

Who are the real owners of the scientific result and who should own the copyright?

IPR issues and open access

Gábor B. Makara

Institute of Experimental Medicine

Hungarian Academy of Sciences

The anatomy of the scientific result

1. An idea which is novel, or at least worth exploring
2. Exploration of the background knowledge, the novelty of the idea
3. Techniques and instruments in the research
4. **Scientists** who do the work, the analytic thinking
5. **Funding**
6. **Institutions** where the work has been done
7. Presentation, writing up
8. Editorial work, peer-reviewing, publishing
9. Selling the publication

The owners of the scientific result

- The scientist(s)
 - The institution
 - The funders, usually indirectly the taxpayer
-

In the classical business model of scientific publishing:
The owners of the results give up most of their
rights

Is it fair? Does this make sense?

The values added by the publishing process to the scientific publication

This process involves

- The **company**/institution organizing the process
- **Editors, peer reviewers**, editorial workers
- Printing/electronic publishing process
- Distribution
- Archiving/preserving the finished product

The economic anatomy of the scientific result

In most cases

Component	Percent cost/input
Scientists	~30%
Institution	~30%
Funder	~30%
The owners	≥90%
Publisher	≤10%
All together	100%

The economy of the scientific result

In most cases

Component	Cost/input
Scientists	~30%
Institution	~30%
Funder	~30%
The owners	≥90%
Publisher	1000-3000 \$
All	100%

Open access

- Its origins and history will be probably described later in this conference
- Open Access has progressed a lot during the last 20 years, although progress was considerably slower than expected by its prophets.
- It requires IPR practices where the public does not pay for reading the results of the scientific research, especially when the research was done in public institutions and with public funding

IPR in Open Access publishing

- Copyright is involved
- The owners / author(s) retain their copyright
- They grant rights to the public with some restrictions

The rights usually granted in Open Access publishing

Anybody is free to

- Read and copy
- Distribute
- Make derivative work
- Make commercial use

Under the conditions that

- The original author be given credit
- Licence terms be carried over to any copy or derivative
- The author can give permissions to alter the terms

Creative Commons and Science Commons

- **Creative Commons**, founded in 2001
Creative Commons defines the spectrum of possibilities between full copyright and the public domain. *From all rights reserved to no rights reserved*. Legally well defined.
- <http://creativecommons.org/>
- **Science Commons**, launched in 2005
Designs strategies and tools for faster, more efficient web-enabled scientific research.
- <http://sciencecommons.org/>
- **ccLearn**, a division of Creative Commons
- Dedicated to realizing the full potential of the internet to support open learning and open educational resources.

Creative Commons restrictions



Attribution

by

only if they **give credit** the way you request



Share Alike

sa

only under a **license identical** to the license that governs your work



Non-Commercial

nc

for non-commercial purposes only



No Derivative Works

nd

only **verbatim copies** of your work, not derivative works based upon it

Some Creative Commons licences



Attribution

cc by

This license lets others [distribute, remix, tweak, and build upon your work, even commercially](#), as long as they credit you for the original creation. This is the most accommodating of licenses offered, in terms of what others can do with your works licensed under Attribution.



Attribution Share Alike

cc by-sa

This license lets others remix, tweak, and build upon your work even for commercial reasons, as long as they credit you and [license their new creations under the identical terms](#). This license is often compared to open source software licenses. All new works based on yours will carry the same license, so any derivatives will also allow commercial use.



Attribution No Derivatives

cc by-nd

This license allows for [redistribution, commercial and non-commercial](#), as long as it is passed along [unchanged and in whole](#), with credit to you.



Attribution Non-Commercial

cc by-nc

This license lets others [remix, tweak, and build upon your work non-commercially](#), and although their new works must also acknowledge you and be non-commercial, they [don't have to license their derivative works on the same terms](#).



Attribution Non-Commercial Share Alike

cc by-nc-sa

This license lets others remix, tweak, and build upon your work non-commercially, as long as they credit you and [license their new creations under the identical terms](#). Others can download and redistribute your work just like the by-nc-nd license, but they can also translate, make remixes, and produce new stories based on your work. All new work based on yours will carry the same license, so any derivatives will also be non-commercial in nature.



Attribution Non-Commercial No Derivatives

cc by-nc-nd

This license is the most restrictive of our six main licenses, [allowing redistribution](#). This license is often called the “free advertising” license because it allows others to download your works and share them with others as long as they mention you and link back to you, but they can't change them in any way or use them commercially.

The future is in Open Access, if

we educate

- Scientific public
- Science politicians
- Funding agencies
- Doctoral students