



The Association of Learned and Professional Society Publishers

Ann J. Wolpert
Director of Libraries
Massachusetts Institute of Technology

27th June 2006

Dear Ms. Wolpert,

You are probably aware that the STM and ALPSP trade associations between them represent the publishers of more than half of the world's scholarly peer-reviewed journals, and two-thirds of the annual global output of research articles. Many of our members have contacted us concerning communications they have received from you with respect to journal article author publishing agreements. We thought it might be appropriate to outline publisher concerns about the MIT proposals, and suggest a meeting to discuss these. Although, as trade associations, we cannot make agreements or decisions on behalf of our members, we believe that such a meeting would afford for a valuable opportunity to discuss the concerns of all relevant stakeholders.

As it stands, the broad scope of the rights described in the amendment would be unacceptable to the majority of our members; however, widespread rejection of this document by publishers is presumably not in MIT's interests. At the proposed meeting we hope that we would be able to agree the specific rights needs of MIT and its authors, identify the extent to which these rights are already covered by existing practice, and discuss how best to bridge any remaining gaps.

Many of our members have already made changes to their journal author agreements to conform with the NIH 'Public Access' policy, and some have also been working with the Wellcome Trust in relation to its policy. Publishers' general policies on author posting of papers are well-documented on the SHERPA web site; a recent ALPSP survey (Scholarly Publishing Practice, 2006) showed that over 50 percent of publishers permit some form of author self-archiving, although embargoes are beginning to be a feature of many such policies.

In addition, many publishers already grant authors and their institutions wide re-use rights in accordance with the ALPSP model agreements at www.alpsp.org/http_grantli.htm. The above-mentioned ALPSP survey showed that the overwhelming majority allow reuse both within the author's academic institution and within her own publications. Both our associations commend the work of the Zwolle Group (www.surf.nl/copyright) and the principles which they have developed.

We have four problems with the proposed MIT form:

1. In light of existing publisher policies on posting and re-use, we are not sure that significant amendment is in fact required.
2. If amendments are required, we would suggest that certain phrases in the current form of the MIT document would need clarification, such as the notion of 'fair use rights' of authors, and authors' 'academic and professional activities'. The more specific terminology of the model agreements referred to above would be preferable. Commercial re-use (which would compete directly with the publisher's own business) is, however, quite unacceptable.
3. Author posting (of any version of an article) immediately upon publication risks competing with the journal itself; publishers are already seeing a decline in downloads from their site when articles are freely available elsewhere. Should a significant proportion of a journal's content, through policies such as MIT's, become readily available free of charge, librarians would have a strong incentive to cancel subscriptions and licenses. Some librarians may see this as a desirable outcome, but it could lead to the demise of journals upon which scholarship and tenure depend.
4. Many publishers are extremely uneasy about making the final published version of articles available on any web site. As you can see from the SHERPA site, although most publishers permit the posting of some version of an article, very few permit the posting on any web site of the final published article. Indeed, our own and other publishing associations have lobbied strongly against government and private initiatives that would appropriate all the 'value-added' component that publishers bring to journals and journal articles. We believe that this would risk destabilizing the journal subscription business model (still the most widely used model in scholarly journal publishing, although not by any means the only one).

Furthermore, the final published version may not in fact be reproducible elsewhere, as its linkages and functionality may depend on the software at the publisher's site. It is also only on the publisher's site that the user can be confident of finding any necessary errata or corrections. Links to the published version on the publisher's site are therefore always a preferable solution; some publishers are willing to offer toll-free links from the author's own institutional repository, or to make the article freely accessible to all on their site in return for a publication fee.

We would be very pleased to discuss these issues in more depth in an in-person meeting, and believe we can easily arrange to have some of our respective US-based members participate in such a discussion. MIT authors are involved in ground-breaking areas of research, and it is sensible for us as an industry to speak with you about the concerns of all involved.

Very truly yours,



Michael Mabe, CEO, STM



Sally Morris, CEO, ALPSP