

“Managing Your Intellectual Property: What Faculty Need to Know to Publish and Teach in the Digital Age”

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UCLA Faculty Center

Welcome and Introductory Remarks

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On behalf of the UCLA Library and our co-sponsors, welcome to the symposium for our faculty on intellectual property. Management of intellectual property is a topic that closely binds together the interests of the faculty, academic administration, and the Library.

I'd like to thank our co-sponsors:

- UCLA Academic Senate; chair, Adrienne Lavine
- UCLA Office of Information Technology; Jim Davis, associate vice chancellor
- UCLA Office of Intellectual Property and Industrial Relations; Kathryn Atchison, interim vice provost); and the
- UCLA Office of the Vice Chancellor; Vice Chancellor Roberto Peccei.

I'd also like to acknowledge the work of the planning team. Cindy Shelton, associate university librarian for collection management and scholarly communication, chaired. Ellen Broidy, Janet Carter, Anita Colby, Sharon Farb, Carol Levy, Dawn Setzer, and Hannah Walker – all members of the Library staff – and Ruth Sabeau, assistant vice provost and director of educational technology, served on the committee.

I am sorry to say that Rory Hume will not be with us today to make some introductory remarks. Most of you probably know that he was appointed interim provost of UC about a week and a half ago, and he had to pull out of our event today in order to meet his new commitments. He actually told us that it “broke his heart” not to be here. I don't know about that, but I do know his keen interest in scholarly communication issues goes back to when he was executive vice chancellor at UCLA. During that time he chaired UCOP's standing committee on copyright, and he was an academic leader in the early era of the serials publishing crisis in changing copyright management. He said in his note when he withdrew from the symposium, “[I]am very interested in everything to do with scholarly communication, and was looking forward to re-engaging with the various issues in the UC, starting with the UCLA symposium.”

We are here today to take an important step in a continuing dialogue and partnership with faculty on everything to do with scholarly communication. Copyright has historically played a role in the dissemination of knowledge and scholarship. As you read almost daily in the newspaper – Google Print, the RIAA suit against students, the AAP threat to e-reserves – it now plays an increasingly larger role in today's digital environment and in higher education. How faculty as creators and authors use their intellectual property and

that of others when they publish and teach has taken on a magnitude of importance far beyond that in the age of print.

Why does the UCLA Library take the lead in creating partnerships with our academic administration and with faculty on this matter? We start with a very simple point. It is our mission to contribute to and support the creation, dissemination, and preservation of knowledge. New technologies provide new opportunities for research, teaching, and dissemination of knowledge. Yet at the same time, increased control is being sought by commercial copyright owners through legislation, use of technological controls, and restrictive licensing agreements. And more recently, lawsuits, threats of lawsuits, or worse, including criminal action, are in play.

There are three challenges I would like to highlight. For each, our challenge is institutional as well as organizational and individual.

First is the challenge of the increased scope and duration of copyright and restrictive licensing regimes. In the classroom, in research, and in publication, increasingly, questions arise regarding copyright and licensing. For the Library, in the print environment we acquired collections and, as the physical owner, could under the law provide access to them and could preserve or archive them. In the digital environment, libraries license rather than purchase digital resources. We negotiate on a case-by-case basis over terms such as fair use, scholarly sharing, electronic reserves, interlibrary loan, and archiving.

Second is the challenge of sustainability of our premier research collections and institutions. Escalating prices and industry mergers are having a negative effect on the depth and breadth of your Library's collections. As more and more is being published than ever before, the Library is paying exorbitant and spiraling prices for scholarly journals in particular. The ability of scientific, technical, and medical publishers to realize twenty to thirty percent profits and society publishers to impose double-digit price increases has everything to do with copyright. Most journals require authors to assign copyright for published works to the publisher. This limits the author's ability to disseminate his or her work in other forms and through other outlets. The Library then has to buy back your scholarship, which you have given away. If we don't license that journal, which may easily have a four- or five-figure annual cost, you may well not have the right to post your article on your Web site, use it in courseware, or make it available to your students through the Library's e-reserves system.

Third is the challenge of preserving our digital scholarship and heritage. Increasingly, our students, faculty, and researchers use digital technologies and collaborate in the creation and support of new knowledge. What types of systems, tools, and infrastructure do we need to have in place to ensure that our digital present will be available for today's as well as tomorrow's generations of students and researchers?

There are a number of ways that faculty and the institution can help move from this unviable model for scholarly communication to a sustainable one. As we go through the

day, you will hear a lot more about the opportunities for responsible management of your intellectual property and dissemination of your work.

Collaboration with faculty on the serious matter of access to and dissemination of scholarship is a strategic priority of the Library. We see today's symposium as an important opportunity for us to hear your ideas and concerns for individual and institutional action in the arena of intellectual property. We look forward to more work together in the future.