



Electronic Resources in Libraries: Heaven on Earth? Putting together a jigsaw puzzle

Nol Verhagen/Wilma Mossink, Prague November 2012



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About us

Nol Verhagen: Head Librarian University of Amsterdam; former chair of Dutch consortium UKB; resource person of ICOLC Europe; senior consultant on licensing for SURFmarket; > 10 years experience in licensing for Dutch Higher Education; recently evaluator for OP RDI (Operational Programme 'Research and Development for Innovation') in Czech Republic

Wilma Mossink:

Legal advisor of SURF. Her expertise is in copyright management in higher education and the legal aspects of making content and information openly available.

Advisor of the legal committee of the Dutch Library Forum. In this capacity, she represents the Netherlands in the Expert Group on Information Law of EBLIDA and in the Copyright and Other Legal Matters committee of IFLA (CLM).

Member of several (inter)national working groups among which the NISO ONIX-PL Working Group and the Knowledge Exchange Licensing Expert Group.

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About this presentation

It's a jigsaw puzzle with many bits and pieces

We'll first fill in the edges and then put the puzzle further together in four steps:

1. A general overview of developments and their consequences
2. Consortia and how they (may) work
3. Pricing and value for money
4. Licensing

Each step takes about 15/20 minutes: 10/15 for us & 5 for you

We tell the stories & you ask the questions & give the comments

A general overview 1

A few words about print

- ✓ Libraries in the past and in the future: from book warehouse to learning grid
- ✓ The history of open collections in the UvA: from 50 km¹ (2000) to 20 km¹ (2010) to 10 km¹ (2020)
- ✓ Document Delivery: RFID and self service
- ✓ Collection Management: shared collections, shared repository space
- ✓ Is print a format from the past?

A general overview 2

The true nature of digital information

- ✓ It's digital! You can't hold it! You even can't own it!
- ✓ You *don't have* to hold it, or to own it: you can access it!
- ✓ Dissemination no longer obstacle but opportunity
- ✓ Information is no longer a product, it's a service
- ✓ Or something in between? How we try to cope with new formats by fitting them into old habits
- ✓ No mediation/mediator needed?
- ✓ But how about long term sustainability?

A general overview 3

The hybrid library

- ✓ The world of scholarly information: ever more digital
- ✓ From collections to connections: the shift from libraries to 'platforms'
- ✓ The future of printed books: to become digitized?
- ✓ The disadvantages of print: to hold, to keep, to store, to preserve, to circulate one at a time

Puzzling:

libraries always built print collections, mainly for sharing information with as many readers possible. Today, print is no longer the most suitable format for sharing information

A general overview 4

Summary

- ✓ Digital information: biggest change in communication since the invention of writing
- ✓ Will change the meaning, the function and the appearance of 'libraries' profoundly
- ✓ In scholarly libraries printed information is becoming obsolete even faster than in other libraries
- ✓ A physical object (book, cd, dvd) is no longer an effective medium for (transfer of) information



Discussion

Consortia 1

What is a consortium?

- ✓ A group of libraries that want to buy the same product or service for the lowest possible price
- ✓ Do you really want to buy the same product?
- ✓ Are you going to pay the same price, then?
- ✓ Are you just a buying club or are there other fields of common interest?
- ✓ How different or similar are you actually?
- ✓ One night stand or lasting relationship?

Consortia 2

Of all sorts

- ✓ Homogeneous versus heterogeneous: Universities, Colleges, Public Libraries, Research Institutes, Musea and Archives
- ✓ State driven or not
- ✓ About cooperation or about acquisition
- ✓ Structural or Incidental
- ✓ National or Regional; or even cross border

Consortia 3

UKB as a case study

- ✓ 13 top research universities + Royal Library
- ✓ 6 comprehensive, 3 technical, 1 specialized (agriculture), 4 'incomplete'
- ✓ K 250 students, K 30 Fte (faculty), K 30 Fte support
- ✓ Library Cooperation (25 years!) originally based on Union Catalogue and Library Automation
- ✓ Shared Collection Management
- ✓ Working groups of all kinds
- ✓ Increasing interest of E-acquisition and Licensing
- ✓ Licensing office: SURFmarket

Consortia 4

JISC and FinElib

- ✓ JISC Collections: covering all post secondary education in UK (some 200 universities, schools and colleges); state driven; partly (75%) state financed; overarching other consortia, like RLUK (Research Universities); just licensing of scholarly and educational content
- ✓ FinElib: covering all public educational and research institutions, including public libraries and musea; initiated by state, led and financed by National Library and Ministry of Education; content licensing but also technological support

Consortia 5

Summary

- ✓ Best format for consortia depends on political, administrative, organisational and sociological structures within the country or region
- ✓ Homogeneous consortia work better and easier: common interests and common culture
- ✓ Heterogeneous consortia best split themselves in homogeneous subconsortia
- ✓ Consortia work better if they are more than just buying clubs
- ✓ Lasting relationships work better than one night stands
- ✓ It takes strong leadership to keep consortia together



Discussion

Pricing 1

Value for money

- ✓ Pricing in the times of printed information: one price fits all; price strongly connected to the tangible object: the book or the journal; more volumes = higher price; more money = more information
- ✓ Pricing in times of digital information: much more complicated, much more differentiated, less selective, tailor made
- ✓ Result: same product for widely differentiated prices
- ✓ Scholarly information was never available so easily, so inexpensive and with so much context as today

Example: Science Direct for UKB (research universities) versus SHB (universities for applied sciences) = 100 : 3; but price per download almost the same!

Pricing 2

Pricing models

- ✓ Historic spends: only applicable in a mature market with a well developed research infrastructure. But even there unsatisfactory
- ✓ Usage: seems fair, but uncontrollable and unverifiable. Unhappy experiences with f.i. ACS; and should the price per usage be?
- ✓ Head count: fte students, fte faculty, both? All fte, or just some discipline(s)? Takes quantity over quality, sometimes hard to understand (f.i. Nature), source of uncertainty (in case of strong fluctuations)
- ✓ Concurrent use: the more concurrent users the higher the price – popular with ebook and database publishers

Pricing 3: Price per download, pay per view

- ✓ Ppd or Ppv not suitable as pricing mechanism: unreliable, uncontrollable, easy to manipulate, whimsical
- ✓ But it is a good indicator for the effectiveness of a service
- ✓ And it is useful to compare the performance of a vendor or a product with that of other vendors
- ✓ Or to compare the performance of a library with that of other libraries

Pricing 4

Consortia and cost division

- ✓ Consortial acquisition: get more, pay less
- ✓ The big deal; Cross access; Packages
- ✓ Buy together, pay together
- ✓ The problem of costdivision: mirroring the pricing models of publishers: Historic spends? Usage? Headcounts? Per discipline? The nature of an institution?

The Dutch solution:

collectively: historic spends

per institution: disciplines

per discipline: number of students

Pricing 5

About price caps

- ✓ Traditionally both readers and writers contributed to the cost of dissemination: subscriptions and page charges
- ✓ Over time subscriptions became predominant (because writers hated page charges); price increases rose to $> 10\%$
- ✓ Steady growth with 3% per year of number of researchers = number of articles = number of journals
- ✓ Growth in volume + inflation = 5%
- ✓ Heated debate about costs, cost savings, margins, commercial –non commercial; price increases down $< 5\%$

Open Access the solution?

Pricing Summary

- ✓ Libraries and Publishers try to define new pricing models that can replace historic spend; till now unsuccessfully
- ✓ Usage based pricing models popular with publishers but not with librarians
- ✓ Consortial acquisition means better value for money
- ✓ Cost division is major challenge for many consortia
- ✓ Price caps down to $< 5\%$



Discussion



and then finally: the licence agreement

Licensing 1

general remarks

- ✓ often last leg negotiations
- ✓ provisions in licence agreement in general no 'show stopper'
- ✓ vendor produces the licence agreement
- ✓ not many institutions do have lawyer to oversee licence agreement negotiations
- ✓ better produce or use model licence or model provisions

Licensing 2

licence agreement

- ✓ mutually acceptable set of understandings and commitments often arrived at through discussion and negotiations
- ✓ contract law overrides copyright law, so never accept provisions which restrict or abrogate rights permitted in copyright law

Licensing 3

basic elements of a licence

- ✓ definition of the licensed material
- ✓ institutions to whom licence applies
- ✓ authorised users and their rights
- ✓ term of the licence
- ✓ licence fee
- ✓ governing laws

Licensing 4 must haves

- ✓ no liability for unauthorised use by users
- ✓ user rights that cover the needs of researchers and students
- ✓ archival policy/continuous access after subscription period has ended
- ✓ drop out clause
- ✓ cancellation clause

Licensing: summary

- ✓ never accept provisions which give you less rights than you have under copyright law
- ✓ work with (accepted) models and define what should be covered in licence
- ✓ have licence in place before starting the negotiations



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