
AI translation · View original & related papers at
chinaxiv.org/items/chinaxiv-201708.00216

Investigation and Analysis of Open Access Journal Rights Policies

Authors: Liu Jingyu, Huang Jinxia, Wang Fang

Date: 2017-08-15T00:00:00+00:00

Abstract

Through an investigation of website information from 20 open access journal publishers, this study compiled rights information related to the reuse of open access journals, further summarized three primary types of current OA journal rights policies—including open access policies, website usage policies, and bulk data acquisition policies—and analyzed the impact of policy content on library development of open access journal collections and countermeasures libraries may adopt.

Full Text

Preamble

Investigation and Analysis of Rights Policies for Open Access Journals

Liu Jingyu, Huang Jinxia, Wang Fang*

(*National Science Library, Chinese Academy of Sciences, Beijing, 100190)

Abstract Through an investigation of website information from 20 open access journal publishers, this study identifies rights-related information pertinent to the reuse of OA journals and further categorizes three primary types of current OA journal rights policies: open access policies, website use policies, and bulk data acquisition policies. The analysis examines how these policy contents impact library-led OA journal development and explores potential countermeasures libraries may adopt.

[Keywords] open access journals, open access, rights policies, open resources

Open Access (OA) journals allow any user to freely access, read, download, copy, distribute, print, search, and link to the full text of articles via the public Internet, or to use them for lawful purposes such as indexing or software development [1]. OA journals generally undergo peer review and operate on an author-pays model or through funded publication. Content use and sharing

follow specific Creative Commons agreements, breaking traditional copyright restrictions. These characteristics have made OA journals a central component of the open access movement, significantly advancing scholarly communication. Consequently, the reuse of OA journals has become a critical focus for library resource development [2]. However, open access does not equate to unrestricted use. In the digital environment, OA journal reuse is constrained by multiple factors, requiring compliance with content-related rights regulations, proper management of relationships among authors, publishers, users, and other stakeholders, and ensuring that the rights of all parties are fully reflected and protected in OA journal reuse activities—while securing additional rights for libraries [3].

Currently, constraints on OA journal reuse, such as copyright, licensing, and download policies, are primarily published on OA journal or publisher websites. Practical resource development reveals that OA journal policies lack uniformity in both content and format, publisher and journal website designs vary considerably, rights information is scattered and difficult to locate and analyze, and policy terminology is inconsistent. This creates significant challenges for libraries seeking to identify rights information and understand constraints, making it difficult to grasp the overall rights landscape and its impact on reuse.

Against this backdrop, and in conjunction with the open resource development work of the National Science and Technology Library (NSTL), this study selected 20 typical OA publishers to investigate rights-related information on their OA journal websites, identify policy types relevant to OA journal reuse, and analyze how these policies affect resource reuse.

2. Basic Characteristics of Open Access Journals and Related Rights Subjects

Understanding OA journal policies requires a clear grasp of OA journal characteristics and the fundamentals of rights constraints, including the rights subjects and their claims. Literature review reveals that OA journal production and dissemination exhibit the following features: (1) OA journal content primarily comprises OA articles, including article metadata and full text, with formats mainly PDF, XML, and HTML; (2) Article content is created by authors, while metadata is generated by publishers; (3) OA articles may be funded by institutions during creation; (4) OA journals are formally published by diverse entities, including traditional commercial publishers (e.g., Springer, Elsevier), pure OA publishers (e.g., Hindawi, Frontiers), integrated platforms (e.g., SCIELO), and scholarly societies (International Institute for Science); (5) OA journals are typically published on publisher platforms or aggregated on unified platforms.

Based on these characteristics, the rights subjects related to OA journals include article authors, funders, publishers, and journal platform owners. Specifically, each subject's claims are expressed as follows:

1. **Authors** naturally hold copyright. For gold OA journals, most retain copyright, granting certain rights through licensing agreements, typically

Creative Commons licenses. Thus, authors' rights claims manifest as copyright statements and their chosen licenses.

2. **Funders** generally do not hold copyright except for works made for hire. Their role is primarily to encourage researchers to select appropriate licenses and regulate self-archiving. Funder policies also influence publisher OA strategies. Therefore, funders' rights claims are expressed through publisher-provided licenses; for example, Oxford University Press (OUP) stipulates that articles funded by the Wellcome Trust and RCUK may be licensed under CC BY.
3. **Publishers** hold publication rights. They process metadata, enhance articles, and manage publication and distribution. Publishers recommend OA policies for authors based on funder policies. Thus, publishers' rights claims are reflected in OA publishing agreements with authors, self-archiving policies, and copyright protection for website content and design (excluding author and third-party copyrights).
4. **Platform owners** hold database rights and copyright for platform design and content.
5. **Users'** rights are indirectly expressed through usage permissions stipulated in license agreements, placing users in a passive acceptance position.

These claims constitute the rights information examined in this study, manifested across publishing platforms through article copyright, publisher rights, user permissions for reading, downloading, copying, adapting, and redistributing, platform terms of use, and author usage and storage rights.

3. Distribution of Rights Information in Open Access Journals

This study investigated 20 typical OA publishers or platforms, examining all rights-related information on their websites, including the location of rights information and specific content. The publishers included traditional large publishers such as Springer Nature, Elsevier, and Wiley, as well as new fully OA publishers like Medknow, Dove Medical Press, and MDPI, and OA journal platforms such as SCIELO—covering approximately 2,500 journals.

Findings indicate that OA journal rights information is primarily distributed across: OA journal introductions, Open Access sections, Open Access Policy sections, author submission guidelines, website terms of use, Help, FAQ, and metadata bulk harvesting sections. Rights policy content is generally consistent across journals from the same publisher or platform, though licenses may vary among journals on the same platform.

Among the 20 publishers, 18 have dedicated “Open Access Policy” sections with names including Open Access, Open Access Policy, Open Access Statement,

Open Access Information and Policy, and Open access and Copyright. These sections cover major OA journal rights issues:

- **9 publishers** declare their publishing models; for example, Oxford University Press states its support for open access through two models: Oxford Open and fully open access journals.
- **16 publishers** articulate clear copyright policies, including author ownership of article content, third-party content copyright or trademark rights belonging to original creators, and publishers holding exclusive or non-exclusive rights for publication and commercial operation.
- **All 20 publishers** regulate OA journal article reuse: 8 comply entirely with CC BY, 6 follow CC BY-NC (prohibiting commercial reuse), and 5 offer the most restrictive CC BY-NC-ND license as an author option.
- **5 publishers** specify article access timelines and copyright; for example, SCIELO states that all content is freely accessible upon publication, while Medknow's PDF access policy allows free HTML versions for all OA articles but only some free PDFs.
- **5 publishers** propose self-archiving policies; for instance, Scientific Research Publishing states that "authors may freely store their original or published papers and should utilize SCIRP-generated crossref.org links when linking to their works."
- **10 publishers** establish Article Processing Charge (APC) policies.
- **5 publishers** declare long-term preservation policies for OA journal content; for example, Springer, as a LOCKSS member, implements long-term preservation for digital publications.

Beyond dedicated OA sections, website terms of use also contain OA journal rights information. Among surveyed publishers, 14 have explicit website/platform terms of use (e.g., Terms of Use, Terms and Conditions, General and Licence Terms and Conditions):

- **8 publishers** declare copyright over their websites and all content, protected by relevant laws. For example, BMC's terms specify that unless otherwise stated, website content is BMC's property, with copyright belonging to BMC and its licensors, and trademarks protected under UK and international law.
- **10 publishers** regulate reuse of website content, including copying, adaptation, redistribution, commercial use, alternative storage, and automated downloading. BMC and Libertas Academica Ltd. prohibit disseminating, copying, linking to, or machine-harvesting website content to form new databases (except for OA articles). Sciencedomain International and Frontiers prohibit any user from copying or machine-harvesting website content or forming new databases. Oxford University Press requires compliance with technical limits on automated downloads (no more than one page per minute) or access may be blocked. Medknow stipulates that all website content may not be stored on other websites.
- **5 publishers** reserve the right to terminate user access or modify terms.

- **8 publishers** specify governing jurisdiction; for example, BMC terms are governed by UK law, Molecular Diversity Preservation International by Swiss law, and Springer by German law.
- **6 publishers** establish linking policies; for instance, Molecular Diversity Preservation International states that linking to its site does not imply MDPI endorsement of linked content, and MDPI reserves the right to require removal of any links.

In addition to direct rights descriptions, publishers' policies on bulk acquisition and text mining of OA journal resources also affect reuse. Among the 20 publishers, **9 provide OAI-PMH standard interfaces or APIs** for meta-data harvesting (Hindawi offers OAI; Springer, BMC provide proprietary APIs). Molecular Diversity Preservation International offers both OAI and MDPI Full-Text Corpus Download services, enabling zip file downloads of OA articles.

Furthermore, **2 publishers regulate text mining** of bulk OA content. Elsevier provides text mining APIs; OA articles can be directly mined, but reuse must follow specific licenses. Wiley offers three license options—CC BY, CC BY-NC, and CC BY-NC-ND—with explanations of non-commercial and commercial use considerations. Non-commercial text mining is permitted under the latter two licenses but must link to bibliographic information.

4. Main Types of Open Access Journal Rights Policies

The analysis reveals that while no unified standards currently exist for OA journal rights information distribution and content, typical publishers concentrate such information in specific sections with similar items. To better understand the overall rights landscape, this study categorizes OA journal rights policies into three types: “Open Access Policy,” “Website Use Policy,” and “Bulk Data Acquisition Policy.” Among the 20 surveyed publishers, most have explicit open access and platform use policies, while few have bulk data acquisition policies, and most provide no clear guidance on bulk acquisition methods.

4.1 Open Access Policy

The “Open Access Policy” primarily addresses reuse of OA journal article content, including: (1) **Publishing policy**: typically covering the journal's OA model (gold or green OA); (2) **Copyright policy**: ownership of article copyright, usually held by authors or publishers; (3) **Third-party copyright policy**: statements on copyright for third-party content within articles; (4) **Article reuse policy**: usage or open access licenses; (5) **Article access policy**: immediate vs. delayed OA, and which versions are openly accessible (e.g., PDF access policies); (6) **Self-archiving policy**: versions authors may deposit, time limits, and repository requirements; (7) **Long-term preservation policy**: data security and backup policies, often mentioning partnerships with preservation organizations; and (8) **APC policy**: article processing fee standards.

The table reveals varying completeness in publishers' open access policies. While

all have explicit policies on OA journal content reuse, most include copyright statements for articles themselves, but few address third-party content copyright. Additionally, few publishers have policies on article access, self-archiving, or long-term preservation. Publishers also introduce their own OA publishing policies and APCs. Overall, publishers' primary concern remains how resources on their platforms may be used by users.

4.2 Website Use Policy

“Website Terms of Use” generally apply to all platform or website content, including: (1) **Website content reuse policy**: regulations on copying, adaptation, redistribution, and commercial use; (2) **Website content access and security policy**: restrictions on automated downloads and security measures; (3) **Website content storage policy**: rules on storing content to form new databases; (4) **Termination and modification rights policy**: publishers typically reserve the right to terminate user access or modify terms at any time; and (5) **Linking policy**: rules for linking to and from the website.

The table shows inconsistent constraints across OA journal websites and platforms. Some publishers, like Hindawi and SCIELO, have no website terms, while others—both traditional commercial publishers (Elsevier) and pure OA publishers (Frontiers)—have extensive terms. Most restrict website content reuse, with some specifying details on acquisition (e.g., machine downloading), copying, and storage. Publishers also typically reserve rights to modify terms and terminate access, which may affect user experience.

4.3 Bulk Data Acquisition Policy

The “Bulk Data Acquisition Policy” emerges from OA resource characteristics and is typically implemented as technical solutions, such as “open interfaces” or bulk download services. This includes: (1) **Metadata harvesting policy**: provision of standard metadata harvesting interfaces; (2) **Full-text download policy**: FTP or zip file download services; and (3) **Text mining policy**.

The table indicates that few OA journals have bulk data acquisition policies. Only Elsevier and Wiley have explicit policies on text mining of bulk data. Overall, OA journal rights policies exhibit low consistency, standardization, and completeness, with significant variation among publishers. However, constraints on article and website content reuse are relatively common, highlighting the need for careful attention during open resource development. The lack of clear policies on bulk data also impedes large-scale reuse.

5. Impact of Open Access Journal Rights Policies on Resource Reuse and Countermeasures

In current library open resource development, OA journal reuse primarily involves collection, storage, integrated discovery, downloading, deep processing

and analysis, and third-party provision. The analysis reveals that various rights policies constrain these reuse methods at different levels.

5.1 Broad Impact of Open Access Policies, Focusing on Content Use Constraints

OA journal publishing policies fundamentally explain a journal's OA stance, providing essential guidance for the entire reuse workflow. Key components include copyright policies and article reuse policies, both focusing on content use. Copyright policies require respect for work copyright—a principle applicable to both open and traditional publishing. Article reuse policies regulate single-article usage, including reading, downloading, copying, dissemination, adaptation, printing, indexing, and linking. In this survey, all OA journals had author-retained copyright with publishers holding exclusive publication or commercial rights; figure copyright belonged to authors; trademarks and other third-party content copyright belonged to original creators; and unclear copyright generally belonged to publishers (e.g., BMC). Most OA journals adopted CC licenses, with only 8 using the permissive CC BY, while others employed stricter licenses or retained copyright under national fair use principles.

Therefore, throughout OA journal reuse, libraries must properly attribute copyright holders, including third-party resources, and cite sources. During organization, processing, and service provision, libraries must identify service purposes to ensure compliance with licenses. Since current licenses primarily address single works, the mixing of multiple licenses in bulk reuse suggests that publisher collaboration is advisable.

5.2 Website Use Policies Focus on Acquisition and Storage Constraints

Most publishers' website use policies provide detailed specifications on content acquisition, storage, linking, and security. Regarding machine harvesting—which creates pressure and security risks—publishers vary: some permit OA journal harvesting, while others explicitly prohibit it. For example, Libertas Academica Ltd. prohibits harvesting all content except OA articles; Sciencedomain International and Frontiers ban any copying or machine harvesting; Oxford University Press limits automated downloads to one page per minute, with violations risking blocked access. On storage, Medknow stipulates that no website content may be stored in other databases, while Libertas Academica Ltd. prohibits reproducing non-OA content or creating new databases. Regarding linking, OA platforms generally encourage linking to their sites but disclaim responsibility for linked content and reserve the right to terminate linking privileges.

Thus, before collecting, storing, or building service systems for OA journals, libraries must comprehensively understand these key rights points in target websites' use policies to mitigate risks during integration and reuse.

5.3 Incomplete Bulk Data Acquisition Policies Affect Collection and Deep Processing

Only half of OA journals provide bulk metadata acquisition via OAI or API, with no explicit guidance from other publishers. Few publishers offer direct full-text download—only MDPI provides this service through MDPI Full-Text Corpus Download. Most lack policies on bulk text mining, with only Elsevier offering a text mining API (requiring CC license compliance) and Wiley permitting text mining of CC-licensed articles (without bulk data interfaces). Since libraries primarily rely on centralized, bulk acquisition, storage, and analysis to serve researchers, absent or unclear policies hinder OA journal reuse. To address these challenges, libraries should front-load rights management and risk mitigation, collaborating with providers to avoid risks and ensure sustainable open resource development.

Comprehensive analysis and mastery of OA journal rights policies are prerequisites for library OA journal development, serving as critical references for identifying key rights risks and handling issues. While current OA journal rights policies lack unified standards, this study's typology reveals patterns in information location and content. This research aims to help library practitioners better understand OA journal rights constraints and provide reference for analyzing other open resource rights information.

References [1] Zhao Rilong. Open Access Journals and Their Implications for Traditional Academic Journals. *Sci-Tech Information Development & Economy*, 2007, 17(17): 119-120.

[2] Li He, Zhou Jinping. Review of Foreign Research on Open Access Journals. *Library and Information Service*, 2013, 57(9): 135-144.

[3] Liu Jingyu, Xiao Man, Chen Xuefei, et al. Research on Rights Issues in Library Reuse of Open Access Journals[J]. *Digital Library Forum*, 2016(2): 63-71.

[4] Hindawi. Open Access. [2017-1-10]. <https://www.hindawi.com/oa/>

[5] BioMed Central. Terms & Conditions. [2017-1-10]. <http://www.biomedcentral.com/terms-and-conditions>

[6] Scientific Research Publishing. About SCIRP. [2017-1-11]. <http://www.scirp.org/AboutUs/Index.aspx>

[7] SCIELO. INSTRUCTIONS TO AUTHOR. [2017-1-11]. <http://www.scielo.br/revistas/jss/iinstruc.htm>

[8] MDPI. Open Access Information Policy. [2017-1-11]. <http://www.mdpi.com/about/openaccess>

[9] Dove Medical Press. Open Access, archiving and Author Fee policies. [2017-1-10]. https://www.dovepress.com/why_publish_with_dove.php?content_id=3045

[10] Medknow. <http://www.medknow.com/policies.asp>

[11] PAGE press. [2017-1-10]. <http://www.pagepressjournals.org/>

[12] Libertas Academica Ltd. [2017-8-3]. <https://us.sagepub.com/en-us/nam/open-access-at-sage>

[13] Copernicus. About us. [2017-8-3]. https://www.copernicus.org/about_us.html

[14] Springer Nature. Terms and Conditions. [2017-1-10]. <http://www.springernature.com/cn/librarians/legal/terms-of-use/11033520>

[15] Elsevier. Open access. [2017-1-10]. <https://www.elsevier.com/about/open->

science/open-access

[16] Wiley. About Open Access. [2017-1-10]. <http://www.wileyopenaccess.com/view/index.html>

[17] Asian Network for Scientific Information. [2017-1-10]. <http://www.ansinet.com/>

[18] Sciencedomain International. [2017-1-10]. <http://www.sciencedomain.org/>

[19] Academic Journals Inc., USA. [2017-1-10]. <http://www.academicjournals.org/>

[20] International Institute for Science, Technology & Education.

[21] Oxford University Press. Oxford Open. [2017-8-3]. https://academic.oup.com/journals/pages/open_access

[22] Versita. [2017-8-3]. <https://www.degruyter.com/browse?publisher=VER>

[23] Frontiers Research Foundation. [2017-1-11]. <http://home.frontiersin.org/>

Note: Figure translations are in progress. See original paper for figures.

Source: ChinaXiv –Machine translation. Verify with original.