

STM Position on International Document Supply

STM publishers are committed to providing the widest access to their materials, and are licensing the supply of journals, articles and other STM works worldwide.

STM believes that any such licensing or supply should always be primarily a publishing role. At the same time, STM fully supports national libraries in their work of deposit, archiving and preservation of works as part of the national heritage, and acknowledges the role of national libraries in supplying single copies of documents to readers or other libraries in their own territories, where copies are not otherwise available commercially and within the constraints of national law.

STM believes that all permitted library copying, access and supply, particularly internationally, must comply with the Berne Convention "3 step test" and apply only in special cases, not conflict with normal exploitation of the work and not unreasonably prejudice the legitimate rights of the rightsholder.

STM considers that statutory copyright exceptions in national copyright laws, permitting copying without remuneration, should not extend to digital access or transmission, or to international supply of digital material. They should not apply where licensing or authorised online sales alternatives exist.

STM reaffirms its view that copying or supply to commercial entities or intermediaries should only be permitted if consent is obtained, either directly from the publisher, as the rightsholder or on behalf of the rightsholder, or from the publisher's authorised representative. Any such supply should be on terms agreed by, and at a fair price set by the publisher.

STM equally believes that copying or supply to entities outside a national library's home country should only be permitted if consent is obtained, either directly from the publisher or from the publisher's authorised representative, and on terms set by the publisher.

STM welcomes cooperation on the development of individual and (where appropriate) voluntary collective licences for all the above activities within the constraints of applicable competition laws.