

PRESS RELEASE
19 SEPTEMBER 2016

What kind of world is STM living in?

14 September saw the International Association of STM publishers ([STM](#)) issue a [response](#) to the EC's proposed Directive on Copyright in the Digital Single Market, which flies in the face of LERU's [views](#) contained in its own Press Release. Amongst other things, STM is calling for the extension of ancillary copyright to cover academic publishing, implying that they will take legal action if this does not happen. The omission of scientific publishers from the scope of the Directive is labelled 'disappointing, unwarranted and potentially discriminatory'. Ancillary copyright in this case would extend copyright protection, not allowing academics and universities freely to link to/use the world of information on the Internet, placing publishers in control of the information environment. LERU rejects this as counter to academic freedom and to the EC's vision for Open Science. It would be a black day for Europe if STM's suggested extension of copyright protection were adopted.

What kind of world is STM living in? Not for the first time, LERU is issuing a complete rejection of the notions they are putting forward. The inclusion of scientific publishers in the projected extension of copyright legislation would do untold damage to the ability of researchers to share their findings and reference the world of scholarship in their published works. The current freedom of academics to link to/use the vast store of information available on the Internet would be lost. If this suggested copyright reform takes place, copyright clearance fees could commonly be levied by publishers to allow linking to URLs on the web to take place. In seeking answers to challenges which beset the world - poverty, disease, environmental change - how does it help Society to make it more difficult to discover solutions? STM's proposal for the extension of copyright could indeed make scholarship as we know it impossible and represents an attack on academic freedom.

LERU believes strongly in the agenda being proposed by the Commission for Open Science and supports the [Amsterdam Call for Action on Open Science](#). The Call endorses "full open access for all scientific publications" and envisages a world where the sharing of research data (Open data) is the default position for research data outputs.

Ostriches bury their heads in the sand when they feel threatened, but there is no need for STM to do that as well. Extending the scope of the EC Copyright Directive in ancillary copyright to scientific publishers would be a black day for European research and its universities.

Indeed, any extension of the EU's copyright frameworks to include ancillary copyright will damage European research organisations, as libraries and communications departments would henceforth be unable to report and link news items on the web, without presumably the payment of copyright clearance fees. This is not the world envisioned by the Amsterdam Call for Action, which includes the ambition to make all new papers published in the European Union freely available by 2020. EU copyright reform should support this endeavour, not stifle it. LERU believes that all the EC's planned reforms should be complementary and support a pan-European move to Open Science.

STM also calls for “rights holders’ consent” to be included in the legislation regarding an Exception for Text and Data Mining (TDM). The introduction of an Exception for TDM is a vital part of the current projected EC copyright reform. TDM is the “process of deriving information from machine-read material. It works by copying large quantities of material, extracting the data, and recombining it to identify patterns” (JISC). Despite the technical definition of TDM, many daily practical benefits arise from it for both research and Society in general. TDM is a necessary tool for researchers in order to deal with the vast amount of data and publications. It allows for the acceleration of knowledge creation, competitiveness and growth.

Europe currently lags behind other countries in the world who have made legislative changes to enable TDM in their jurisdictions. STM clearly wants to control any use of TDM technology and so is proposing that copyright holders should first give their consent to allow TDM to take place. This is a preposterous suggestion and unworkable. A researcher may want to undertake TDM on hundreds of publications and associated outputs in order to extract new linkages and meanings from the materials. It would be physically impossible for them to track down and write to every rights holder to gain the permissions STM is requesting. Scientific research would be damaged beyond measure as a result.

LERU believes that the right to read is the right to mine; as a result, no licensing or permissions are necessary. LERU commends the EC for introducing a mandatory Exception for TDM, which cannot be overridden by contract. This is the right approach and LERU encourages the Commission to go further by making the scope of the Exception as broad as possible, beyond simply research organisations to cover all areas of Open Science such as Citizen Science.

The STM call for extension of ancillary copyright provisions is ridiculous. What instead is needed is an EC-led copyright reform which supports Open Science and the European citizen who funds it.

---END---

Contact

Policy enquiries

Prof. Kurt Deketelaere, LERU Secretary-General: +32 499 80 89 99 or kurt.deketelaere@leru.org

Dr Paul Ayris, Chair LERU Information & Open Access Policy Group: +44 77 7197 4051 or p.ayris@ucl.ac.uk

Media enquiries

Mr Bart Valkenaers, LERU Press & Communications Officer: +32 498 08 43 49 or bart.valkenaers@leru.org

About LERU

The League of European Research Universities (LERU) is an association of twenty-one leading research-intensive universities that share the values of high-quality teaching within an environment of internationally competitive research.

Founded in 2002, LERU advocates education through an awareness of the frontiers of human understanding; the creation of new knowledge through basic research, which is the ultimate source of innovation in society; and the promotion of research across a broad front in partnership with industry and society at large.

The purpose of the League is to advocate these values, to influence policy in Europe and to develop best practice through mutual exchange of experience. LERU regularly publishes a variety of papers and reports which make high-level policy statements, provide in-depth analyses and make concrete recommendations for policymakers, universities, researchers and other stakeholders.

The LERU universities are:

- University of Amsterdam
- Universitat de Barcelona
- University of Cambridge
- University of Edinburgh
- University of Freiburg
- Université de Genève
- Universität Heidelberg
- University of Helsinki
- Universiteit Leiden
- KU Leuven
- Imperial College London
- University College London
- Lund University
- University of Milan
- Ludwig-Maximilians-Universität München
- University of Oxford
- Pierre & Marie Curie University
- Université Paris-Sud
- University of Strasbourg
- Utrecht University
- University of Zurich

League of European Research Universities (LERU)

Minderbroedersstraat 8 - 3000 Leuven, Belgium

www.leru.org

@LERUnews

+ 32 16 32 99 71