



## Guide for Authors

### How to comply with the Open Access policies of the European Commission and the European Research Council

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This document provides guidance for researchers regarding the following Open Access Policies: the [Open Access pilot](#) launched by the European Commission and the [ERC Scientific Council Guidelines for Open Access](#). You will find helpful information about the requirements and how you can meet them.

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*Open Access is the immediate, online, free availability of research outputs without restrictions on use commonly imposed by publisher copyright agreements.*  
Source: [www.openaire.eu](http://www.openaire.eu)

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## 1. Introduction – is this relevant to me?

If you have received funding from FP7 program in one of the following areas:

- Energy
- Environment (including Climate Change)
- Health
- Information and Communication Technologies (Cognitive Systems, Interaction, Robotics)
- Research Infrastructures (e-infrastructures)
- Science in society
- Socio-economic sciences and the humanities

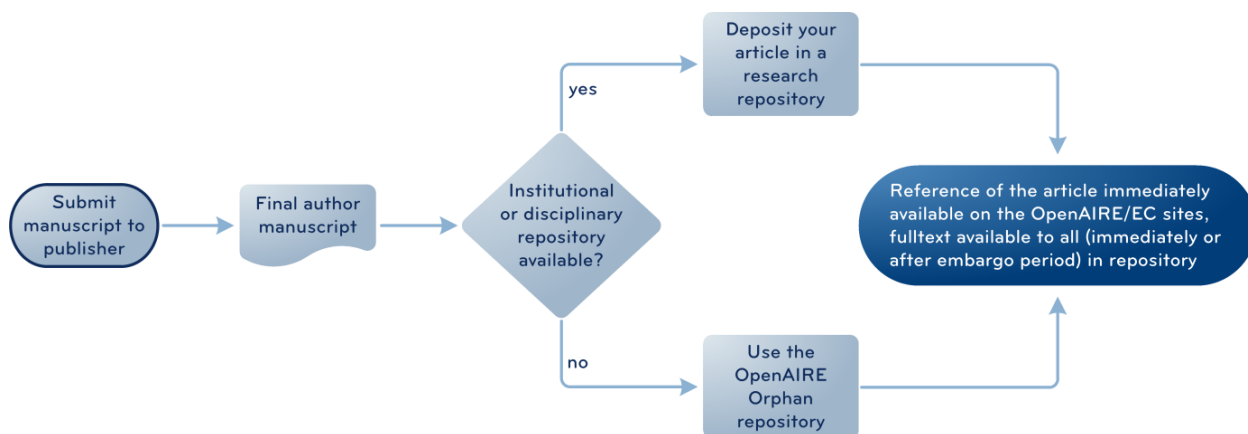
Or you have received an ERC grant.

- and you plan to write and publish peer reviewed research articles.

Then you most likely have a Special Clause 39 in your grant agreement which requires you to deposit peer reviewed research articles or final manuscripts resulting from your EC funded project into an online repository and to make your best efforts to ensure open access to these articles.

**Follow three simple steps to comply with the EC Open Access policies.**

1. Submit your article to a journal of your choice
2. Deposit your final peer-reviewed author manuscript into a repository
3. Add the reference and the link to your publication to the final report of the project



### 1.1 Need to learn more about Open Access self-archiving?

Learn more about copyright management in order to to secure some rights when you submit an article to a journal (

## 2.1. [Submit the article to a journal](#)).

Learn more about how to deposit your final author manuscript (post print) into a repository ([2.2. Deposit the article in a repository](#))

Learn more about how to add the reference and the link to your publication to the final report of the project ([2.3. Add your publications to the final report of the project](#)).

## **1.2 The Open Access policies of the EC**

### **1.2.1 The Open Access Pilot in FP7**

The European Commission launched the open access pilot in August 2008. It requires grant recipients within seven areas to:

- deposit peer reviewed research articles or final manuscripts resulting from their FP7 projects into an online repository
- make their best efforts to ensure open access to these articles.

The seven areas are:

- Energy
- Environment (including Climate Change)
- Health
- Information and Communication Technologies (Cognitive Systems, Interaction, Robotics)
- Research Infrastructures (e-infrastructures)
- Science in society
- Socio-economic sciences and the humanities

Open access to these publications is to be ensured within

- six months after publication in the first five areas listed
- twelve months after publication in the last two areas listed.

### **1.2.2 ERC Scientific Council Guidelines for Open Access**

In December 2007, the ERC Scientific Council published their Guidelines for Open Access. These Guidelines state that:

1. The ERC requires that all peer-reviewed publications from ERC-funded research projects be deposited on publication into an appropriate research repository where available, such as PubMed Central, ArXiv or an institutional repository, and subsequently made Open Access within 6 months of publication.
2. The ERC considers essential that primary data - which in the life sciences for example could comprise data such as nucleotide/protein sequences, macromolecular atomic coordinates and anonymized epidemiological data - are deposited to the relevant

databases as soon as possible, preferably immediately after publication and in any case no later than 6 months after the date of publication.

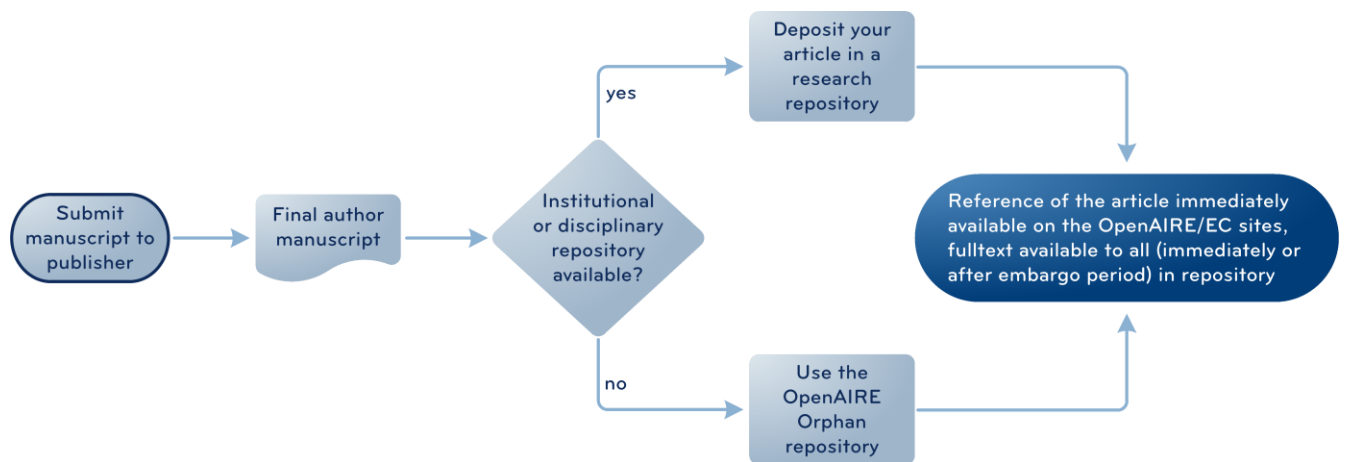
The ERC is keenly aware of the desirability to shorten the period between publication and open access beyond the currently accepted standard of 6 months.

## 2. What should I do?

Open Access to the research results of an EC funded project can be achieved in three easy steps.

*Three simple steps on how to comply with the EC open access policies*

- 1. Submit your article to a journal of your choice.**
- 2. Add your final peer-reviewed author manuscript to a repository.**
- 3. Add the reference and the link to your publication to the final report of the project.**



**Figure 1: The basic steps of open access depositing**

*The steps will be elaborated in the following pages.*

## 2.1. Submit the article to a journal

The open access policies of the EC and the ERC do not put any constraints on the journals you can publish in i.e. you can publish in a journal of your choice. There are several ways to publish your article in open access. Below we will guide you through the most common scenarios to ensure open access to your research.

*When being asked to agree to a copyright agreement (which might be while submitting the article or after peer review) please check the following questions.*

### Does the journal allow self-archiving?

The majority of journals and publishers allow the author to self-archive the final author manuscript in an institutional or subject-based repository<sup>1</sup>.

#### *Traditional Journals*

Many publishers explicitly allow you to self-archive the final manuscript with all the changes from the peer-reviewing process. This is written in the Copyright Transfer Agreement (CTA) and/or the author pages of the publisher or journal.

If you are not sure about the self-archiving policy of a particular journal, you can look it up in the [SHERPA/RoMEO](http://www.sherpa.ac.uk/romeo/)<sup>1</sup> database.

#### *Amendments*

If the publisher asks you to transfer your copyright or the journal does not explicitly allow you to deposit the final author manuscript in a repository, you can use a model cover letter and an amendment to the copyright agreement as developed by the EC (see appendix 1).

Using an amendment you can secure the right to maximise the value of your research by making it freely available on the web for reading, citing and reuse.

There are several other model licenses that can be used - the OpenAIRE portal lists some of them: <http://www.openaire.eu/en/support/copyright>.

### Is the journal an open access journal or does it offer an open access option?

More than 4,000 or about 16% of the approximately 25,000 academic journals in the world are Open Access. Source: <http://www.openoasis.org>

#### *Open Access Journals*

An increasing number of high quality peer-review journals are born open access. Many of these journals recoup their costs from so-called article-processing charges (APC). Others are free to use and free to get published in; they get their costs recouped by other means. You can find all relevant open access journals in Directory of Open Access Journals: [www.doaj.org](http://www.doaj.org).

#### *Open access option*

Finally there are traditional journals that offer an option for authors to make their individual articles freely accessible to anyone, for an additional fee. Simultaneously, other articles in the journal remain accessible only through subscription.

<sup>1</sup> <http://www.sherpa.ac.uk/romeo/>

### *Reimbursement*

The FP7 grant agreement allows for reimbursement of costs for dissemination, including publishing in OA journals.

*II.16.4 of FP7 Model Grant Agreement permits 100% reimbursement for "other activities" including open access publication*

### **Need more information?**

If you need more information, check out the OpenAIRE FAQ; for more specific details you can contact the OpenAIRE help desk.

In addition the [Appendix 2 - How to address copyright](#) contains guidelines on copyright for further consultation.

## **2.2. Deposit the article in a repository**

### **New to self-archiving?**

Are you new to self-archiving? Or just not sure where to deposit your article? Or which version of the article you should deposit? Then OpenAIRE will guide you through and this chapter will give you the few but important details.

### **Experienced self-archiver?**

Are you already accustomed to self-archiving and know where to deposit? Then all you need to do is to follow your normal depositing routine.

The EC policies do not propose a new practice but simply support and build on already existing self-archiving practice and thus support the 'deposit once' principle.

The OpenAIRE portal collects all peer reviewed articles associated with EC funded FP7 projects. Self-archiving in a repository is the first step to make your research more exposed through the European research portal OpenAIRE.

### *Where can I find my archived publications in OpenAIRE?*

You can search for your deposited articles in the OpenAIRE portal right here (expect one day from deposit for it to appear):

<http://www.openaire.eu/en/component/openaire/search/simple/30>

If you cannot find it there, you can locate and confirm it as a deposited publication here:

<http://www.openaire.eu/en/component/openaire/claim1/default/20>

### **2.2.1. What to deposit?**

#### *Deposit the final author manuscript*

Whenever possible, deposit the final author manuscript. This version is also called the post print. It is the version of the paper after peer-review, with revisions made but not necessarily copyedited and in the journal layout.

#### *Publisher PDFs*

Some journals and publishers allow and encourage you to use the final PDF version of the article. The list of these publishers can be found on the SHERPA/RoMEO website:

<http://www.sherpa.ac.uk/romeo/PDFandIR.html>

### **2.2.2. Where to deposit?**

The article should be deposited into an institutional or subject repository.

There are basically two scenarios:

1. You deposit your article, directly or via the OpenAIRE site in your institution's repository, or in the subject repository you normally use.  
To ensure that your article actually appears in the OpenAIRE portal, you can check it (after one day) at:  
<http://www.openaire.eu/en/component/openaire/search/simple/30>

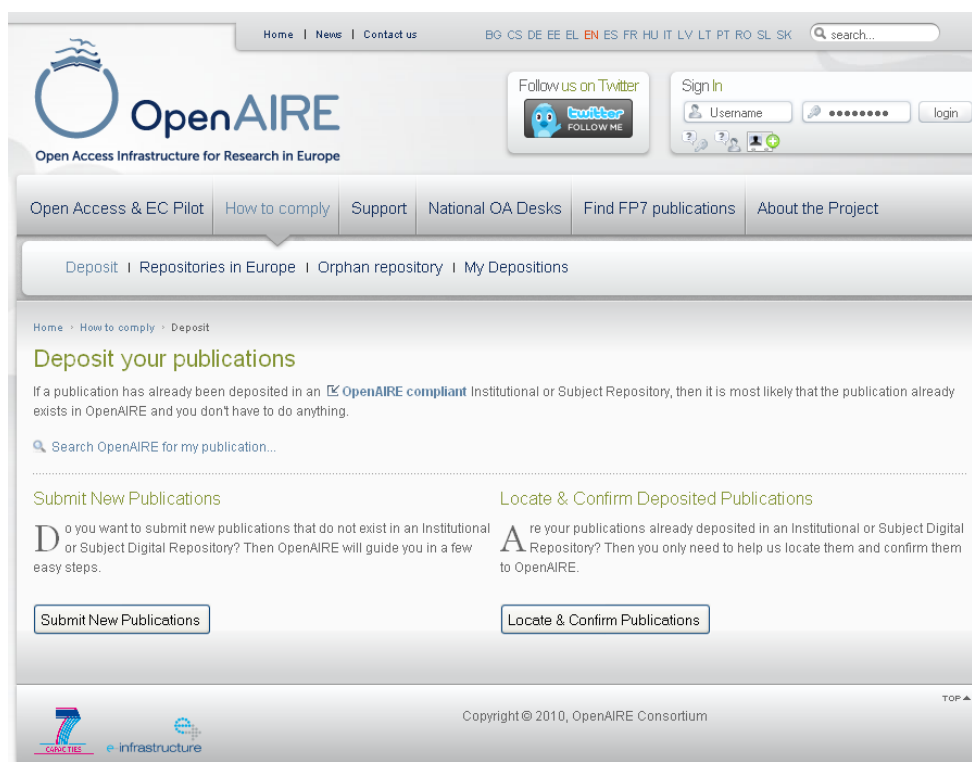
If you cannot find it, you can locate and confirm it as a deposited publication here:

<http://www.openaire.eu/en/component/openaire/claim1/default/20>

2. If you do not have a relevant repository to deposit the article in, then use the OpenAIRE **Orphan Repository**.

## *The OpenAIRE portal will guide you to the best way to deposit*

Whether you have an institutional repository or not, the OpenAIRE portal can **guide** you to a relevant repository.



**Figure 2: Deposit or locate and confirm your publication**

You can **Search OpenAIRE for my publication** to check if your publication has already been submitted to or confirmed as publication in OpenAIRE.

### *Submit new Publications or Locate and confirm your publications*

If you (or someone else) have not deposited the publication to a repository yet and you cannot locate it in the OpenAIRE database then you should click on the **Submit New Publications** button that will guide you to the right repository.

If you have already deposited the publication(s) to a repository you can then locate and confirm that it's your publication and a result of the EC funded project of which you are a member. You do this simply by clicking the **Locate & Confirm Publications button** and you will then be guided through the process.

### **Scenario 1:** Submit New Publications

If you want to submit new publications that have not yet been deposited in an Institutional or Subject Repository, you can follow these easy three steps<sup>2</sup>:

- ✓ Step 1: Select your Institution and Open Access repository. Start typing the name of your institution, or press (the arrow down key) to view the list (see also figure 3).

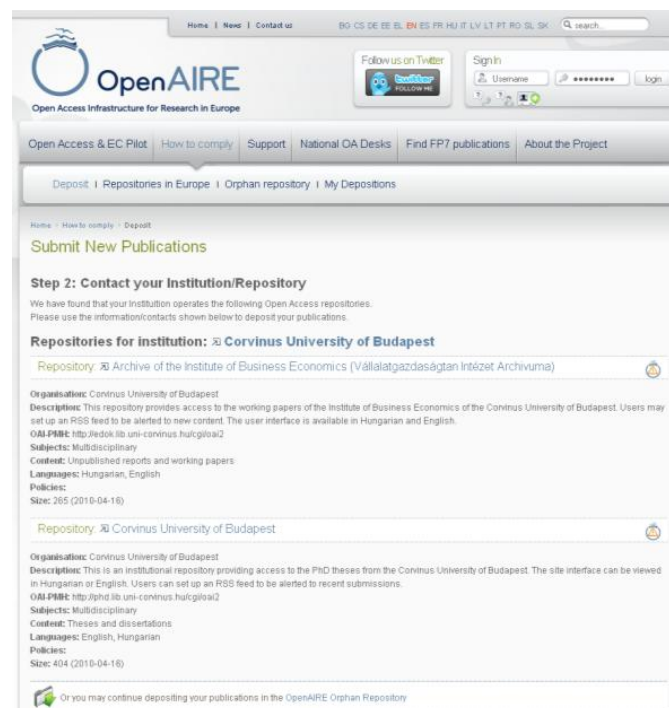
Alternatively, locate it on the map.

<sup>2</sup> <http://www.openaire.eu/deposition1/submit-step-1.html>



**Figure 3: Step 1: Select your institution and OA repository**

- ✘ If your institution does not have such a repository or if you cannot find your institution, the publication can be deposited in the OpenAIRE Orphan Repository. Check out the chapter on **Error! Reference source not found.**
- ✓ Step 2: Click on the link to the repository.



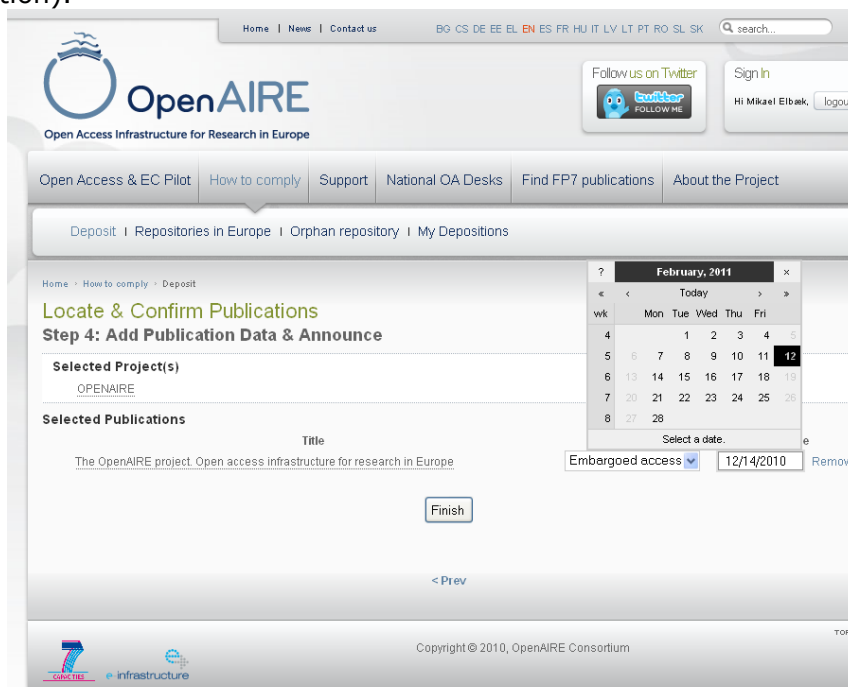
**Figure 4: Step 2: Contact your Institution/Repository**

- ✓ Step 3: Upload files – go to your repository and deposit your publications.

Your local repository manager or administrator should be able to help you with the deposit process. However you are always welcome to contact the OpenAIRE helpdesk if you encounter any problems or have any questions.

**Scenario 2:** Locate & Confirm Deposited Publications (if your publication(s) has already been uploaded but not yet marked as related to your project in the OpenAIRE portal):

- ✓ First you must login to the OpenAIRE portal.
- ✗ If you do not already have a login this is a very easy process. Use the registration form and submit. Wait for the confirmation mail that will arrive within a minute and click on the confirmation link in the mail. You are now ready to submit.
- ✓ Step 1: Select the Project from which the publications were funded. Start typing the name of the project or press the arrow down key to view all projects. The project list has been retrieved from the [European Commission office](#)<sup>3</sup> and is automatically updated to reflect all new projects.
- ✓ Step 2: Find or Identify Publications. If you know the Unique Document Identifier (DOI) of your publication this can be entered into the search box in order to locate your publication instantly. You can also Search for your publications by clicking on the Find Open Access Publications bar.
- ✓ Step 3: Select Publications. Check out the publication(s) retrieved, and select the correct one; identify more publications to add to the project if necessary, modify your search to get additional or different results if necessary.
- ✗ Could you not locate your publication? Please allow a day or two for the system to retrieve the publication from your local database. If you still can't find the publication then do not hesitate to contact the OpenAIRE helpdesk (see chapter 3. Getting help).
- ✓ Step 4: Add Publication Data & Announce (you need to choose an access type – Open Access, embargoed access (6 months embargo or 12 months), closed access or restricted access in accordance with copyright agreement terms for the submitted publication).



**Figure 5: Step - 4 Add Publication Data & Announce**

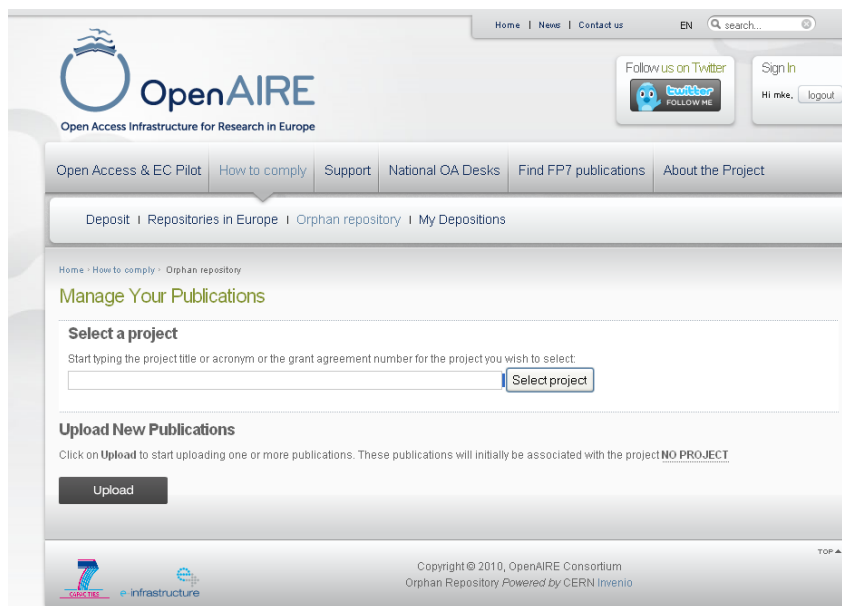
All deposited publications may take up to 5 business days to be processed. You can check the **Status field** of each publication for more detailed information.

<sup>3</sup> <http://cordis.europa.eu/search/index.cfm?dbname=proj>

## The Orphan Repository

If you do not have a relevant repository in which to deposit your articles – neither at your institution, nor nationally or within your discipline - OpenAIRE offers a service called the Orphan Repository<sup>4</sup>.

The OpenAIRE Orphan Repository is hosted and maintained by CERN. It is based on software which is already being used for the CERN Document Server. Thus it is a mature and stable platform that will keep your deposits safe. All articles deposited in the Orphan Repository will automatically appear in the OpenAIRE portal.



**Figure 6: The OpenAIRE Orphan Repository deposit screen**

Using the deposit guide on the OpenAIRE portal (see figure 6) the system will guide you through the process of submitting your article.

- ✓ First you must login to the OpenAIRE portal.
- ✗ If you do not already have a login this is a very easy process. Use the registration form and submit. Wait for the confirmation mail that will arrive within a minute and click on the confirmation link in the mail. You are now ready to submit.
- ✓ Step 1: Select the Project from which the publications were funded. Start typing the name of the project or press the arrow down key to view all projects. The project list has been retrieved from the [European Commission office](http://ec.europa.eu/cordis/)<sup>5</sup> and is automatically updated to reflect all new projects.
- ✓ Step 2: Upload the file. Select the public access rights publication i.e. Open access, Closed access, Embargoed access, Restricted access
  - If embargoed choose the end date for the embargo e.g. when the publication will be Open Access.
- ✓ Step 3: Click edit and fill in the publication information i.e. the bibliographic data. See figure 7.

<sup>4</sup> <http://openaire.cern.ch/>

<sup>5</sup> <http://cordis.europa.eu/search/index.cfm?dbname=proj>

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- ✓ Step 4: Submit the publication by clicking the submit button. You will soon receive a confirmation mail.

Home » How to comply » Orphan repository

### Manage Your Publications

**Current Project**

You have currently selected the project **OPENAIRE**. Any publication you are currently seeing in this page belong to this project. Any new publication you will start to deposit will as well belong to this project.

**Select another project**

This is the list of other projects for which you have already deposited (or begun to deposit) at least one publication. Click on any project to focus on its publications:

[NO PROJECT \(1\)](#)

Start typing the project title or acronym or the grant agreement number for the project you wish to select:

**Upload New Publications**

Click on **Upload** to start uploading one or more publications. These publications will initially be associated with the project **OPENAIRE**

**Your Current Publications**

Title not yet defined

file: [4758-13364-1-PB.pdf](#)

The symbol \* means the field is mandatory.

Projects information

\*

OPENAIRE

Author(s) \*

Elbak, Mikael K.: Technical University of Denmark

\* "Elbak, Mikael K.: Technical University of Denmark" is not a well formatted authorship (correct format is "Last Names, First Names" or "Last Names, First Names: Affiliation").

English information

English title \*

Knowledge grows when shared: The Launch of OpenAIRE, 2nd December in Ghent

English abstract \*

Knowledge is one of the few commodities that don't devalue when used. Actually knowledge grows when shared and the free online access to peer-reviewed scientific publications is a potent ingredient the process of sharing. The sharing of knowledge is facilitated by the Open Access Movement. However Open Access is much more than downloading the PDF. Vice President of the European Commission and European Digital Agenda Commissioner Neelie Kroes boldly presented this message in the Opening Session of the OpenAIRE launch.

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Key-words or key-phrases (one per line).

Open Access  
Politics  
European Commission  
Neelie Kroes  
John Willmsky  
Scholarly Communication

Notes

**Figure 7: Edit publication metadata in the Orphan Repository**

For details on how to submit publications please use the OpenAIRE Orphan Repository Submit Guide: <http://openaire.cern.ch/help/submit-guide?ln=uk>

### 2.3. Add your publications to the final report of the project

In the final project report to the EC, the project coordinators should make sure that they report all forms of disseminations, including any scientific publications resulting from the project. Here we will focus on the scientific publications. If possible please list the publications in order of importance.

Besides the bibliographic information it is **important that you provide your project coordinator with the following information:**

- **A persistent identifier** for retrieving the publication. The permanent identifier should be a persistent link to the published version of the full text if open access (or to the abstract if the article is pay per view) or to the final manuscript accepted for publication (link to the article in repository).

**Is the publication Open Access** - yes or no. Please answer "yes" if the open access to the publication is already established or if the embargo period for open access is not yet over but the publication eventually will be available in open access.

You are expected to include all scientific (peer reviewed) publications resulting from the project and as a minimum to include the information as shown in the template below:

TEMPLATE A1: LIST OF SCIENTIFIC (PEER REVIEWED) PUBLICATIONS, STARTING WITH THE MOST IMPORTANT ONES										
NO.	Title	Main author	Title of the periodical or the series	Number, date or frequency	Publisher	Place of publication	Year of publication	Relevant pages	Permanent identifiers <sup>2</sup> (if available)	Is/Will open access <sup>3</sup> provided to this publication?
1	<i>Economic transformation in Hungary and Poland'</i>		<i>European Economy</i>	<i>No 43, March 1990</i>	<i>Office for Official Publications of the European Communities</i>	<i>Luxembourg</i>	<i>1990</i>	<i>pp. 151 - 167</i>		yes/no
2										
3										

**Figure 8: Template for listing publications in the final project report**

*It is important to demonstrate the added value and positive impact of the project to the European Union. Making sure that your publications are open access is strong evidence of this.*

### 3. Getting help

OpenAIRE offers different levels of support to researchers. On the OpenAIRE website you will find:

- **FAQs** – with answers to the most common questions with regard to open access and the open access policies
- A dedicated section on **Copyright issues**
- **OpenAIRE helpdesk** - here you can submit your questions to a single point of contact and get the help you need with your question.

#### 3.1. FAQ – find answers to the most common questions

The OpenAIRE FAQ is divided into three subcategories to accommodate the needs of different users.

The FAQ for researchers can be found here:

<http://www.openaire.eu/en/support/faq/researchers>

The FAQ will be constantly improved and expanded by collecting the most frequently asked questions in the helpdesk and through the network of National Open Access Desks. Currently the following questions and related answers can be found specifically for researchers:

- If I have deposited my publication in my Institutional Repository, how do I know it can be found in the OpenAIRE portal?
- My co-researcher works at a different institution; can we deposit our results in their repository?
- What happens if I do not deposit?
- What is the function of the OpenAIRE 'orphan repository'?
- Which version should I upload?
- Why deposit my EC funded publications in an Open Access repository?
- If my institution does not have a repository, how can I comply with the Open Access requirement?

#### 3.2. Copyright issues

Open Access self-archiving in itself does not infringe any copyrights. However, when you sign the publisher's contract – the copyright transfer agreement (CTA) – you often transfer all the copyrights of the article to the publisher; i.e. the publisher can then decide whether you can deposit the article in a repository or not.

In this short chapter on Copyright issues we will show two scenarios<sup>6</sup>

- Deposit after signing the publisher CTA
- Securing Open Access before signing the CTA

##### *Deposit after signing the publisher CTA*

In most cases the publisher allows some kind of self-archiving, as documented in the [SHERPA/RoMEO database](#). However, in the cases where the publisher explicitly denies you the right to submit your article to a repository, the EC and ERC open access policies require you to contact the publisher.

When writing to publishers, it is better to address the editor or the officer in charge of authors' rights if possible, rather than a general publisher's email for permissions for re-use of published material. It is important that the request be seen as coming from the author and as part of the publisher/author relationship.

<sup>6</sup> The text is based on the Copyright issues site on the OpenAIRE portal:  
<http://www.openaire.eu/en/support/copyright>

You need to inform the publisher of the EC or ERC open access requirements for your article, and ask for an exception to be made to the publisher's normal policy in order to enable you to act on the policy requirements. It is important to obtain this permission in writing.

*Securing Open Access before signing the CTA*

If a journal does not explicitly allow you to deposit the final author manuscript before publishing then a model amendment and cover letter can be used to follow your copyright transfer agreement. The EC has developed such a cover letter including the amendment (available in Appendix 1: Useful information). If the publisher refuses you the right to archive a final manuscript in a relevant repository and does not offer any Open Access options, then the EC policy requires you to notify the EC, which you can do by sending the refusal letter to the Commission together with the final project report.

**Need more information?**

Please consult the OpenAIRE guidelines in Appendix 2 - How to address copyright.

Or go to the OpenAIRE portal: [www.openaire.eu](http://www.openaire.eu)

### 3.3. The OpenAIRE online helpdesk

This chapter describes how you can get answers to questions regarding the EC Open Access policies and OpenAIRE, using the OpenAIRE online helpdesk.

The helpdesk is a single point of contact service for any questions regarding Open Access in general, the EC Open Access policies, and the role of OpenAIRE in supporting you to act on the Open Access policies.

The [OpenAIRE online Helpdesk system](http://www.openaire.eu/en/support/helpdesk)<sup>7</sup> has the following functionalities:

- you can ask your questions online - *Submit a Ticket*;
- Based on the nature of the question (language, nationality, difficulty) the question is assigned to the relevant National OA Desk who will be able to answer the question in the local language taking the specific local situation into consideration (if needed).
- Most commonly asked questions are deposited in the searchable knowledge base.
- The system allows for generating reports on the subjects of the questions, the geographical distribution of the users asking questions, etc., for evaluation purposes.

The Helpdesk system enables asking and answering questions online. You will receive an answer to your question **within two work days** of entering it into the system. A question is submitted as a file – a so-called ticket. The ticket has a unique reference number, which allows you and the helpdesk support staff to quickly locate and answer the question.

The screenshot shows the OpenAIRE Helpdesk website. At the top, there is a navigation bar with links for Home, News, and Contact us, along with a search bar and a list of country codes (BG, CS, DE, EE, EL, EN, ES, FR, HU, IT, LV, LT, PT, RO, SI, SK). The OpenAIRE logo is prominently displayed on the left. To the right, there are social media links for Twitter and a login section for Consortium members. Below the navigation bar, there are tabs for Open Access & EC Pilot, How to comply, Support (which is active), National OA Desks, and About the Project. The main content area is titled 'OpenAIRE Helpdesk' and contains the following text:

The OpenAIRE Helpdesk will answer all your questions concerning the nature of open access and the license schemes behind it, the EC Open Access pilot, finding the most appropriate repository, the actual process of uploading an article, etc.

On this page you can submit a new question to the Helpdesk or check the status of your submitted question.

Please check first whether the answer to your question can be found in the [FAQ SECTION](#).

[INSTRUCTIONS ON THE USE OF THIS HELPDESK.](#)

There is a green button labeled 'Submit new ticket' and a form for 'View Ticket #' with a 'Verification: E-Mail Address' field and a 'View' button.

The footer includes logos for e-infrastructure and copyright information: Copyright © 2010, OpenAIRE Consortium.

Figure 9: The OpenAIRE helpdesk

<sup>7</sup> <http://www.openaire.eu/en/support/helpdesk>

## Appendix 1: Useful information

This kit includes the following useful resources:

- Leaflets
  - Open Access Pilot in FP7: [http://ec.europa.eu/research/science-society/document\\_library/pdf\\_06/open-access-pilot\\_en.pdf](http://ec.europa.eu/research/science-society/document_library/pdf_06/open-access-pilot_en.pdf)
  - OpenAIRE leaflet: <http://www.openaire.eu/en/component/attachments/download/129>
- Presentations
  - Template OpenAIRE presentation
- Open Access policies
  - EC's Special Clause 39, August 2007: [http://ec.europa.eu/research/press/2008/pdf/annex\\_1\\_new\\_clauses.pdf](http://ec.europa.eu/research/press/2008/pdf/annex_1_new_clauses.pdf)
  - ERC Scientific Council Guidelines for Open Access, December 2007: [http://erc.europa.eu/pdf/ScC\\_Guidelines\\_Open\\_Access\\_revised\\_Dec07\\_FINAL.pdf](http://erc.europa.eu/pdf/ScC_Guidelines_Open_Access_revised_Dec07_FINAL.pdf)
- Copyright issues available at [http://cordis.europa.eu/fp7/find-doc\\_en.html](http://cordis.europa.eu/fp7/find-doc_en.html))
  - Model cover letter for amendment to publishing agreement (English included in the kit): [BG CS DA DE EL EN ES ET FI FR HU IT LT LV MT NL PL PT RO SK SL SV](#)
  - Model amendment to publication agreement (English included in the kit): [BG CS DA DE EL EN ES ET FI FR HU IT LT LV MT NL PL PT RO SK SL SV](#)
  - (From <http://www.openaire.eu/en/open-access/ec-pilot-info/fp7-pilot/how-to-comply/ec-resources>)
- Reporting
  - Template for final report of FP7 projects – available at: [http://cordis.europa.eu/fp7/find-doc\\_en.html](http://cordis.europa.eu/fp7/find-doc_en.html)

## Appendix 2 - How to address copyright

Researchers are to ensure that their publishing agreement allows for the research article to be deposited in the open access institutional or subject (disciplinary) repository.

Making "best efforts" implies taking the following actions:

1. Determining the journal policy on open access by seeking information on the publishing models and copyright/licensing policies of the journal(s) to which the article is submitted. The RoMEO database (Publisher's copyright & archiving policies [www.sherpa.ac.uk/romeo/index.html](http://www.sherpa.ac.uk/romeo/index.html)) can be used to find a summary of permissions that are normally given as part of each publisher's copyright transfer agreement.
2. Requesting and reading carefully the publishing agreement that the publisher expects the author to sign at the beginning of the submission/publication process. This agreement sets out the rights and obligations of both the author and the publisher. From this document can be seen if authors can retain the right to deposit a research paper (self archive their work) or not.
3. If the publishers' policy conflicts with the European commission's grant agreement, authors should inform the publisher of the European Commission's special clause on open access and request an exception to the publishers' policy to allow the author to comply with this clause. A template letter for this is available from OpenAIRE, or the EC. Options include:
  - License to publish: authors retain their copyrights while granting publishers a sole license for certain copyright related acts which have an economic or commercial objective. By keeping their copyrights, authors can retain certain rights for various scholarly purposes including self-archiving.
  - Amending the publishing agreement through the introduction of a clause or an addendum stipulating that while assigning their copyrights authors retain certain rights (e.g. the right to self-archive their work in an institutional or subject based repository immediately upon publication).

Models for these options can be found at the following websites:

- SPARC Author Addendum: <http://www.arl.org/sparc/author/addendum.shtml>;
- Science Commons / SPARC Scholar's Copyright Addendum Engine: <http://scholars.sciencecommons.org/>
- Copyright toolbox developed by SURF and the JISC: <http://copyrighttoolbox.surf.nl/copyrighttoolbox/authors/>.

If negotiations are unsuccessful, researchers should consider submitting to another journal.

If they cannot comply with [special clause 39](#), grant recipients should inform the Commission and provide publisher's letter of refusal.

(From <http://www.openaire.eu/en/open-access/ec-pilot-info/fp7-pilot/how-to-comply/address-copyright>)

## Copyright Issues

(From <http://www.openaire.eu/en/support/copyright>)

### General introduction

The EC Open Access pilot asks researchers to make available in Open Access their 'peer reviewed articles' or (in the case of FP7) their 'final manuscripts accepted for publication'. This is easiest to comply with when the researcher retains his/her copyright and only gives the publisher of the article a 'licence to publish'. In this case, the article can be deposited in a repository and made publicly accessible without further permission from the publisher. If the licence stipulates an embargo period, this must of course be respected.

JISC and SURF Foundation have put together a handy [copyright toolbox](#) for authors. The toolbox includes sample licences for publishing and for depositing an article in a repository.

Researchers who have transferred their copyright to the publisher of their article will in most cases need permission from their publisher to be able to comply with the EC OA Pilot requirements. The sections '[Requests to publishers](#)' and '[Publishers' policies](#)' provide information on what to do as well as sample letters that can be used to request permission.

### Pre-prints and Post-prints

The terms pre-print and post-print are often used to describe successive stages in the development of an article. However, different people use the terms to express different things and this can cause some confusion and ambiguity.

One usage of the term pre-print is to describe the first draft of the article - before peer-review, even before any contact with a publisher. This use is common amongst academics, for whom the key modification of an article is the peer-review process.

Another use of the term pre-print is for the finished article, reviewed and amended, ready and accepted for publication - but separate from the version that is type-set or formatted by the publisher. This use is more common amongst publishers, for whom the final stage of modification to an article is the arrangement of the material for putting online or for print publication.

Within the Open Access community, the general use of the terms characterises **pre-prints** as the version of the paper **before peer review** and **post-prints** as the version of the paper **after peer-review**, with revisions having been made. This means that in terms of *content*, post-prints are the articles as published. However, in terms of *appearance* this might not be the case, as publishers often do not allow archiving of the final publisher version.

Some publishers insist that authors use the publisher-generated PDF - often because the publishers want their material to be seen as a professionally produced PDF that fits with their own house-style. However, copyright law in different countries varies as to the status of such a file. Under UK copyright law for example, such a formatted file is the copyright of the publisher and cannot be used without explicit permission. In other countries, for example the Netherlands, the situation is different. It is important to be aware of the copyright and IPR

framework in one's own country and to act accordingly. The OpenAIRE National Open Access Desks will be able to direct authors to the correct information for their case.

The [SHERPA/RoMEO](#)<sup>8</sup> database classifies publishers into four different colours, according to the restrictions imposed by their copyright transfer agreements. These terms have become widely used in the Open Access community.

- **GREEN** publishers allow archiving of pre-print and post-print
- **BLUE** publishers allow archiving of post-print (i.e., final draft post-refereeing)
- **YELLOW** publishers allow archiving of pre-print (i.e., pre-refereeing)
- **WHITE** publishers do not allow archiving of any material

(From <http://www.openaire.eu/en/support/copyright/pre-post-prints>)

## Requests to publishers

Where explicit permission to deposit a full-text version in a repository is not given, or is explicitly denied, the EC and ERC Open Access mandates require the author to contact the publisher. The author should inform the publisher of the EC or ERC Open Access requirements for his/her article, and ask for an exception to the publisher's normal policy to enable compliance with the mandate. It is important to obtain this permission in writing.

The OpenAIRE project provides a [template](#) letter for authors<sup>9</sup> that can be used to write to a publisher asking for permission to mount material in a repository, in compliance with the mandate.

When writing to publishers, it is better to address the editor or the officer in charge of authors' rights if possible, rather than a general publisher's email for permissions for re-use of published material. It is important that the request be seen as coming from the author and is part of the publisher/author relationship.

(From <http://www.openaire.eu/en/support/copyright/request-to-publishers>)

## Publisher policies

The majority of publishers support the right of academic authors to deposit their own work online. Publisher copyright policies are therefore in general not an obstacle to complying with the EC Open Access Pilot requirements. In some cases, explicit permission is not given or even excluded in the standard copyright agreement. In those cases, the Open Access Pilot guidelines require the author to contact the publisher in order to negotiate an agreement.

To find out what permissions are normally given as part of each publisher's copyright transfer agreement, authors can consult the globally used [RoMEO](#) database<sup>10</sup>, maintained by [SHERPA](#). This database details the rights given to authors by the major publishers of academic journals.

(From <http://www.openaire.eu/en/support/copyright/publishers-policies>)

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<sup>8</sup> <http://www.sherpa.ac.uk/romeo>

<sup>9</sup> <http://www.openaire.eu/en/support/copyright/144-template-letter-for-authors>

<sup>10</sup> <http://www.sherpa.ac.uk/romeo>

## Template letter for authors

On this page: <http://www.openaire.eu/en/support/copyright/144-template-letter-for-authors> you find a template letter for authors which can be downloaded, edited and sent to the publisher.

## EC resources

The European Commission has provided a comprehensive set of resources to explain the details of the open access pilot in FP7:

[Annex 1 - Special clauses \(see clause 39\)](#)

[Leaflet \*Open access pilot in FP7\*](#)

[Powerpoint presentation on open access pilot](#)

[Guide to Intellectual Property Rules for FP7 projects pg. 15 – 18, section 7.3](#)

[Guidance notes on Project Reporting, see especially pg 5, 25, 32](#)

**Model cover letter for amendment to publishing agreement:**

[BG](#) [CS](#) [DA](#) [DE](#) [EL](#) [EN](#) [ES](#) [ET](#) [FI](#) [FR](#) [HU](#) [IT](#) [LT](#) [LV](#) [MT](#) [NL](#) [PL](#) [PT](#) [RO](#) [SK](#) [SL](#) [SV](#)

**Model amendment to publishing agreement:**

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(From <http://www.openaire.eu/en/open-access/ec-pilot-info/fp7-pilot/how-to-comply/ec-resources.html>)