



# Plan S

Making full & immediate  
Open Access a reality

## **Rights Retention Strategy**

University of Zurich | 5 April 2023

Sally Rumsey | cOAlition S Ambassador





## Clarification: Publication vs dissemination

- Publication
  - Confusing meaning and interpretation
  - Made available/public; For sale; Prepared & issued
  - Compare a doctoral thesis (generally ‘unpublished’) with a journal article
  - Made available on the internet – published or not?
- Dissemination of 21<sup>st</sup> C. research findings outputs
  - ‘Made public’ by any venue or platform including ‘journal-less’ publication
  - Beyond the article (preprints; registered reports; data; micropublications; methods; etc)
  - Focus on content rather than format
  - Upstream not only produced at the end

# Scholar-led Open Research dissemination

CONSTRAINT

MONEY (AVAILABLE FUNDS)

SYSTEM

Infrastructure inc metadata; People

PRIORITIES  
&  
DECISIONS

1. Budget decisions
2. Timing of dissemination
3. Content ownership & licensing
4. Dissemination type & venue(s)
5. Dissemination services & platforms & VfM

FUNDAMENTALS  
Irrespective of  
constraintS

1. Norms & Values: Quality control; Integrity; Equity
2. Reward, assessment & recognition
3. **Author rights**



# Plan S

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**Part 1**

**cOAlition S and Plan S**







# cOAlition S

## 28 organizations worldwide

### National funders

- Australia: NHMRC
- 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
- Switzerland: SNSF
- 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

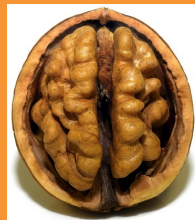
- World Health Organisation + TDR
- Jordan: HCST
- Zambia : NSTC
- South Africa : SAMRC

€35bn/year in research funds, 150k articles/ year

# PRINCIPLES

## Plan S: strong principle

- “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 peer-reviewed papers must be immediate Open Access with a **CC-BY license**

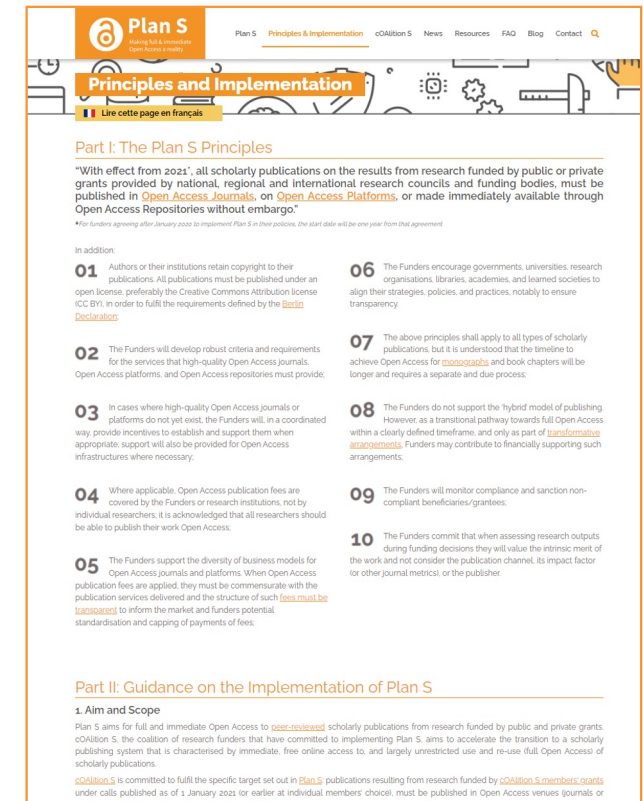


Articles resulting from funded research must be:

- Open Access
- Immediately without embargo
- Under CC-BY license

# Plan S

- Plan S itself is not a policy
- Plan S – a set of 10 principles + guidance on implementation
- cOAlition S Funders have agreed to implement the 10 principles of Plan S in a coordinated way and align their policies with the principles
- <https://www.coalition-s.org/addendum-to-the-coalition-s-guidance-on-the-implementation-of-plan-s/principles-and-implementation/>



The screenshot shows the Plan S website's 'Principles and Implementation' page. The page features a navigation bar with the Plan S logo and links to 'Principles & Implementation', 'cOAlition S', 'News', 'Resources', 'FAQ', 'Blog', and 'Contact'. Below the navigation bar, there is a section titled 'Part I: The Plan S Principles' with a sub-header 'Principles and Implementation'. The main content area contains 10 numbered principles (01-10) arranged in two columns. Each principle is followed by a brief description. The page also includes a 'Part II: Guidance on the Implementation of Plan S' section with a sub-header '1. Aim and Scope'. The footer of the page contains a small disclaimer about the website's commitment to Plan S.



# Plan S

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**Part 2**

**Copyright and licensing**





# 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*

## 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

FUNDAMENTAL:  
Rights retention  
and publishing  
models should be  
mutually  
exclusive.

# Plan S Principle 1

Authors or their institutions **retain copyright**

Publish under an **open license**, preferably the Creative Commons Attribution license (CC BY)



*“The best way to guarantee we can achieve open access to our research, in all circumstances, is to stop giving away our control over it.”*

*Simon Bains, University Librarian, University of Aberdeen*

<https://openaccess.mpg.de/Berlin-Declaration>

# Copyright ownership

1. Who owns the original copyright in the content of the researcher's research article?

2. If the author signs a licence to publish their research article, can the author control the use of the content of their article?

## The author does

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

## It's up to the author. 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.**”



## What happens in practice?

- The publisher presents the author with a Copyright Transfer Agreement (CTA) or Exclusive Licence to Publish (LTP) for signature
- Includes permission for the publisher to publish the work
  - Legally required for publication
- BUT....Also includes restrictions on how the author is 'allowed' to use their own work
- The author signs the agreement
  - *Do you read it carefully?*
- Result: the publisher has taken control of the rights to the work

**FUNDAMENTAL:**  
Rights retention and publishing models should be mutually exclusive. It shouldn't matter if it's a 'green', 'gold' or 'sky-blue-pink-with-yellow-spots' publishing model.

<https://www.coalition-s.org/?p=3121>



# Some publisher's hidden charges

## What do you pay with?

Read/access

### **Library/IT staff time:**

Managing access licences

Managing embargoes

### **Loss of potential readers:**

Where they can't afford to pay for access

**Loss of potential impact and citations:** Where readers can't afford access

Publication:

**Money:** Subscription, APC or other publication charge

**Time and expertise:** Peer review and editorial work

**Your rights:** Via LTPs/CTAs giving away your content ownership and control

## What do you pay for?

In addition to publication services pay for:

- Content researchers owned but gave away because they sacrificed their rights
- Tools to enable publishers to limit access
- Tools for your library to limit access to your articles
- Handling rejections
- Business priorities (Understandably):
  - Shareholder dividends
  - Lawyers and lobbying primarily to promote publisher's interests
- "Inspiring & impressive offices"
- Restrictive legal terms & conditions on your own work



# Plan S

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**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 hand over the keys
- ❖ I do not expect the decorators to own the house after they have painted it
- ❖ I do not expect the decorator to grant me permission to live only in the spare room



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

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



## **The bottom line:** the authors' 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 the work without asking the author's permission

### **The author:**

- Is the creator and original copyright holder of the work
- Is severely limited in what they can do with their own work
  - Including use for the university e.g. repository
- Often has to beg the publisher for permission to reuse parts of their own work



1

# 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

2. On publication: make AAM open access in a repository

3

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
  - Contracts can contradict the Grant Agreement the University signed with the Funder
  - 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



# Plan S

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**Part 4**


**The direction of travel**



# EUA, CESAER, and SE letter to publishers

*“We are especially concerned by the unclear and opaque communication and practices of some publishers as reported by cOAlition S.”*

*“Researchers who wish to deposit their author-accepted manuscript in a repository with an open license (e.g. CC BY), and without any embargo, must be able to do so.”*



**CESAER** **eua20** **SCIENCE EUROPE**

**All publishers must fully respect researchers' rights by providing clarity and transparency on Open Access**

Joint statement dated 25 May 2021

Our associations - CESAER, European University Association (EUA) and Science Europe - are strong supporters of Open Science and Open Access. It is fundamental that researchers, universities, and other research-performing organisations disseminate and reuse their research findings without restrictions or embargoes.

We note that while many scholarly publishers are showing leadership in this area by fully embracing Open Access publishing models and Open Science practices, some do not support them sufficiently. These publishers still require researchers to sign over their rights and/or make them face re-use restrictions and embargoes on how they can use their own peer-reviewed research findings.


We are especially concerned by the unclear and opaque communication and practices of some publishers as reported by cOAlition S. Such an approach complicates and confuses matters for researchers, impeding progress towards a scholarly communication system based on Open Access to research outputs.

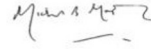
**We urge those publishers to reconsider their position and modernise, ensuring they play their part in providing fair and transparent conditions for authors.** These should fully respect researchers' rights, including the right to share their peer-reviewed research findings without restrictions or embargoes. If a publisher or platform chooses to take the stance of requiring authors to sign away their rights, they should clearly and publicly state this to ensure that researchers make informed choices.


More broadly, the standard position of platforms and publishers should be to empower researchers to publish their findings (including data and digital assets) while retaining their rights. **Researchers who wish to deposit their author-accepted manuscript in a repository with an open license (e.g. CC BY), and without any embargo, must be able to do so.**

To sum up, models that continue to rely on barriers and that restrict what researchers can do with their research findings are outdated and must be replaced. As such, we fully support cOAlition S and others who explore a diversity of models for supporting the open dissemination of research.

The three signatory organisations support the open dissemination of research findings for the greater benefit of research and society and call on all publishers to stop requiring researchers to sign over their rights and to end the use of restrictions and embargoes.

  
Rik Van de Walle  
President of CESAER  
Rector of Ghent University

  
Michael Murphy  
President of EUA  
President Emeritus of University  
College Cork

  
Marc Schiltz  
President of Science Europe  
CEO of FNR Luxembourg

Please reference this document using <https://doi.org/10.5281/zenodo.4775945>.



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>

## G6 statement on Open Science

Reaching 100% of Open Access is a main goal for all of our institutions but researchers cannot freely share and build on the results they publish if publishers hold copyrights of their articles and monographs. Therefore, we are committed to support our researchers to retain sufficient rights to publish their scholarly articles and monographs openly and we encourage them to publish their results (i.e. final version and/or manuscript) under an open license, preferably the Creative Commons Attribution License CC BY.

Brussels, December 2021



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF SCIENCE AND TECHNOLOGY POLICY  
WASHINGTON, D.C. 20502

## OSTP memo

### a) Peer Reviewed Scholarly Publications:

Federal agencies should update or develop new public access plans for ensuring, as appropriate and consistent with applicable law, that all peer-reviewed scholarly publications authored or co-authored by individuals or institutions resulting from federally funded research are **made freely available and publicly accessible by default in agency-designated repositories without any embargo or delay after publication.**

August 25, 2022

<https://www.whitehouse.gov/ostp/news-updates/2022/08/25/ostp-issues-guidance-to-make-federally-funded-research-freely-available-without-delay/>



BRIEFING ROOM

## OSTP Issues Guidance to Make Federally Funded Research Freely Available Without Delay

AUGUST 25, 2022 • PRESS RELEASES

Today, the White House Office of Science and Technology Policy (OSTP) updated U.S. policy guidance to make the results of taxpayer-supported research immediately available to the American public at no cost. In a [memorandum](#) to federal departments and agencies, Dr. Alondra Nelson, the head of OSTP, delivered guidance for agencies to update their public access policies as soon as possible to make publications and research funded by taxpayers publicly accessible, without an embargo or cost. All agencies will fully implement updated policies, including ending the optional 12-month embargo, no later than December 31, 2025.





# CNRS (National Centre for Scientific Research – France)

Home > CNRS Info

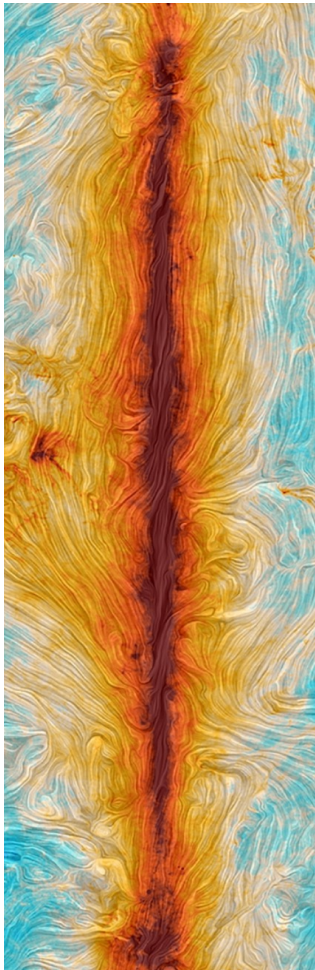
**"There is no reason for scientists to make an exclusive free copyright transfer of their work to publishers"**

December 01, 2022

RESEARCH



<https://www.cnrs.fr/en/cnrsinfo/there-no-reason-scientists-make-exclusive-free-copyright-transfer-their-work-publishers>



# The problem: Example

## Barrier to publish

OA APC £2090.00 / \$2990.00 / €2390.00

## Barrier to read if no transf. arrangement or funds

PDF £ 29.95

Rent \$15 (+ \$49/month or \$499/year subscription)

OA Button: Inaccessible (+ Embargo applies)

## Barrier to author to share

**Copyright** “A statement transferring copyright from the authors...to Springer Science+Business Media, LLC is required...Such a written transfer of copyright...is necessary under the U.S. Copyright Law in order for the publisher to carry through the dissemination of research results and reviews as widely and effectively as possible.”

**Author reuse** Please check the Copyright Transfer Statement (CTS) or Licence to Publish (LTP) that you have signed with Springer Nature to find further information about the reuse of your content... If you are any doubt about whether your intended re-use is covered, please contact [journalpermissions@springernature.com](mailto:journalpermissions@springernature.com) for confirmation. <https://www.springer.com/gp/rights-permissions/obtaining-permissions/882>

Springer Link

Home > Publishing Research Quarterly > Article

Published: 01 March 2023

## Revisiting Methodology for Identifying Open Access Advantages

Sumiko Asai

[Publishing Research Quarterly](#) (2023) | [Cite this article](#)

60 Accesses | 8 Altmetric | [Metrics](#)

### Abstract

Although many empirical studies have investigated whether open access increases citations, researchers have not reached a consensus regarding the issue. This study

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of open access and revealed the  
ces for journals that  
our indices are two citation  
er of articles for eight journals  
elation coefficients were used to  
lices. Although the aggregated  
had a positive effect, the effect  
rent results between the two  
l number of citations or  
journal to shift to open access  
re, results varied based on the  
ated vs. individual journals),  
access advantages.

[Access via your institution.](#)





# Plan S

Making full & immediate  
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**Part 5**

**Academia takes back control**





*“Rights retention specifically acknowledges not just the hard work, but the ownership of the expression of ideas by researchers.”*

**Author rights  
retention goes  
beyond  
compliance**

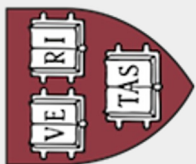
Paul Rigg, Library, Birkbeck, University of London

<https://www.coalition-s.org/blog/now-is-the-time-for-universal-benefits-of-the-blessings-of-knowledge/>

# Copyright reform

cOAlition S  
supports  
exploring  
statutory  
copyright  
reform

- Plan S first principle: authors or their institutions retain copyright
- [Rights Retention Strategy](#): ensure authors retain their rights in line with funders' mandates of immediate OA under open licenses within the venue of their choice.
- cOAlition S welcomes rights retention strategies adopted by research funders and institutions, as well as efforts to improve copyright legislation for research. Including:
  - introduction of [Secondary Publication Rights](#) in national copyright legislation
  - [European Research Area policy](#) work to identify barriers to access to and reuse of scientific publications in EU copyright legislation and propose legislative and non-legislative measures.
- cOAlition S is supportive of exploring an [EU Secondary Publication Right](#), advancing towards sustainable universal open access on an international scale, e.g. [statutory licensing](#), and suggestions for mandatory clauses for scientific publishing agreements via contract law, mandatory reversion rights, EU harmonisation of first ownership, and mandatory and stronger exceptions and limitations for research



# Academia starts to take back control Institutional Rights Retention Policies



**HARVARD LIBRARY**  
Office for Scholarly Communication

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For Authors
For Assistants
For Publishers

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## 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/>

**BERKMAN  
KLEIN CENTER**  
FOR INTERNET & SOCIETY  
AT HARVARD UNIVERSITY

Main page  
Recent changes  
Random page  
Help about MediaWiki

Tools

What links here  
Related changes  
Special pages  
Printable version  
Permanent link  
Page information

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.

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

[https://cyber.harvard.edu/hoap/Additional\\_resources#Policies\\_of\\_the\\_kind\\_recommended\\_in\\_the\\_guide](https://cyber.harvard.edu/hoap/Additional_resources#Policies_of_the_kind_recommended_in_the_guide)

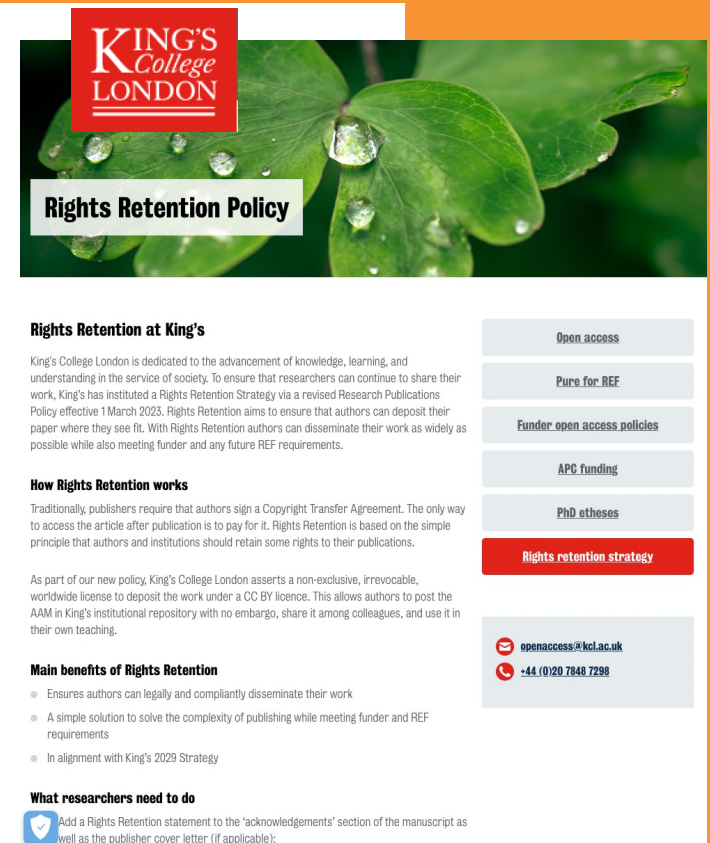




# Academia starts to take back control

## Institutional Rights Retention Policies: UK

- Aberdeen
- Birkbeck UoL
- Cambridge [now full policy]
- Durham
- Edinburgh
- Kings College London
- Lancaster
- Leeds
- Manchester
- Newcastle
- Oxford [pilot]
- St. Andrews
- Sheffield Hallam
- York
- N8 Northern Research Partnership
- More to follow.....



The screenshot shows the King's College London Rights Retention Policy page. At the top, there is a red logo for King's College London and a title 'Rights Retention Policy' over a background image of green leaves with water droplets. Below the title, there are several sections: 'Rights Retention at King's', 'How Rights Retention works', 'Main benefits of Rights Retention', and 'What researchers need to do'. On the right side, there is a vertical navigation menu with buttons for 'Open access', 'Pure for REF', 'Funder open access policies', 'APC funding', 'PhD theses', and 'Rights retention strategy'. At the bottom right, there is contact information including an email address 'openaccess@kcl.ac.uk' and a phone number '+44 (0)20 7848 7298'.

**Rights Retention at King's**

King's College London is dedicated to the advancement of knowledge, learning, and understanding in the service of society. To ensure that researchers can continue to share their work, King's has instituted a Rights Retention Strategy via a revised Research Publications Policy effective 1 March 2023. Rights Retention aims to ensure that authors can deposit their paper where they see fit. With Rights Retention authors can disseminate their work as widely as possible while also meeting funder and any future REF requirements.

**How Rights Retention works**

Traditionally, publishers require that authors sign a Copyright Transfer Agreement. The only way to access the article after publication is to pay for it. Rights Retention is based on the simple principle that authors and institutions should retain some rights to their publications.

As part of our new policy, King's College London asserts a non-exclusive, irrevocable, worldwide license to deposit the work under a CC BY licence. This allows authors to post the AAM in King's institutional repository with no embargo, share it among colleagues, and use it in their own teaching.

**Main benefits of Rights Retention**

- Ensures authors can legally and compliantly disseminate their work
- A simple solution to solve the complexity of publishing while meeting funder and REF requirements
- In alignment with King's 2029 Strategy

**What researchers need to do**

Add a Rights Retention statement to the 'acknowledgements' section of the manuscript as well as the publisher cover letter (if applicable).

**Open access**

**Pure for REF**

**Funder open access policies**

**APC funding**

**PhD theses**

**Rights retention strategy**

**openaccess@kcl.ac.uk**

**+44 (0)20 7848 7298**

<https://pixabay.com/photos/traffic-lights-green-light-street-6324351/>

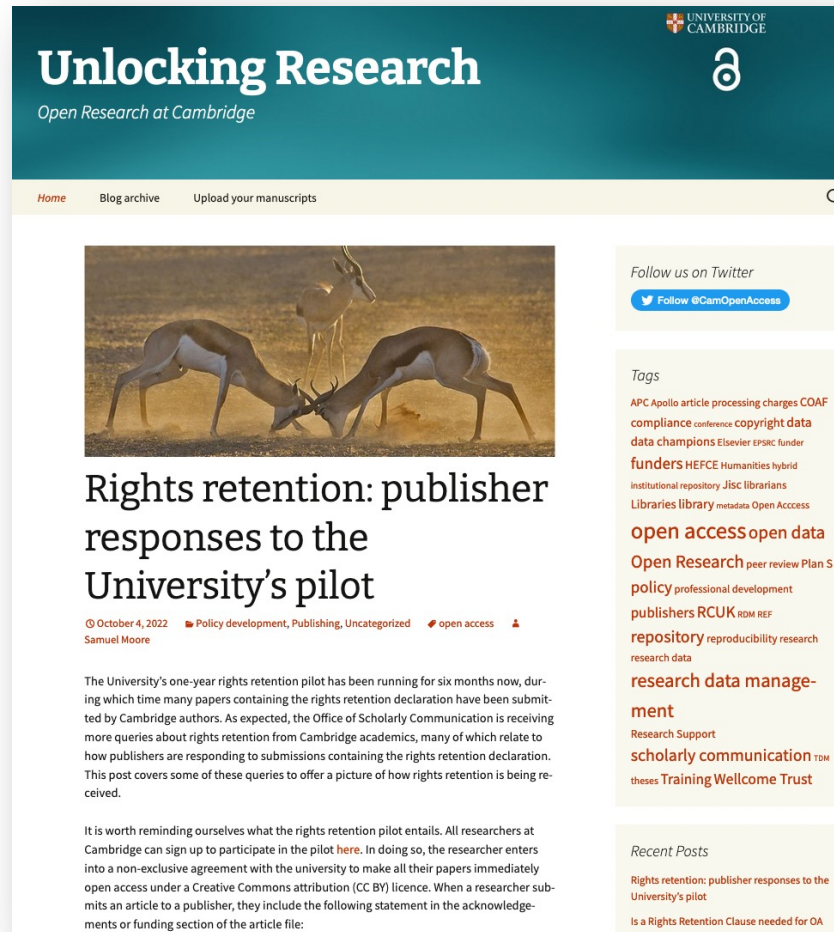
cOAlition S

<https://www.kcl.ac.uk/researchsupport/open-access/rights-retention-strategy>





# Institutional Rights Retention Policies Progress




The screenshot shows the 'Unlocking Research' website header with the University of Cambridge logo and a padlock icon. The main title is 'Unlocking Research' with the subtitle 'Open Research at Cambridge'. Navigation links include 'Home', 'Blog archive', and 'Upload your manuscripts'. The featured article is 'Rights retention: publisher responses to the University's pilot' by Samuel Moore, dated October 4, 2022. The article text discusses the University's one-year rights retention pilot and the responses from publishers. A 'Follow us on Twitter' button and a 'Tags' section are also visible.

UNIVERSITY OF CAMBRIDGE

## Unlocking Research

Open Research at Cambridge

Home Blog archive Upload your manuscripts



### Rights retention: publisher responses to the University's pilot

October 4, 2022 Policy development, Publishing, Uncategorized open access Samuel Moore

The University's one-year rights retention pilot has been running for six months now, during which time many papers containing the rights retention declaration have been submitted by Cambridge authors. As expected, the Office of Scholarly Communication is receiving more queries about rights retention from Cambridge academics, many of which relate to how publishers are responding to submissions containing the rights retention declaration. This post covers some of these queries to offer a picture of how rights retention is being received.

It is worth reminding ourselves what the rights retention pilot entails. All researchers at Cambridge can sign up to participate in the pilot [here](#). In doing so, the researcher enters into a non-exclusive agreement with the university to make all their papers immediately open access under a Creative Commons attribution (CC BY) licence. When a researcher submits an article to a publisher, they include the following statement in the acknowledgements or funding section of the article file:

Follow us on Twitter  
Follow @CamOpenAccess

Tags

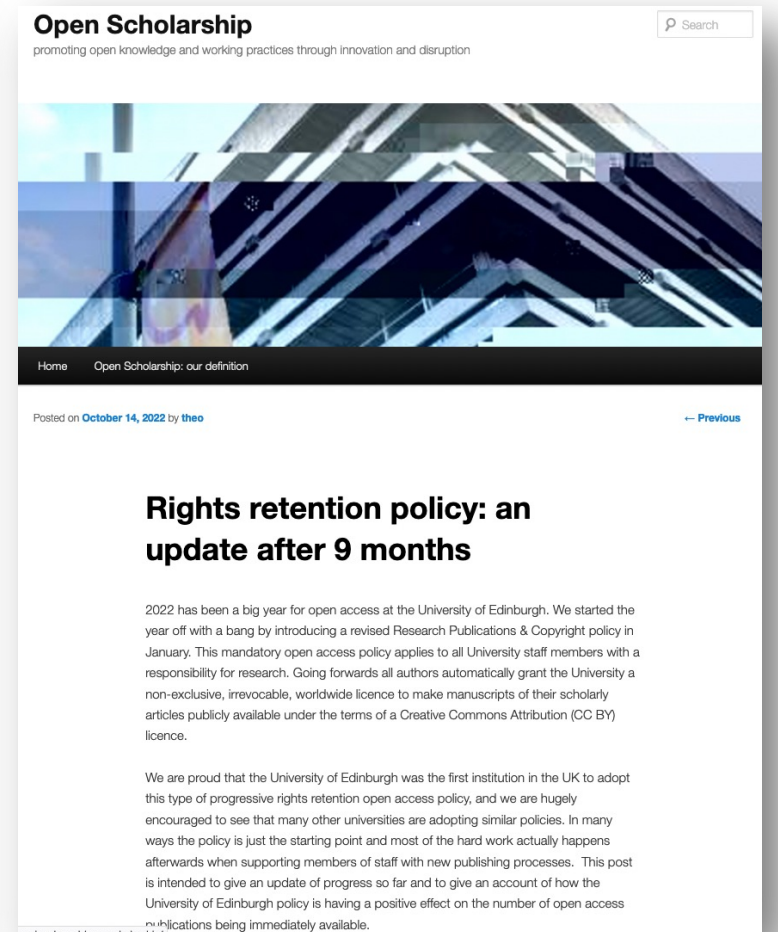
APC Apollo article processing charges COAF compliance conference copyright data data champions Elsevier EPSRC funder funders HEFCE Humanities hybrid institutional repository JISC librarians Libraries library metadata Open Access open access open data Open Research peer review Plan S policy professional development publishers RCUK RDM REF repository reproducibility research research data research data management Research Support scholarly communication Training Wellcome Trust theses

Recent Posts

Rights retention: publisher responses to the University's pilot

Is a Rights Retention Clause needed for OA books?

<https://unlockingresearch-blog.lib.cam.ac.uk/>



The screenshot shows the 'Open Scholarship' website header with the text 'promoting open knowledge and working practices through innovation and disruption'. The main title is 'Open Scholarship' with a search bar. The featured article is 'Rights retention policy: an update after 9 months' by theo, dated October 14, 2022. The article text discusses the University of Edinburgh's revised Research Publications & Copyright policy and its impact on open access.

## Open Scholarship

promoting open knowledge and working practices through innovation and disruption

Home Open Scholarship: our definition

Posted on October 14, 2022 by theo

### Rights retention policy: an update after 9 months

2022 has been a big year for open access at the University of Edinburgh. We started the year off with a bang by introducing a revised Research Publications & Copyright policy in January. This mandatory open access policy applies to all University staff members with a responsibility for research. Going forwards all authors automatically grant the University a non-exclusive, irrevocable, worldwide licence to make manuscripts of their scholarly articles publicly available under the terms of a Creative Commons Attribution (CC BY) licence.

We are proud that the University of Edinburgh was the first institution in the UK to adopt this type of progressive rights retention open access policy, and we are hugely encouraged to see that many other universities are adopting similar policies. In many ways the policy is just the starting point and most of the hard work actually happens afterwards when supporting members of staff with new publishing processes. This post is intended to give an update of progress so far and to give an account of how the University of Edinburgh policy is having a positive effect on the number of open access publications being immediately available.

<https://libraryblogs.is.ed.ac.uk/openscholarship/2022/10/14/rights-retention-policy-an-update-after-9-months/>



# Complexity (CTA/LTP) vs Simplicity (RR)

Author's dissemination options	Typical Paywalled Journal CTA/LTP restrictions	Using Rights Retention for AAM
Content owner	Publisher owns content rights	Author
Where?	<ul style="list-style-type: none"> <li>• Not on commercial site eg Academia.edu or ResearchGate</li> <li>• Not immediately on your university repository</li> <li>• Repository restricted immediately to internally or for invited users or collaborators</li> </ul>	Anywhere
Who?	<ul style="list-style-type: none"> <li>• AAM During embargo:</li> <li>• Your students – only for personal use</li> <li>• Commercial sites: invitation-only work group or one with special agreement with publisher</li> <li>• VoR (via Publisher sharing link)               <ul style="list-style-type: none"> <li>• privately with known students or colleagues for their personal use</li> <li>• some use for classroom teaching and internal training if your library is a subscriber to ScienceDirect</li> <li>• Otherwise sharing by agreement only</li> <li>• use Link occasionally, or reasonably, and make 'small-scale' use of it</li> </ul> </li> </ul>	Anyone
When?	After embargo	Anytime





# Innovation in open scholarship dissemination

- **What** is disseminated
- **When** it's disseminated
- Increased awareness of **global inequity**
- **'Publication' types** (linked to research integrity)
  - Registered reports; Methods and protocols; Micropublications
- **Non-traditional platforms and business models**
  - Journal-less publication
  - Innovation and experimentation
  - Alternative models et S2O (Subscribe to Open)
- **Changes in peer review models**
  - Peer reviewed papers – peer reviewed not published in traditional journal
  - Open peer review
  - Overlay peer review
  - Integration with repositories
- **Free to Read AND publish**
  - Widening interest in 'diamond' free to publish AND read
- **Author rights underpin all this**

RRS  
welcomed  
by EUA

## The EUA Open Science Agenda 2025

### *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.”**

# 21<sup>st</sup> century open scholarship

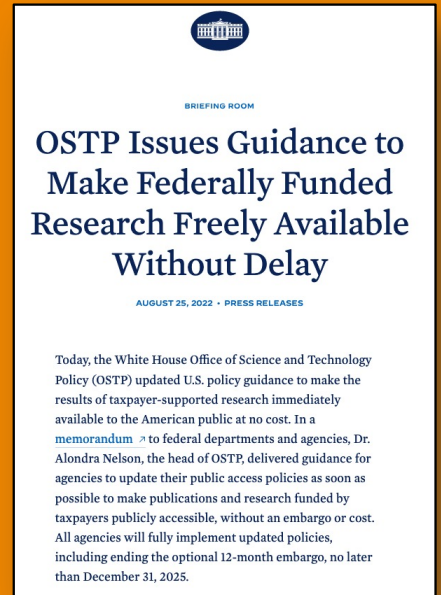
- Globally significant organisations recognize the importance of change in the balance of power in scholarly publishing and research dissemination
- Do you?

Helmholtz Open Science Office | Open Science in Helmholtz | Networking

## G6 and Open Science

The six European research organizations CNR, CNRS, CSIC, the Helmholtz Association, the Max Planck Society and the Leibniz Association draw up joint statements on current scientific and research policy issues under the name "G6".

<https://os.helmholtz.de/en/open-science-in-the-helmholtz-association/national-international-network/g6-and-open-science/>



<https://www.whitehouse.gov/ostp/news-updates/2022/08/25/ostp-issues-guidance-to-make-federally-funded-research-freely-available-without-delay/>



unesco

UNESCO Recommendation on Open Science

Adopted Nov 2021

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

# Scholar-led Open Research dissemination

CONSTRAINT

MONEY (AVAILABLE FUNDS)

SYSTEM

Infrastructure inc metadata; People

PRIORITIES

1. Budget decisions
2. Timing of dissemination
3. Content ownership & licensing
4. Dissemination type & venue(s)
5. Dissemination services & platforms & VfM

FUNDAMENTALS  
Irrespective of  
constraint

1. Norms & Values: Quality control; Integrity; Equity
2. Reward, assessment & recognition
3. **Author rights**





# Plan S

Making full & immediate  
Open Access a reality

**Part 6**

**Resources & Take home messages**





## What universities can do



1. Work closely with libraries
2. Do not tolerate pushback from external 3rd parties causing compliance difficulties for researchers - involve Legal Services if necessary
3. Work with Legal Services for advice on author's rights retention (**to benefit authors, not publishers**)
4. Raise awareness of copyright & licensing with authors
5. **Adopt an institutional copyright & rights retention policy ensuring rights remain with authors**

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



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

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



#RetainYourRights



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



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

**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

# cOAlition S rights retention resources kit

## Available for all to use & adapt

**USER GUIDE**

### Pre-submission & covering letter templates



**Pre-submission letter to Journal**

Dear Journal editor/publisher,

I am/We are considering submitting a research paper for publication. [If relevant: I am/We are the author(s) and original copyright holder(s) and I/we would like to request that the rights to use my/our Author's Accepted Manuscript submitted manuscript will contain the following licence:

"For the purpose of open access, a CC BY licence should be applied to this submission".

I/we will apply a CC BY licence to my/our work without embargo.

To ensure that these conditions are fully met, the following text can be included by authors in the submission cover letter template box:

1. Will the [NAME OF JOURNAL/PUBLISHER] make the Author's Accepted Manuscript (AAM) available without embargo? If the author(s) will NOT be required to sign a copyright transfer agreement before publication, please indicate which of the two statements for publication:

Yes

No

By cOAlition S and released under Public Domain. Visit <https://creativecommons.org/licenses/by/4.0/>

Templates to help authors ask for the clarity they need before peer review proceeds

**PUBLISH WITH POWER:  
PROTECT YOUR RIGHTS**



### The Author's Rights Quiz

How well do you know your rights as an author?

**Let's find out!**

### How to reuse & share your knowledge as you wish through Rights Retention



**Plan S**  
Making full & immediate Open Access a reality

Available at: <https://www.coalition-s.org/resources/rights-retention-strategy/>

Publish with Power.  
Protect your Rights.

# Resources for Librarians

1. Some available to download

2. Adapt and use – CC BY

3. Further suggestions welcome

**Rights Retention Strategy: Resources for Librarians**

cOAllition 5 [Rights Retention Strategy](#) (RRS) aims to help authors retain and assert their rights so that they can assign a CC BY licence to their Author Accepted Manuscripts. This means they can use their own intellectual creation as they choose, and be compliant with their cOAllition 5 funder's OA policy where this is required or an obligation. See a detailed [Primer on the Rights Retention Strategy](#) by Prof Stephen J. Eglon.

cOAllition 5 recognises that copyright is a complex and daunting topic for researchers to understand. Most researchers are pressed for time and mainly concerned about completing the publishing process of their article. Authors are able to seek RRS advice from their funder, but often turn to their local institutional librarian to find out what they have to do to comply with their funder's OA policy.

cOAllition 5 has produced a number of resources that are available to be used freely by institutional support staff such as librarians, as part of their support services for their researchers. Some are released under an open licence and can therefore be adapted for use in a local setting.

Suggestions for use are offered below. cOAllition 5 welcomes news and examples of how libraries have used these resources to assist their researchers, and any feedback from researchers that can be shared. Please feel free to send [cOAllition 5](#) your suggestions for additional resources that would be useful to you and researchers at your institution.

Resource	Purpose	Suggestions for use
<a href="#">RRS Overview page</a>	Suite of resources to support rights retention strategy	Resources can be used freely to enhance information and training for researchers
<a href="#">User Guide for Pre-submission &amp; Pre-submission letter templates</a>	Information for researchers and others about why and how to use the two mentioned resources. Includes links to the pre-submission letter template and the submission covering letter	<ul style="list-style-type: none"> <li>Fill the text to match your local situation</li> <li>Aim to incorporate your institutional branding and style</li> <li>Use in training and information materials</li> <li>Includes guidance and links to Pre-submission message and covering letter template</li> </ul>
<a href="#">The submission message template.pdf</a>	Use to request clarity from a potential publisher on journal policy regarding author rights retention. May be used for an exploratory query to a number of journals or just prior to submission when planning an article	<ul style="list-style-type: none"> <li>Fill the text to match your local situation</li> <li>Aim to incorporate your institutional branding and style</li> </ul>
<a href="#">Submission covering letter template.pdf</a>	Use as part of a covering letter when submitting an article to request clarity from a potential publisher on the chosen journal's policy regarding author rights retention	<ul style="list-style-type: none"> <li>Fill the text to match your local situation</li> <li>Aim to incorporate your institutional branding and style</li> </ul>
<a href="#">RRS Quiz</a>	Questions intended to help authors learn about and understand the consequences of transferring or granting exclusive rights to a publisher, and to explain some of the benefits of the RRS	<ul style="list-style-type: none"> <li>Use in training and information materials</li> <li>Link from library or other website</li> </ul>
<a href="#">RRS explainer video</a>	A brief video to explain how to use the RRS and the reason for doing so	<ul style="list-style-type: none"> <li>Use in training and information materials</li> <li>Link from library or other website</li> </ul>
<a href="#">Powerpoint slide deck on RRS</a>	<ul style="list-style-type: none"> <li>To help inform researchers why and how to use the RRS</li> <li>To inform authors of the need to retain and assert their rights</li> <li>To stress the message that copyright is power – whoever controls those rights, controls permitted uses of the work</li> <li>To support presentations to senior management on rights retention</li> </ul>	<ul style="list-style-type: none"> <li>Use for training and advocacy for researchers on rights ownership, retention and assertion</li> <li>Cherry pick and adapt slides for use when (for example) making a case for an institutional rights retention policy</li> </ul>
<a href="#">Spread sheet excel</a> describing rights retention-type policies adopted by institutions	To enable others to learn from colleagues who have gone through the process of adopting and implementing such a policy. Available on cOAllition 5 <a href="#">cOAllition 5 Open page</a>	To inform discussions around adopting a similar policy at your institution
Tag line: Publish with Power – Protect your Rights	Easily memorable core message of RRS	<ul style="list-style-type: none"> <li>Use in your literature and on any training materials</li> <li>Use as hashtag on social media #PublishWithPower – #ItstourRights</li> </ul>
Funder Provided Materials	cOAllition 5 funders often openly provide open access policy materials tailored to their specific grantee audience. For example: <ul style="list-style-type: none"> <li><a href="#">UK &amp; Medical Research Council</a></li> <li><a href="#">Dutch Research Council (NWO)</a></li> <li><a href="#">Leeds University National Research Fund (NRF)</a></li> <li><a href="#">Wellcome Trust</a></li> </ul>	<ul style="list-style-type: none"> <li>Re-use these specific materials for tailored audiences</li> <li>Use in conjunction with <a href="#">UK &amp; Medical Research Council</a> that includes direct links to funder's policies</li> </ul>
Examples of RRS support resources created by libraries	Great examples of resources created by librarians. This list provides a handful of examples. If you like your RRS support resources listed here, or know of an excellent example that's not already included, <a href="#">contact us</a>	<ul style="list-style-type: none"> <li>Gain inspiration by seeing what library colleagues have created</li> <li>Learn from peers</li> <li>Please check individual permissions before making use of these examples</li> </ul>

Available at: <https://www.coalition-s.org/resources/rights-retention-strategy/>




Publish with Power.  
Protect your Rights.

# Resources for Research Administrators

## Facilitating Plan S policy in your institution

1. Plan S 10 Principles
2. Key themes for universities
3. What universities can do

Facilitating Plan S policy in your institution 

Plan S Principle	Key themes for Unis	What universities can do
<p><b>Principle 1:</b> Authors or their institutions retain copyright to their publications. All publications must be published under an open license, preferably the Creative Commons Attribution license (CC BY), in order to fulfil the requirements defined by the Berlin Declaration;</p>	<ul style="list-style-type: none"> <li>• Copyright</li> <li>• Open licenses</li> <li>• Content ownership &amp; control</li> <li>• Challenges for researchers</li> <li>• Content (article content, data, etc) are the crown jewels of research outputs at your institution</li> </ul>	<ol style="list-style-type: none"> <li>1. Work closely with libraries</li> <li>2. Do not tolerate pushback from external 3rd parties causing compliance difficulties for researchers - involve Legal Services if necessary</li> <li>3. Work with Legal Services for advice on author's rights retention (to benefit authors, not publishers)</li> <li>4. Raise awareness of copyright &amp; licensing with authors</li> <li>5. Adopt an institutional copyright &amp; rights retention policy ensuring rights remain with authors</li> </ol>
<p><b>Principle 2:</b> The Funders will develop robust criteria and requirements for the services that high-quality Open Access journals, Open Access platforms, and Open Access repositories must provide;</p>	<ul style="list-style-type: none"> <li>• Technical requirements targeted at infrastructure</li> <li>• Affects internal services that integrate with repository eg CRIS</li> <li>• Includes 'soft' requirements such as 'helpdesk'</li> </ul>	<ol style="list-style-type: none"> <li>1. Where available use funds to ensure an excellent institutional repository service (inc support for staff)</li> <li>2. Register repository in OpenDOAR <a href="https://ojs.uberna.ac.uk/pendoar/">https://ojs.uberna.ac.uk/pendoar/</a> and monitor progress towards requirements</li> <li>3. Insist on high quality consistent metadata across all university services eg name authority, FunderID <a href="https://www.crossref.org/services/funder-registry/">https://www.crossref.org/services/funder-registry/</a>, Research Organization <a href="https://ror.org/">https://ror.org/</a></li> <li>4. Implement institutional ORCID service and strongly encourage use at all possible junctures <a href="https://orcid.org/">https://orcid.org/</a></li> <li>5. Work with researchers who run their own journals, especially internally</li> </ol>
<p><b>Principle 3:</b> In cases where high-quality Open Access journals or platforms do not yet exist, the Funders will, in a coordinated way, provide incentives to establish and support them when appropriate; support will also be provided for Open Access infrastructures where necessary</p>	<ul style="list-style-type: none"> <li>• Potential support for repositories</li> <li>• Local small publishers (eg academics running small journals)</li> <li>• Journal editors and editors in chief</li> <li>• Consider innovative publishing</li> </ul>	<ol style="list-style-type: none"> <li>1. Build &amp; improve the local institutional repository service. Use funding if available</li> <li>2. Promote Diamond OA opportunities to researchers and promote the Diamond Action Plan <a href="https://www.coalition-s.org/action-plan-for-diamond-open-access/">https://www.coalition-s.org/action-plan-for-diamond-open-access/</a></li> <li>3. Familiarise themselves with and promote the SPA-OPS Toolkit to foster Open Access Agreements for society publishers <a href="https://www.informallogistics.co.uk/opa-ops-toolkit/">https://www.informallogistics.co.uk/opa-ops-toolkit/</a></li> <li>4. Engage local editors &amp; editors in chief to find solutions for</li> </ol>

Available at: <https://www.coalition-s.org/resources/rights-retention-strategy/>



Publish with Power.  
Protect your Rights.

## Take home messages

- 1. Article content belongs to the author** for them to use as they choose for the benefit of authors, institutions, society in general
- 2. Author rights retention is about ownership and control.** It is not primarily about compliance
- 3. RRS helps authors retain their rights**, whilst providing a tool to aid compliance with their funder agreement. An institutional RRS policy is even more powerful.
- 4. ACTION:** Whilst some publishers continue to deny authors their rights and grab them for themselves, **key stakeholders can correct this state of affairs:** funders; authors, institutions.





# Suggestions for reading

- Case studies of institutions adopting Rights Retention policies
  - <https://www.coalition-s.org/blog/>
- Open access research repositories provide diversity and innovation publishers can't match. They have a critical role in archiving, preserving and sharing the diverse content produced by universities
  - <https://www.coalition-s.org/blog/open-access-research-repositories-provide-diversity-and-innovation-publishers-cant-match/>
- T&F copyright advice. Author, beware
  - <https://www.coalition-s.org/blog/tf-copyright-advice-author-beware/>
- We encourage you to share your article widely – but not too much
  - <https://www.coalition-s.org/blog/we-encourage-you-to-share-your-article-widely-but-not-too-much/>
- Exclusive licence to publish – now here's a thing
  - <https://www.coalition-s.org/blog/exclusive-licence-to-publish-now-heres-a-thing/>
- Elsevier Share Links: The Schrödinger's cat of Open Access
  - <https://www.coalition-s.org/blog/elsevier-share-links-the-schrodingers-cat-of-open-access/>
- Reviewing the Rights Retention Strategy – A pathway to wider Open Access?
  - <https://blogs.lse.ac.uk/impactofsocialsciences/2022/10/26/reviewing-the-rights-retention-strategy-a-pathway-to-wider-open-access/>
- Peer Community in (PCI): two routes to support Plan S
  - <https://www.coalition-s.org/blog/peer-community-in-pci-two-routes-to-support-plan-s/>
- And much more on the cOAlition S blog <https://www.coalition-s.org/blog/>

## 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](mailto:info@coalition-s.org)



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# Questions & Discussion

Access



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[info@coalition-s.org](mailto:info@coalition-s.org)



twitter

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

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