publish

- Note that the LTP, although granted by the author, is written, defined and demanded by the publisher

Contributor = author(s)
Owner = Wiley



Retaining copyright !! alarm bells !!

See
handout

Licence to publish

“Ownership of copyright in the Article will be vested in the name of the Author.”

Grant of rights ...”the Author hereby grants to the Licensee [Springer Nature] the perpetual, **exclusive**, world-wide, assignable, sublicensable and unlimited right to.....

The publisher can do the following with your work without your permission:

- **edit, alter, adapt, adjust and prepare derivative works;**
- **add and/or remove links or combinations with other media/works;**

**Remember - YOU own the copyright
but YOUR use may be severely limited by the publisher**



Retaining copyright alarm bells (cont)

You – the Author – retain copyright, but this is an exclusive licence with rights defined by the publisher granted back to the author.



The terms state that:

- you are not allowed to make your Accepted manuscript available in your repository (in this case) for 1 year (although crazily you can make it available on your website without embargo)
- You are not allowed to make your AAM available under any Open licence
- You are not allowed to enhance or substantially reformat your accepted manuscript



YOU own the copyright ...

BUT your use is severely limited by the publisher!



Consider this contradiction

See
handout

This claim:

“In order to expedite the editing and publishing process and enable the Owner to disseminate your Contribution to the fullest extent, we need to have this Exclusive License Agreement [or Copyright Transfer Agreement] executed.”

...is immediately followed by a list of limitations on author use:

C. PERMITTED USES BY CONTRIBUTOR

Questions for researchers: 4

Qu 4. Does anything strike you as odd with these rights granted back to the author?

(i) immediately on acceptance: sharing of the Accepted Manuscript by an author:

- via the author's non-commercial personal homepage or blog
- via the author's research institute or institutional repository for Internal Institutional Use or as part of an invitation-only research collaboration work group
- directly by providing copies to the author's students or to research collaborators for their personal use
- for private scholarly sharing as part of an invitation-only work group on commercial sites with which the publisher has a hosting agreement
- [Hosting] arXiv and RePEc can update a preprint immediately with the accepted manuscript and a DOI link to the formal publication

See
handout

(ii) after the embargo period: an author may share the Accepted Manuscript via non-commercial hosting platforms (such as the author's institutional repository) and via commercial sites with which the publisher has a hosting agreement.

You, the author, can make your AAM immediately and openly available at acceptance:

- on your **personal homepage**

- on your **personal homepage**

- on your **blog**

- by updating your preprint to the AAM in freely available preprint servers like **arXiv or RePEc**

- but not in your **institutional repository**

- but you are limited to sharing it with an **invitation-only private research group** on certain approved sites

- but you can only share copies directly with **research collaborators for their personal use**

- but you can only **‘directly’ provide copies to your students**

You, the author, can make your AAM immediately and openly available at acceptance:

- on your **blog**

- but not on sites such as **ResearchGate or Academia.edu** unless the publisher has a **hosting agreement**

- on your **personal homepage**

- but your **research institute** is limited to hosting its employees' AAMs immediately for **internal institutional use** or **private scholarly sharing** as part of an **invited research collaboration work-group**

This does not make sense

- The Rights Retention Strategy is designed to cut through such contradictions



Plan S

Making full & immediate
Open Access a reality

Part 3: **Plan S Rights Retention Strategy**



Rights Retention Strategy (RRS)

The principle

- **The RRS is based on a simple principle:**
The peer-reviewed Author Accepted manuscript (AAM) is the intellectual creation of the authors and belongs to them.
- To assert ownership, the author – as the original copyright holder – applies a CC BY licence to the AAM arising from their submission.
- Delivering publication services does not entitle publishers to ownership of the AAM, which remains the intellectual property of the author. Publication services should be paid for, but not with ownership of the AAM.
- Funders and universities should ensure that their researchers are not deprived of essential intellectual property rights, a valuable asset.

Rights Retention Strategy (RRS)

Objectives

- **Main objective:**
All research funded by cOAlition S organisations is OA with zero embargo + CC BY licence
- **Author ownership and control:**
Empower researchers working with a cOAlition S funder to retain sufficient intellectual property rights to their Author Accepted Manuscript (AAM).
- **Global access:**
Authors who own the rights to their AAM share it in a repository.
- **Simplicity:**
Cut through the complexity of journal ‘permissions’: **no embargoes**. The CC BY licence on the AAM allows authors to share the AAM in a repository, and to freely reuse their own material as they see fit.



Payment for services ≠ claim ownership

I pay decorators to decorate my house:

- ❖ Strip wallpaper
- ❖ Sand woodwork
- ❖ Undercoat and paint window frames



<https://pixabay.com/photos/painter-painting-lackierer-3009887/>

I pay for services:

- ❖ I do not expect the decorators to own the house after they have painted it
- ❖ I do not hand over the keys



<https://pixabay.com/photos/house-keys-key-security-door-key-4521073//>

<https://pixabay.com/photos/money-coins-euro-coins-currency-515058/>



The bottom line: your hands are tied

Publishers:

- have no input into the intellectual content of your work
- demand copyright transfer or exclusive licences
- are free to make many uses of your work without asking your permission

You, the author:

- are the creator and original copyright holder of your work
- are severely limited in what you can do with your own work
- often have to beg the publisher for permission to reuse parts of your own work

Rights Retention Strategy (RRS)

What authors need to do

1. To inform the publisher that they are using the RRS, cOAlition S funded researchers should include the following templated language in their submissions:

“This research was funded, in whole or in part, by [Organisation Name, Grant #]. A CC BY licence is applied to the AAM arising from this submission, in accordance with the grant’s open access conditions.”

2. On publication: make AAM open access in a repository
3. Contact their funder (or library) in case of disagreement with or obfuscation by the publisher



Publishers' smoke & mirrors

What authors may be told

- *You cannot use the RRS statement when submitting to this journal.*
You can and you should. The only option for the journal is to refuse your paper upon submission.
- *Before proceeding with your submission, you must agree to pay an APC for publication (even if your funder does not)*
Beware! This publisher is suggesting that you enter into a contractual agreement. Check if there is an option to discuss the APC before submission.
- *The publisher asks you to sign a **separate contract** to respect their embargo (despite their knowledge of your preexisting grant agreement with the funder to publish without an embargo)*
Beware! If you sign a contract agreeing to an embargo period, then you will be in breach of your grant conditions.



Publishers' smoke & mirrors

- Some publishers
 - are knowingly putting authors wishing to use the RRS in a difficult situation
 - delete the RRS language from the article (censorship or copyediting?)
 - sometimes wait until acceptance to present contract terms
- Publishers have the right to desk-reject articles with the RRS language, but not to confuse, mislead or trick authors into violating their grant agreement.
 - cOAlition S has recently written a letter to 150 publishers asking them to be clear about conditions at submission

But, but, but....

RRS - It's all too difficult for me

*I simply HAVE
to publish in
<Insert name of
journal here>*

*cOAlition S/
my funder is
making things
difficult for
me*

*I'm stuck like
piggy in the
middle*

*I'm just an
author and it's
too difficult to
exercise my
rights*



Plan S

Making full & immediate
Open Access a reality

Part 4: The direction of travel



Who holds control and has power to act?

Agents for change

- Publishers
 - Many currently dictate terms to authors [who hand over their rights]
 - Could easily change contract terms or make them clear to authors at the outset
- Funders
 - Policies - prior rights/obligation in support of authors
 - cOAlition S funders, ERC, NIHR



Who holds control and has power to act?

Agents for change (cont)



Q: How many Nature Research article APCs will the current Oxford UKRI block grant cover?
£1,453,824

A: at £8,290 each,
a mere 174...

- Authors / researchers - original copyright holders
 - the author should remain the owner of the intellectual content of the article
- Editors - influence journal open access policy
- Institutions
 - Publication and copyright policies
 - Creative advice from Legal Services departments: help authors assert their rights
 - Treat author rights retention as mutually exclusive from mode of publication
 - RRS to assist equitable use of block grants from funders



unesco

UNESCO Recommendation on Open Science

Section II: Definition of Open Science

“Any transfer or licensing of copyrights to third parties should not restrict the public’s right to immediate open access to a scientific publication.”

[Para 7a, Page 9]

Plan S Rights Retention Strategy
predates, but fulfils this clause precisely

Adopted Nov 2021

<https://en.unesco.org/science-sustainable-future/open-science/recommendation>



**RRS
ENDORSED**

[« Back](#)

cOAlition S presents a new “Rights Retention Strategy” to safeguard researchers’ intellectual ownership rights

16 July 2020

cOAlition S has released a [Rights Retention Strategy](#) that details under which conditions authors supported by Plan S funders are expected to share articles via self archiving in repositories, one of the three routes of Plan S.

The strategy specifies the exact conditions for this route. As announced, cOAlition S Organisations will facilitate this by changing their grant conditions to require that a Creative Commons Attribution licence (CC BY) is applied to all Author Accepted Manuscripts (AAMs) or Versions of Record (VoR) reporting original research, supported in whole or in part by their funding.

EUA welcomes the release of the Rights Retention Strategy by cOAlition S. Copyright retention of authors as well as self-archiving in repositories are important mechanisms to achieve full open access [supported by EUA](#).

“Reclaiming academic ownership of the scholarly publishing system

Universities, research performing organisations, researchers, research funders and national libraries all have **a crucial role to play in re-gaining academic sovereignty over the publishing process.** Institutions and researchers have relinquished their rights to commercial publishers, and these publishers have made copyright their mainstay.

Authors and institutions need to retain their intellectual property rights (e.g. Plan S Rights Retention Strategy) and critically consider which stakeholders should own and run publishing infrastructure in order to create systemic change.”

The EUA Open Science Agenda 2025

What EUA will do

Effective advocacy

- Raise awareness about the importance of OA and support universities in their efforts to increase the proportion of scholarly outputs available through OA.
- Reclaim academic ownership of scholarly communication and publishing.
- Advocate for a just scholarly publishing ecosystem that is transparent, diverse, economically affordable and sustainable, technically interoperable, and steered by the research community.
- Support the Rights Retention Strategy proposed by cOAlition S.

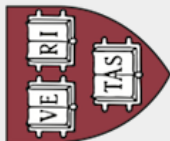


Plan S

Making full & immediate
Open Access a reality


Part 5: Academics take back control





Rights Retention Strategy (RRS)

Academe starts to take back control



HARVARD LIBRARY

Office for Scholarly Communication

[For Authors](#)
[For Assistants](#)
[For Publishers](#)


Harvard Faculty of Arts and Sciences Open Access Policy

ADOPTED 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.



[Read the Author FAQ](#)


[Submit to DASH](#)

[Get A Waiver](#)

"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."

"Each Faculty member will provide an electronic copy of the final version of the article."

<https://osc.hul.harvard.edu/policies/>



Page: [Discussion](#)

Additional resources

- This is a section within Good practices for university open-access policies.

Policies of the kind recommended in the guide

Chronological by date of adoption. Links point to policies, not institutional home pages.

For those considering adopting their own policies, we recommend starting with the current [Harvard model policy](#), which recommended practices described in this guide. HOAP project staff are available for consultation on drafting as well.

1. Harvard Faculty of Arts and Sciences, February 12, 2008
2. Harvard Law School, May 1, 2008
3. Stanford University School of Education, June 26, 2008
4. Harvard Kennedy School of Government, March 10, 2009
5. Massachusetts Institute of Technology (MIT), March 18, 2009
6. University of Kansas, April 30, 2009
7. University of Oregon, Library Faculty, May 7, 2009
8. University of Oregon, Department of Romance Languages, May 14, 2009
9. Harvard Graduate School of Education, June 1, 2009
10. Trinity University, October 27, 2009
11. Oberlin College, November 18, 2009
12. Wake Forest University, Library Faculty, February 1, 2010
13. Harvard Business School, February 12, 2010
14. Rollins College, February 25, 2010
15. Duke University, March 18, 2010
16. University of Puerto Rico Law School, March 24, 2010
17. Harvard Divinity School, November 15, 2010
18. The University of Hawaii-Manoa, Faculty Senate December 2010, Final adoption March 2012
19. Columbia University, Lamont-Doherty Earth Observatory, December 22, 2010
20. Strathmore University, c. February 2011
21. Emory University, March 15, 2011
22. Harvard Graduate School of Design, March 20, 2011
23. Columbia University Libraries, June 1, 2011
24. Princeton University, September 19, 2011
25. Hope College, October 15, 2011
26. University of Illinois Chicago, Library Faculty, November 21, 2011
27. Birkbeck University (in English), or in Icelandic, first vote May 2011, confirmed January 2012
28. Jomo Kenyatta University of Agriculture and Technology, c. March 2012
29. Ohio State University Libraries, March 15, 2012
30. Utah State University, April 2012
31. Miami University of Ohio, Library faculty, May 14, 2012
32. University of California - San Francisco, May 21, 2012
33. University of Massachusetts Medical School, July 27, 2012
34. McGill University Libraries, c. October 2012
35. Rutgers University, October 19, 2012

https://cyber.harvard.edu/hoap/Additional_resources#Policies_of_the_kind_recommended_in_the_guide

Rights Retention Strategy (RRS)

Academe starts to take back control



UiT The Arctic University of Norway

Approved by:	The Rector by authority from the University Board	Date: 16 December 2021
Unit responsible:	Research, Education and Communication Division	Archive ref.: 2021/5912
Replaces	Principles for open access to academic publications	Archive ref.: 2018/5399

PRINCIPLES FOR UNIVERSITY OF

Open Access (OA) benefits research generally more citable, have a CV with a promotion and research Open Access has been Council of Norway all research articles openly available b

For many years, U requirements for publishers of academic create uncertainty ever for the institution legal responsibility is placed on the institution, not the individual researcher.

UiT's Rights Retention Strategy

UiT is introducing a Rights Retention Strategy to facilitate that all academic literature from UiT, not just that with external funding, is made available with Green OA.

As of 1 January 2022, the following applies: Irrespective of the publication channel, full-text versions of research articles written by employees and students at UiT must be uploaded (deposited) continuously in the national register (currently called Cristin).

- If a Gold OA channel has been used, the publisher's PDF (the published version, Version of Record) must be uploaded.
- If a closed subscription-based channel has been used that does not allow self-archiving of the publisher's PDF, the latest peer-reviewed manuscript version (the author's accepted manuscript, "postprint") must be uploaded.


Rights Retention Strategy (RRS)

Academe starts to take back control

THE UNIVERSITY
of EDINBURGH



<https://www.ed.ac.uk/information-services/about/policies-and-regulations/research-publications>



A photograph showing four students in a library setting. Three students are seated at a table, looking at a laptop, while a fourth student stands behind them. The background shows bookshelves.

INFORMATION SERVICES

Information Services home

About ISG

Policies and Regulations

- Computing Regulations
- Library Regulations
- Security Policies
- Operational Policies
- Research Publications Policy**
- Research Data Management Policy
- Advisory Policies

Home > Information Services > About ISG > Policies and Regulations > Research Publications Policy

Contact us

Research Publications & Copyright Policy (2021)

This policy supersedes and updates the first University of Edinburgh Research Publications Policy passed by University Court in 2010.

Academic staff at the University of Edinburgh have traditionally, when publishing research outputs, exercised an independent right to assign or give away their scholarly works (in addition to the University's right). This has enabled the current process of the corresponding author assigning copyright to publishers, which results in many journal articles and scholarly works now being under partial or complete ownership by the academic publishers.

In order for the University and its researchers to comply with funder requirements, and to enable the University to disseminate its research and scholarship as widely as possible, whilst enabling its staff to publish their work in a journal of their choice the University of Edinburgh will adopt the following mandatory policy which applies to all staff on research contracts :

[Research Publications & Copyright Policy \(190.03 KB PDF\)](#)

Prof Sir Mark Walport

Oxford Lecture

The Role of Open Access in Maximising The Impact of Biomedical Research

In 2011 Sir Mark Walport, then Director of the Wellcome Trust, gave a lecture at the Bodleian to members of Oxford University on scholarship, publishing and the dissemination of research. It was designed to stimulate debate in Oxford on the issues surrounding changes in scholarly communications.

<https://podcasts.ox.ac.uk/role-open-access-maximising-impact-biomedical-research>

Prof Sir Mark Walport

Two challenges for Oxford

At the close, Mark Walport posed 2 challenges:

1. Firstly for *“the University of Oxford to develop its own strategic vision of how to pursue and disseminate education and scholarship in this new digital era”*
1. *“Second challenge to everyone in this room to ensure that you maximise the value of your individual and collective scholarship by disseminating it most effectively”*

Qu 5: A lot has changed since 2011. How can Oxford continue to respond to these challenges 11 years later in 2022?
What role could author rights retention play?

**Publish with Power.
Protect your Rights.**



By exercising your rights,
you share your knowledge
as you wish and allow
everyone to benefit from
your research.

**Publish with Power.
Protect your Rights.**



#RetainYourRights



It is in your power to make
sure that your publications
are freely available,
accessible, and reusable.

**Publish with Power.
Protect your Rights.**



#RetainYourRights



The peer-reviewed Author
Accepted Manuscript
(AAM) is your intellectual
creation, your valuable
asset. Don't give it away.

**Publish with Power.
Protect your Rights.**



#RetainYourRights



When you make your research
openly and immediately
accessible, you help make our
lives better, healthier, safer.

**Publish with Power.
Protect your Rights.**



#RetainYourRights

cOAlition S rights retention resources kit

Available for all to use

Pre-submission
template for
authors

Quick
Quiz

Cover letter
template for
authors

Brief
Video

Available at: https://www.coalition-s.org/user_guide_templates/
https://www.coalition-s.org/submission_cover_letter_template
https://www.coalition-s.org/presubmission_letter_to_journal_publisher_template/

Take home messages 1

1. Article content belongs to the author for them to use as they choose for the benefit of authors, institutions, society in general

2. RRS helps authors retain their rights, whilst providing a tool to aid compliance with their funder agreement

3. Whilst some publishers continue to deny authors their rights and grab them for themselves, it takes **action by key stakeholders** to correct the state of affairs: funders: authors, institutions

4. Prof Sir Mark Walport's questions.

- a. developing its own strategic vision of how to pursue and disseminate education and scholarship in this new digital era
- b. maximizing the value of your individual and collective scholarship by disseminating it most effectively

... for the benefit of research, researchers and society in general?

Further information

- cOAlition S website - Rights Retention Strategy
<https://www.coalition-s.org/rights-retention-strategy/>
- Implementation roadmap for cOAlition S organisations
<https://www.coalition-s.org/plan-s-funders-implementation/>
- Journal Checker Tool: <https://journalcheckertool.org/>
- Creative Commons licences: <https://creativecommons.org/>
- email: info@coalition-s.org



This work is licensed under a [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/).
<https://creativecommons.org/licenses/by/4.0/>

Questions & Discussion

Access



www.coalition-s.org



info@coalition-s.org



[@cOAlitions_OA](https://twitter.com/cOAlitions_OA)