

# Preparing for the Future – a Publisher's Perspective

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# Libraries are Great

- “Libraries gave us power” (Manic Street Preachers, “*A Design for Life*”)
- A national archive of published literature is A Good Thing
- A literate and knowledge-hungry population is good for publishers

## As long as ...

- Legal deposit does not:
- Undermine our business by preventing a sale
- Or incur unreasonable costs

## With print ...

- We understand the rules – established in 1911 (Copyright Act)
- “Best version” – hardback, paperback, hand-tooled vellum
- Published in the UK (but note restricted access such as solutions manuals)
- Some exemptions – internal reports, exam papers, timetables, calendars, posters, appointment diaries

- Deposit with the BL within one month of publication
- Deposit with one of the other five LDLs *if requested* within 12 months of publication by the Agency for the Legal Deposit Libraries (formerly known as the Copyright Libraries Agency)

# At the publisher's cost

- Three elements:
- Unit cost of book
- Cost of delivery (post and packing)
- Internal cost of managing

# Offline “electronic” publications

- For “electronic” read “non-print”
- CD-ROMs, DVDs, videos, cassettes, microform
- Not online publications, nor continuously updated databases, nor computer software and games
- Voluntary code of practice since Jan 2000

# Voluntary Code

- Deposit not required if publication “*substantially duplicates* the content of a print publication” that has already been deposited
- Deposited “in the form in which the publication is made available to the public, with any associated software, manuals, and other material”
- If multiple formats, PC preferred



- No need to deposit offline publication until 12 copies have been sold in UK
- Or until 6 copies if microform
- Material can only be used for doc del or ILL under explicit licence from publisher (with fees and royalties)

- Deposit library able to copy on to other medium *for preservation purposes only*
- Unless expressly prohibited by publisher
- If copied, publication's “identity and integrity” to be maintained

# Activity

- For “hand-held electronic publications” (seems to mean offline electronic), 75% deposited
- Also, 45-50% online journals deposited – though didn’t need to be under Voluntary Code
- Disingenuous impression given to HoC Sci Tech Committee ☹

# Online publications

- Legal Deposit Libraries Act (2003)
- Established general principle of legal deposit for e-product
- Details will be in the Regulations – involving all stakeholders

# JCLD

- Joint Committee on Legal Deposit
- Established in January 2000
- Jointly chaired by BL and DCF
- 8 members represent the LDLs
- 8 represent publishers and trade associations

# Members of JCLD

- LDLs: Clive Field\*, Caroline Brazier, John Byford (all BL); Peter Fox (Cambridge); Martyn Wade\* (Scotland); Andrew Green\* (Wales); Ronald Milne (Bodleian); Robin Adams (Trinity)
- Publishers and trade associations: Angela Mills (DCF); Chris Fell (ALPSP); Trevor Fenwick\* (Data Publishers' Association); Judith Dunn (Newspapers); Richard Henchley (PPA); Graham Taylor (PA); Anne Joseph (STM); one vacancy

# JCLD WGs

- JCLD set up three Working Groups
- 1: a review of the voluntary code for offline publications, with a view to early Regulation
- 2: territoriality – a definition of what it means to be “a UK publication”
- 3: e-journals – scope and implement a voluntary scheme prior to Regulation
- Advise the LDAP

# LDAP

- Library Deposit Advisory Panel
- Established in September 2005
- Primary purpose of the panel is “to advise the Secretary of State on the timing and content of Regulations relating to legal deposit”



# Members of the LDAP

- Ann Limb (Chair; public service)
- Robin Adams (librarian)
- Peter Fox (librarian)
- Hugh Jones (publishing)
- Sally Morris (publishing)
- Andrew Yeates (lawyer)
- Trevor Fenwick (publishing)
- Nicholas Higham (lawyer)
- Nina Barakzai (lawyer)
- Adrienne Muir ( academic)
- Simon Tanner (consultant; librarian)

# LDAP ex-officio members

- Angela Mills Wade – as Chair of the DCF's Intellectual Property Rights Action Group
- Clive Field – as the BL's Director of Scholarship and Collections
- Martyn Wade – as National Librarian at the National Library of Scotland
- Andrew Green – as Librarian at the National Library of Wales

# Territoriality

- A hot potato – still being debated
- In print, if product is made available in the UK (e.g. Wiley Inc title made available from Wiley Ltd), it must be deposited
- But with online publishing, everything is made available everywhere ...

# eJournals WG

- E-journals were prioritised as a product group by libraries
- For purely pragmatic reasons, excludes e-books, major reference works, newspapers, popular magazines, directories, etc.
- Members: BL, Cambridge UL, NLW, PA, ALPSP, STM

# Pilot project

- Charge is “to develop and implement a voluntary pilot scheme for the deposit, storage and preservation of electronic journals produced by United Kingdom publishers”
- To “jointly identify, test, develop and implement methods of depositing/collecting, *storing and preserving* e-journals, including specification of the administrative rights needed by the legal deposit libraries to undertake these functions”

# Participants

- 23 publishers, ranging from large to small, commercial and not-for-profit, “toll access” and open access, wide variety of subject matter, different production methods, distribution methods, formats: 162 titles submitted
- Biochemical Society; BioMed Central; Blackwell; CUP; Elsevier; IFIS; IoPP; IUC; Jnl of Mediterranean Archaeology; LWW; LMS; Maney; Mineralogical Soc; Multilingual Matters/Channel View; OUP; Radcliffe; RCOG; Royal Society; RSC; T&F; The Way; Wiley
- Due to finish June 2006

# Formats for deposit

- Strong preference amongst participating publishers for deposit of XML or SGML, either full-text or as headers plus PDFs
- ~ 1/2 used the NLM DTD; others their own (3 pubs SSSH2)
- Submitted by FTP
- May be collected from 3<sup>rd</sup> party hosts

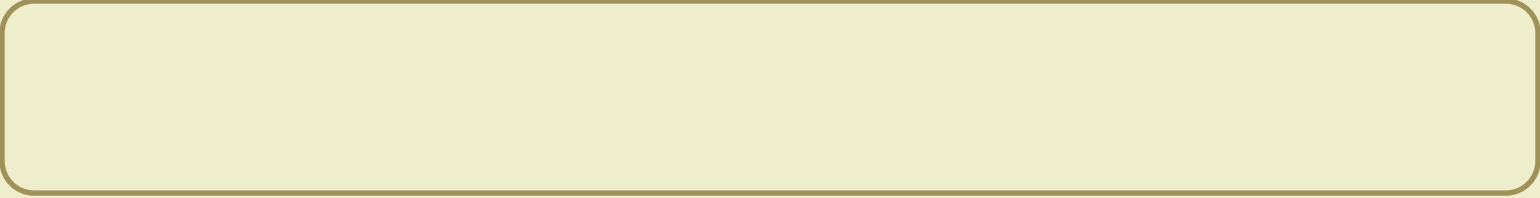
# JTPLD

- Joint Technical Panel on Legal Deposit
- To review and agree on formats and mechanisms
- LDLs, publishers and 3<sup>rd</sup> party distributors



# Some issues

- Notification mechanisms – OAI-PMH? ONIX for Serials SRN? RSS?
- Transport mechanisms – FTP pull or push?
- Compression - .tar, .zip, .gzip?
- Acknowledgement of receipt
- Digital manifests – directory structures, filenames

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- Ingest procedure
  - File formats – PDF, SGML, XML, (X)HTML, RDF
  - DTDs/schemas – governance?
  - Content elements – graphics, special characters, multimedia
  - Metadata – minimal mandatory set?

- Mechanisms for submitting replacement content
- Or withdrawing content
- What if LDL wants to retain in a dark archive?
- Authentication of submitters – digital signatures?
- Digital Rights Management?

- LDL processing – alternative formats for display? (e.g. thumbnails of graphics)
- Right to correct/enhance the metadata?
- Format migration?
- How to maintain “look and feel”?
- Will some material be submitted in encrypted form? Decrypted for storage?
- How to deal with non-conforming material?

# Publishers' concerns

- Mirror the print legal deposit principle – *limit access* to reading rooms of LDL
- Not a dark archive, but not freely available to all and sundry either

# Costs

- In general, restricted formats etc will suit the LDL
- But will add to publishers' costs (unless normal business)
- Depositing whatever formats are published will suit publishers, but add costs to LDLs

- Deposit is about *description* and *delivery*
- Find a common way of describing what's been published, and deliver it in a standard way
- It's **not** about *conversion* and *convergence*
- Can't expect publishers to convert into a format just for the sake of depositing it; nor to converge to formats just for the sake of archiving

- BL deals with 8000 publishers – they *all* need to deposit
- Publishers' main focus will always be publishing in (print and electronic) formats that they think customers will buy – not in turning themselves inside out to satisfy complex preservation requirements