

DOCUMENT SUPPLY: CHALLENGE AND OPPORTUNITY

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I would like to begin with a few words on copyright, as this is the window through which many publishers view document supply. Then I will make some comments on document supply as it is today, and on some of the issues which concern publishers. Lastly I intend to look at document supply in the future, as it is likely to be one of many electronic delivery options for journals.

COPYRIGHT

Copyright is a proprietary right over literary, dramatic, musical and artistic works. Behind copyright is the principle that the needs of the rightsholder must be balanced against those of society. Copyright gives rightsholders certain exclusive rights over their works, and acts as an incentive for them to continue creating new works. To balance this, there must be provision for public access.

The rights covered by copyright generally include the rights to reproduce the work (for example, to photocopy, print or reprint), to distribute the work, to prepare derivative works, and to display or perform the work publicly. Only the copyright holder can perform these acts or authorise someone else to do so. Copyright laws were not written with modern electronic

technology in mind, but these restricted acts do have electronic counterparts, for example, capturing the work using a computer, either by keyboarding or scanning, storing the work as an electronic file, copying or printing the file, transmitting the file electronically (e.g. on a network), and retrieving, displaying or using the file on a computer.

Fair use

To ensure that copyright is not too restrictive, some copyright laws have "fair use" (USA) or "fair dealing" (UK) clauses. These are exceptions to the copyright holder's exclusive right to control reproduction, and allow limited access in the public interest. In very simple terms, these clauses allow you to quote from a copyrighted work for review, criticism or reporting and to copy it for teaching or research without asking permission of the copyright holder.

Fair dealing clauses try to convey the flavour and spirit of what is allowed in the public interest, without giving specific examples or limits. They are therefore open to interpretation. In the UK the criteria used to determine fair dealing are: the purpose and character of the use, for example, for research or private study; the amount and substantiality of the portion used in relation to the copyrighted work as a whole; whether the use is intended to substitute for the original work. In the USA the analogous criterion is the effect of the use upon the potential market for, or value of, the copyrighted work.

Multiple copying and systematic copying are not considered to be fair use in the USA or the UK. I note this, as most document supply involves systematic and multiple copying.

Responsibility of the publisher

In light of copyright, the role of the publisher is to work on behalf of the authors we represent and whose papers are published in our journals. Our role is to achieve the widest dissemination and



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exposure for our authors; to administer permissions for restricted acts such as reproduction, distribution, preparation of derivative works, and all electronic use; to ensure that authors' moral rights are upheld, that their papers are not altered or falsely attributed; to take legal action against flagrant and systematic abuse of copyright law; and to preserve the concept of the journal as a mechanism for authors to continue to publish their work for others to read.

THE PUBLISHER'S VIEW OF DOCUMENT SUPPLY

Taking into consideration the publisher's role in light of copyright, and the publisher's wider role in the publication chain, I would like to establish some ground-rules for document supply from the publisher's point of view, and make some observations on how the industry is evolving.

Dissemination

There are many players in the document supply arena now, and most are offering current awareness services, for example, tables of contents. It is difficult to speak for all publishers, but on the whole we should be pleased about the increased dissemination this gives to our authors' work. I would add only two footnotes. Firstly, if tables of contents become the main access point for readers, it may change the way authors phrase their titles. One would hope it would encourage them to make their titles more precise and more informative, but there is the danger that it will prompt them to make titles longer or phrased in such a way that the paper sounds more attractive, important, and interesting. Secondly, it is doubtful whether the titles of articles and author names contained in tables of contents provide sufficient information for scientists to decide whether they want to read an article, or indeed to buy it.

Permission

Copyright law does not allow systematic or multiple copying. Document suppliers must therefore ask publishers for permission to photocopy their journals. This can be done by direct agreement, or, in some countries, by

registering with the national agency which licenses photocopying on behalf of publishers, for example, the Copyright Clearance Center (CCC) in the USA or the Copyright Licensing Agency (CLA) in the UK. Both the CCC and the CLA are examples of Reproduction Rights Organisations (RROs).

This is an area where publishers can be expected to follow up. The more document suppliers there are setting up in business to trade in their articles, the more interested publishers will be to ensure that all are abiding by the rules. Permission applies to all the restricted acts mentioned above: reproduction, distribution, preparation of derivative works, and all electronic use. It should be noted that none of the RROs as yet can grant permission for electronic storage and use, so a document supplier seeking to capture electronically the full text of articles, store it, and transmit it to users, needs a direct agreement with the publisher.

Payment

The origin of per-article fees was the CCC's Transactional Reporting Scheme. Any copying beyond fair use could be done as long as the user (often a document supplier) paid the CCC the fee printed in the journal. Today, publishers like Pergamon and Elsevier think in terms of a "single article price", rather than a "CCC fee". Any document supplier wanting to copy and supply our articles must pay us the per-article fee. Our standard fee for research articles is \$6.00 for 1993. This is a standard fee for all document suppliers - we do not play favourites and charge some a lower fee, since we feel that it is fair for all to compete on the same basis. The same fee applies whether the document supplier deals directly with us or pays the fee to the CCC.

Acknowledgement

When a document supplier sells an article a formal acknowledgement must be made: the journal source must be cited and the copyright owner must be acknowledged. The copyright owner is most often the publisher, but publishers often administer copyright for others. Pergamon and Elsevier publish many society journals and grant permission for document supply on their behalf.

Integrity

When publishers give permission for articles to be copied, they must be satisfied that the authors' interests will be protected. The authors' names must be cited when the article is supplied, so that they will be credited with the work described; the work must not be falsely attributed to another group; the article must not be changed or adapted, so that the accuracy of the text or the meaning intended by the authors is not changed, intentionally or inadvertently.

Document supply vs ILL

One of the most difficult areas for publishers is to draw that delicate line between copying which genuinely qualifies as fair dealing and copying which is systematic document supply.

Publishers have always found the American CONTU Guidelines useful. When the US Copyright Law was passed in 1976, the House and Senate agreed to the limits for interlibrary loan recommended by the National Commission of New Technological Uses of Copyrighted Works (CONTU): up to 5 copies of articles published in the last 5 years in a given periodical. Copying beyond that limit is considered to be substitution for buying a journal subscription. Publishers have great sympathy with libraries which cannot buy all the journals they would like with their limited budgets. We understand the need for coordinated collection development, even if it means that fewer subscriptions are bought. We do feel, however, that some lines must be drawn, such as: when a library develops a fee-based document supply service to generate a new revenue stream to supplement library funds; when a library advertises its fee-based service to other libraries and the general public; when a library actively encourages other libraries to cancel their journals, indicating that it will act as a local supplier.

Publishers have no wish to become involved in litigation against libraries, but must consider that, in the USA and on the Continent in particular, there are flagrant abuses of copyright going under the banner of fair use. What we need to do is work out a system that allows some libraries to be "suppliers" and others to be "supplied", which is all above board and involves payment and permissions.

Preservation of the journal

When I was a child, I recall there were never enough drumsticks on a roast chicken. My father said we needed to invent a chicken which had more drumsticks, or ideally was all drumsticks. We have a similar situation in document supply. There are lots of players in the document supply market, and they all want to trade in drumsticks. We have to consider that publishing is based on the whole chicken, a living, breathing animal, which has a soul and a personality, in the form of the journal's editor. The criteria used by authors when deciding to which journal to submit their articles include: the quality and judgement of the editor; the quality of the peer review process which the editor has established with the editorial board and the publisher; how rapid the publication process is, and how quickly therefore the author's priority will be established; the accuracy and presentation of the author's article, in printed or electronic form; the easy availability of the paper itself to readers; and the preservation of the paper in the archives of leading libraries, so that readers can always refer to it, as well as future generations.

Document supply is a useful addition to the publishing process, because it disseminates an author's paper out to more readers, but it is not a substitute for it. In thinking about document supply today, and the systems we would like tomorrow, we should consider the needs of everyone in the publication chain: authors, editors, readers, publishers, and libraries. Our aim should not be to invent a chicken which is all drumsticks, but to develop a healthier and more interesting chicken, and to distribute it to consumers in more and better ways.

THE OPPORTUNITY

This brings us to the future. The title of this presentation indicates that there is an opportunity and a challenge. In my view, the opportunity is to design a system which serves everyone's interests better. The challenge is cooperation between all parties to do so. There are three areas in particular where we can do better.

Satisfy the user

Firstly, we should focus on the user. When I read library commentary on journals and document supply, I see a lot about the needs of libraries, about the publisher as enemy, but not a great deal about what users want. In thinking about how we can improve matters, we should focus on readers, and what they would like. In this light I would like to mention two experiments designed to find out what they want:

TULIP

TULIP stands for The University Licensing Program. It is a research project set up between Elsevier/Pergamon and ten US universities. It has three objectives:

- To determine the technical feasibility of network distribution of journals to universities and within universities;
- To develop economic models that are viable in an electronic distribution scenario. These models cover costing, pricing, and licensing; subscription scenarios and pay-for-use scenarios;
- To study reader usage patterns in different distribution situations, and to collect data for analysis systematically across all sites.

The project involves distributing 42 materials science journals electronically as Group 4 fax page images, structured ASCII article heads (including the abstract), and unedited ASCII full text files (for full text searching). The files are distributed through Engineering Information (Ei), which acts as the Internet host.

Two points might be noted. Firstly, librarians often worry that each publisher will set up a separate system, that each system will be different, and that they will have to deal with each publisher separately. In the TULIP project, the publisher supplies the files and the university develops the application for viewing them, so the problem of different systems does not arise. The TULIP scenario also uses Ei as a clearing-house. In principle any publisher's journal could be distributed in this way, and the library would receive all journals from the same clearing-house.

Secondly, though TULIP is based on electronic subscriptions, libraries also have the option of per-transaction use. In this way we can measure

how cost-effective subscriptions actually are, and the overheads associated with transactional use.

Electronic Journal Demonstrator

As UK librarians, you are probably all familiar with the SuperJANET Project on Information Resources (SPIRS), a study commissioned by the Joint Network Team. The SPIRS report published in February 1993 lists 14 pilots which they hope will be instrumental in securing funding for SuperJANET. One of the pilots is the Electronic Journal Demonstrator.

This is a short-term (3 month) project to build a demonstration system which will illustrate what an electronic journal might be like, and explore the technical issues which need to be addressed in order to bring the printed journal into an electronic environment in a meaningful way. The project was funded as part of SPIRS by the British Library Research and Development Department, involves 9 UK publishers, and has been organised by David Pullinger of the Institute of Physics Publishing. Though the project is not specifically related to document supply, I mention it as an example of publisher collaboration and commitment to explore what is technically feasible and desirable, and the standards necessary to do it well.

More options

The second opportunity is to give the user more options. The present publishing system is rather like Henry Ford's Model T, you can have any colour as long as it's black. The Model T journal is only delivered as print on paper and at one price. Document supply is the alternative, but still a Model T alternative, based on photocopying articles.

With networks like SuperJANET and NREN on the horizon, we should think through how we can preserve the journal as an intellectual construct, but provide more options in format, media, delivery, and pricing. More publishers are now processing manuscripts electronically, and will be able to deliver journals electronically as well as on paper. Other options might include:

- A print subscription with an archive CD-ROM at the end of the year;
- A print/electronic combined subscription which provides hardcopy journals for the

library and subscription access on SuperJANET;

- A choice in electronic access: electronic subscriptions for unlimited use, and electronic document supply on a per-use basis;
- Electronic subscriptions for library consortia priced for multiple institutional use.

Document supply need not be an alternative to purchasing journals, but simply one of the options. Publishers and libraries should work together to decide on the best range of options, for delivery to the library and to the user's desktop. In considering pricing options, we should not only consider how much is charged but who is charged. A library may find it cost effective to purchase an electronic subscription on an unlimited use basis, and decide to recharge users when they print an article.

Adding more value

Electronic delivery offers the potential to add more value to information. Examples include: hypertext links within an article, between articles, and linking tables of contents and articles; indexing schemes, which allow users to identify relevant articles more effectively than tables of contents; supporting data, which cannot be published in printed journals (because of space restrictions), but can be delivered in electronic form.

HOW TO ACHIEVE IT

Investment

Publishers are investing in systems which will allow them to deliver journals in electronic form. This means more than buying computers. It is an investment in designing information in electronic form for effective retrieval and use. It is an investment in new dissemination and delivery tools, new indexing and access points, and new methods of browsing. It is an investment in people, skills, and training. It is an investment in research and development.

Researching what scientists want, and designing information for effective use, are areas where investment means more than money. It means people and brainpower, people finding out what scientists want. This is an area where publishers and libraries are collaborating in the

TULIP project. It is an area ripe for more library-publisher collaboration.

Licensing

As we enter the electronic age we will need terms and conditions to govern electronic use, and these will probably be covered in licence agreements. A subscription licence will indicate what you can and cannot do with the information delivered. For example, a subscription licence for unlimited use might allow you to: keep the articles forever; print them out for in-house use, as many times as you want; deliver articles to users in their offices, as files or as prints. It would not, however, allow you to resell the prints to external users, but on the other hand, you might decide on a licence agreement which allows you to resell prints, create your own for-profit document supply service, and pay the publisher a per-print fee. Licensing will give publishers and libraries the flexibility they need to cater to the particular requirements of the communities they serve.

Pricing to reflect use

Pricing is also an opportunity for flexibility and more options. Here we should consider not just the amount of information delivered, but how it is delivered, and the level of use the reader wants to purchase. Document supply services often charge more for fax delivery than mail delivery. A document supply service of the future might charge more if users want to receive and retain the electronic file than if they simply want a fax copy. The price of an electronic subscription licence might vary depending on whether the library will deliver article files to users, or simply prints.

Standards

There are several areas where we should agree standards, in order to ensure that systems and files are compatible. Publishers will need to agree on the same standards for delivering articles, both as full text ASCII files and as page images. This may involve publishing standards, such as SGML or use of PostScript, but also standards on delivery formats. Universities and their libraries will need to agree on the software they want to use for retrieval, viewing, and in-house delivery. This does not necessarily mean agreeing on a particular software package, but on

the nature of retrieval, so that publishers can generate compatible files with retrieval "hooks". For document supply, where articles are purchased on a per-use basis, networks will need metering systems to record use and total up per-use fees.

Related to standards are security issues, to ensure that files are secure and not available to unauthorised users.

Cooperation

Lastly, what we need is a spirit of cooperation and responsibility, in order to design the systems of the future and to get them right. We should preserve the best aspects of the present system, namely the journal and the peer review process,

together with the professional skills of publishers and librarians, and concentrate on what we can improve.

We need:

- more options, for format, media, delivery, and pricing;
- licensing and pricing to reflect level of use;
- wider dissemination and more effective delivery;
- the adding of value to information.

In the information age of the future, document supply will not be an alternative or a substitute for the journal, but simply one option of many in terms of how it is delivered.

Pick a system. Any system.

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