

Access License and Indicators

*A Recommended Practice of the
National Information Standards Organization*

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Foreword

About this Recommended Practice

In 2013, a new work item proposal was approved by NISO members to develop metadata and indicators that would provide information on whether a specific article is openly accessible (i.e., can be read by any user who can get to the journal website over the internet) and what re-use rights might be available to the reader.

Many offerings are available from publishers under the banner of Open Access, Increased Access, Public Access, or other names. The terms used vary both between publishers and within publishers by journal, and in some cases, based on the funder. Adding to the potential confusion, a number of publishers also offer hybrid options, in which authors of an article can pay a fee to make their paper freely available to readers while the rest of the content in that journal remains under subscription control.

Currently publishers provide articles that are “free-to-read” under a wide range of re-use terms and licenses. Some publishers and organizations favor the Creative Commons licenses, specifically the Creative Commons Attribution license (CC BY) to provide re-use terms while others use proprietary or modified licenses for this purpose.

Funders find the lack of information and cooperation between stakeholders creates difficulty in determining whether a specific article is compliant with their policies. Publishers of hybrid journals have no simple mechanism for signaling the “free to read” status of specific articles or the re-use rights of downstream users. Authors have difficulty confirming whether they are compliant with a given funder policy. Readers face the burden of figuring out what they can and cannot do with specific articles. Aggregators and service providers have no single mechanism for identifying articles that can be legitimately harvested.

The objectives of the project were to develop:

1. A specified format for bibliographic metadata and, possibly, a set of visual signals describing the readership rights associated with a single scholarly work.
2. Recommended mechanisms for publishing and distributing this metadata.
3. A report on the feasibility of including clear information on downstream re-use rights within the current project and, if judged feasible, inclusion of these elements in outputs 1 and 2.
4. A report stating how the adoption of these outputs would answer (or not) specific use cases to be developed by the working group.

NISO D2D Topic Committee Members

The Discover to Delivery (D2D) Topic Committee had the following members at the time it approved this Recommended Practice:

Kristin Antelman

California Institute of Technology (Caltech)

Scott Bernier

EBSCO Information Services

Pascal Calarco, Chair

University of Waterloo Library

Lucy Harrison

Florida Virtual Campus

Juli McWilliams

The Library Corporation (TLC)

Peter Murray

Lyris

Chris Shillum

Reed Elsevier

Christine Stohn

Ex Libris, Inc.

Julie Zhu

IEEE

NISO Access License and Indicators Working Group Members

The following individuals served on the NISO Access License and Indicators Working Group (originally named Open Access Metadata and Indicators), which developed and approved this Recommended Practice:

Tim Devenport

EDItEUR

Gregg Gordon

Social Science Research Network (SSRN)

Julie Hardesty

Indiana University Bloomington Libraries

Cecy Marden

The Wellcome Library

Cameron Neylon, Co-chair

Public Library of Science (PLOS)

John Ochs

American Chemical Society (ACS)

Edward Pentz, Co-chair

CrossRef

Heather Reid

Copyright Clearance Center (CCC)

Jill Russell

University of Birmingham

Chris Shillum

Reed Elsevier

Ben Showers

JISC Collections (through November 2014)

Eefke Smit

International Association of STM Publishers

Christine Stohn

Ex Libris, Inc.

Greg Tananbaum, Co-chair

Scholarly Publishing & Academic Resources
Coalition (SPARC)

Timothy Vollmer

Creative Commons

Maarten Zeinstra

Kennisland

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- Members of the NISO *oa-indicators-info* interest list, who provided significant input to the development of the use cases listed in Section 5.

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Section 1: Introduction

1.1 Purpose and Scope

This recommended practice defines metadata indicators to be used to indicate free-to-read content and a link to license terms for the use/re-use of that content. Humans and machines will be able to assess the status of the content based on these indicators and in many cases the combination of the `free_to_read` and `license_reference` metadata will indicate Open Access content. The indicators include a date component so that content with access and re-use rights that change over time can be adequately understood by both humans and machines using the metadata.

1.2 Terms and Definitions

The following terms, as used in this recommended practice, have the meanings indicated.

<u>Term</u>	<u>Definition</u>
embargo	A period during which a work is available only to users who have paid for or licensed access. Outside of the embargo period, the work may become free-to-read.
free-to-read	A work that is accessible to read online without charge or authentication (including registration) to any person with access to the internet. Note: The work may not necessarily have this status throughout its lifetime.
hybrid journal	A journal title that contains some open access or free-to-read articles while other articles require payment and/or a subscription to access and read.
license	Agreement related to the use of a work. Generally includes payment requirements, if any, and terms of use and re-use—potentially including access, reproduction, adaptation, and distribution, among others.
namespace	A prefix added to XML element names to prevent conflicts when XML documents from different XML applications are combined.
paywall	An access control system that limits access to electronic content to those users with a paid subscription or license.
public license	A license (or waiver) offered to any potential user of a resource. Note: The <code>license_reference</code> attribute defined in this Recommended Practice covers only public licenses.
text mining	The process of analyzing text to derive patterns, trends, or other meanings.

<u>Term</u>	<u>Definition</u>
URI	A string of characters used to identify the name of a resource. Such identification enables interaction with representations of the resource over the web. The most common form of a URI is the uniform resource locator (URL), frequently referred to informally as a web address.
waiver	Language that releases a content owner's interests in particular works and places them as completely as possible in the public domain. The CC0 tool, created by Creative Commons, is an example of a waiver.

Section 2: Summary of Recommendations

The NISO Access License and Indicators Working group was chartered to develop protocols and mechanisms for transmitting the access status of scholarly works. This is a contentious area where political views on modes of access lead to differing interpretations of what constitutes “open access.” The working group included a wide range of stakeholders with very different views of this area.

What was agreed among all stakeholders was that there is value in transmitting two key pieces of information relating to a scholarly work as a full-text online document. The first of these relates to whether a specified work is free-to-read—meaning that any person with access to the internet can access the work via the web. The second issue is that of what re-use rights are granted to a reader of a work.

A wide range of mechanisms for transmitting this information in addition to the scope of information that would be transmitted was considered. Taking into account the political, legal, and technical issues involved, a simple approach for transmitting a minimal set of information was preferred. The Working Group therefore recommends the following:

1. Adoption of two core pieces of metadata that can be transmitted through existing channels:
 - a) `free_to_read` – A simple status that defines whether the work is accessible, without charge or other restriction (such as registration), to read online. This status can optionally carry a start date to define the time point when the work will become free-to-read. It may also specify an end date when it will cease to be free-to-read, where appropriate. (See Section 3.1.)
 - b) `license_reference` – A reference to a URI that carries the license terms specifying how a work may be used. There will be no limitations on the license specified or on the terms contained within the license. Multiple `license_reference` elements can be provided. Each of these may have a different start date. (See Section 3.2.)
2. Eschewal of a newly created logo or icon to be displayed along with the `free_to_read` element. The group discussed this issue at length and decided that creating a logo would be out of scope. The goal of the group is to create a simple means for metadata to be exchanged and each site or system will determine how best to convey the status of content to their users.

It is the view of the Working Group that these two metadata elements can cover most current use cases of delayed access (embargoes) and of license terms (see Section 5:) that activate at a particular time post publication. While not completely covering all use cases, this simple approach provides a framework for conveying essential information that addresses the most common use cases.

The Working Group recommends that the `free_to_read` and `license_reference` metadata will be encoded in XML, that a namespace be declared for these elements, and that they are included in existing metadata distribution channels and with the content itself where appropriate. Rather than expecting all existing metadata formats and schemas to adopt equivalent elements, this Recommended Practice declares an XML namespace for the `<free_to_read>` and `<license_ref>` XML elements which determines how they should be added to existing schemas and workflows. The `free_to_read` and `license_reference` metadata can be used by systems to display appropriate status icons to users.

For more on specific use cases, see Section 5: