

Towards consortium deals that only provide CC BY as eligible Creative Commons license?

**The impact of publishers 'License to Publish' policies on the
Creative Commons strategy of the Dutch UKB Consortium**

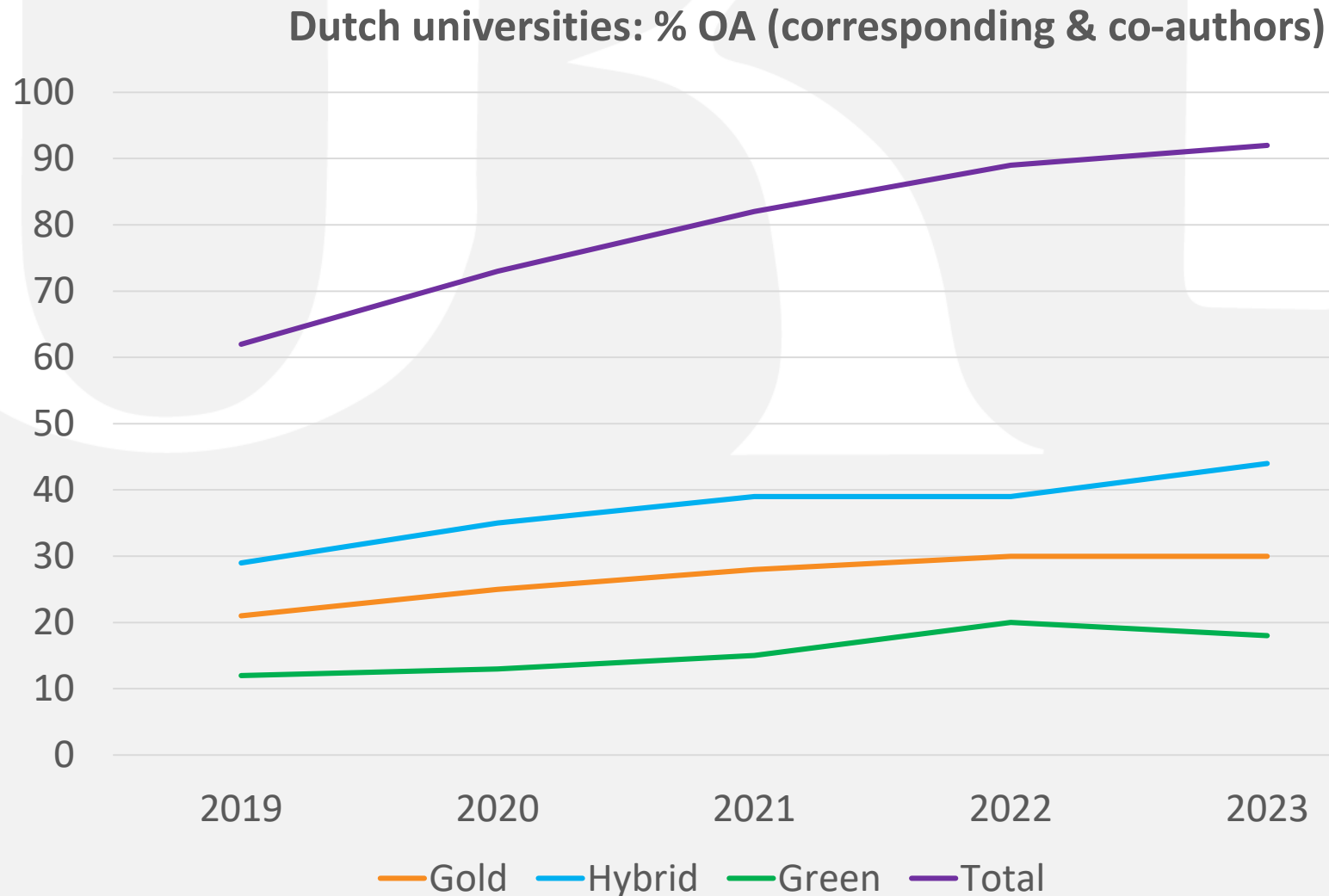
**Arjan Schalken,
Programmamanager UKB**

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Introduction

- Program manager UKB (Network of Dutch University Libraries & Royal Library)
- Advising universities on their open access strategy
- Help building tools that support this strategy:
 - Transformative Agreements
 - National project manager Green Open Access (implementing copyright law)
 - National project manager Full Open Access (including opening up the consortium, collaboration with funders)
 - Project manager UKBsis datahub (a data warehouse that combines 30+ metadata sources)
- Helping the consortium to use these tools (in negotiations and contract management) and share experiences internationally

UKB priority: towards 100% open access

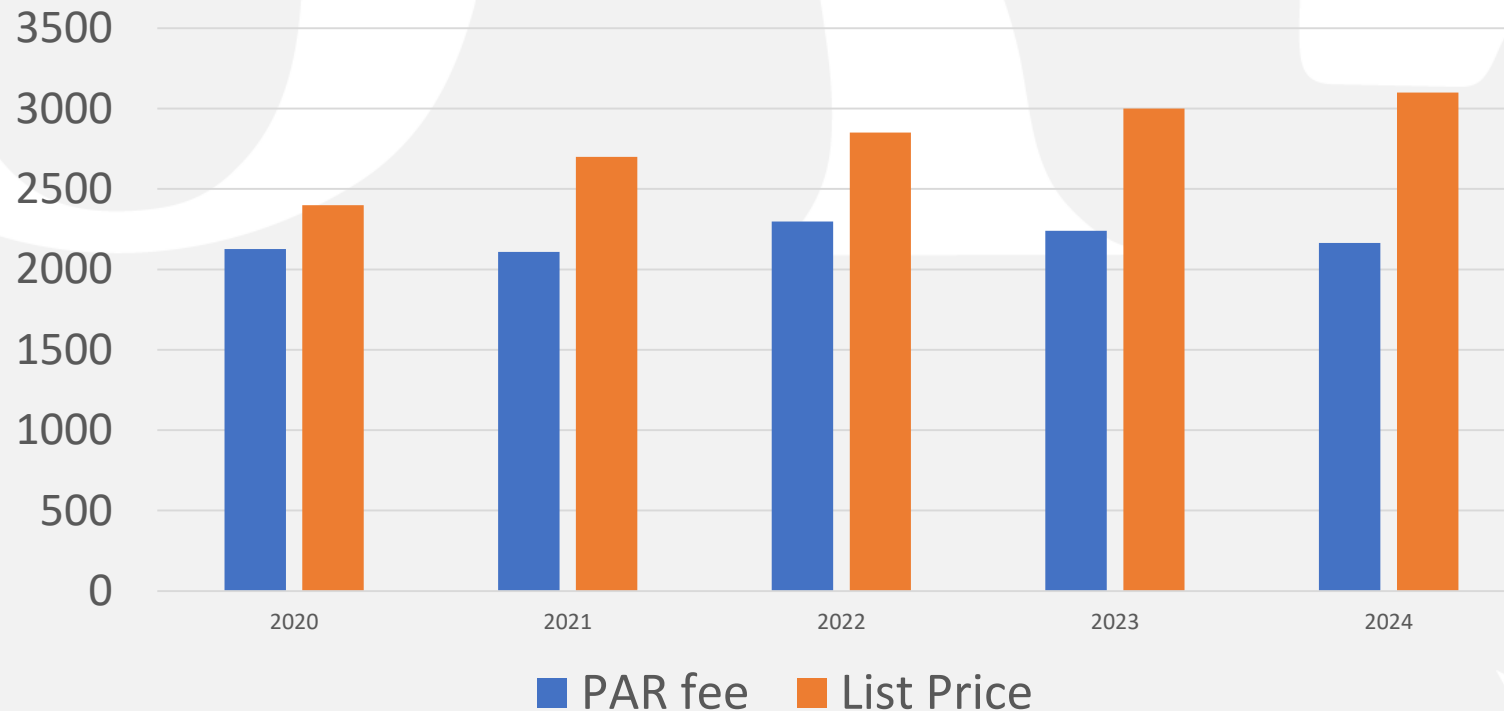


Green is seen as 'safety net'. Conversion rate subscription > green OA:

- 2019: 24%
- 2020: 33%
- 2021: 45%
- 2022: 66%
- 2023: 69%

UKB priority: grip on costs

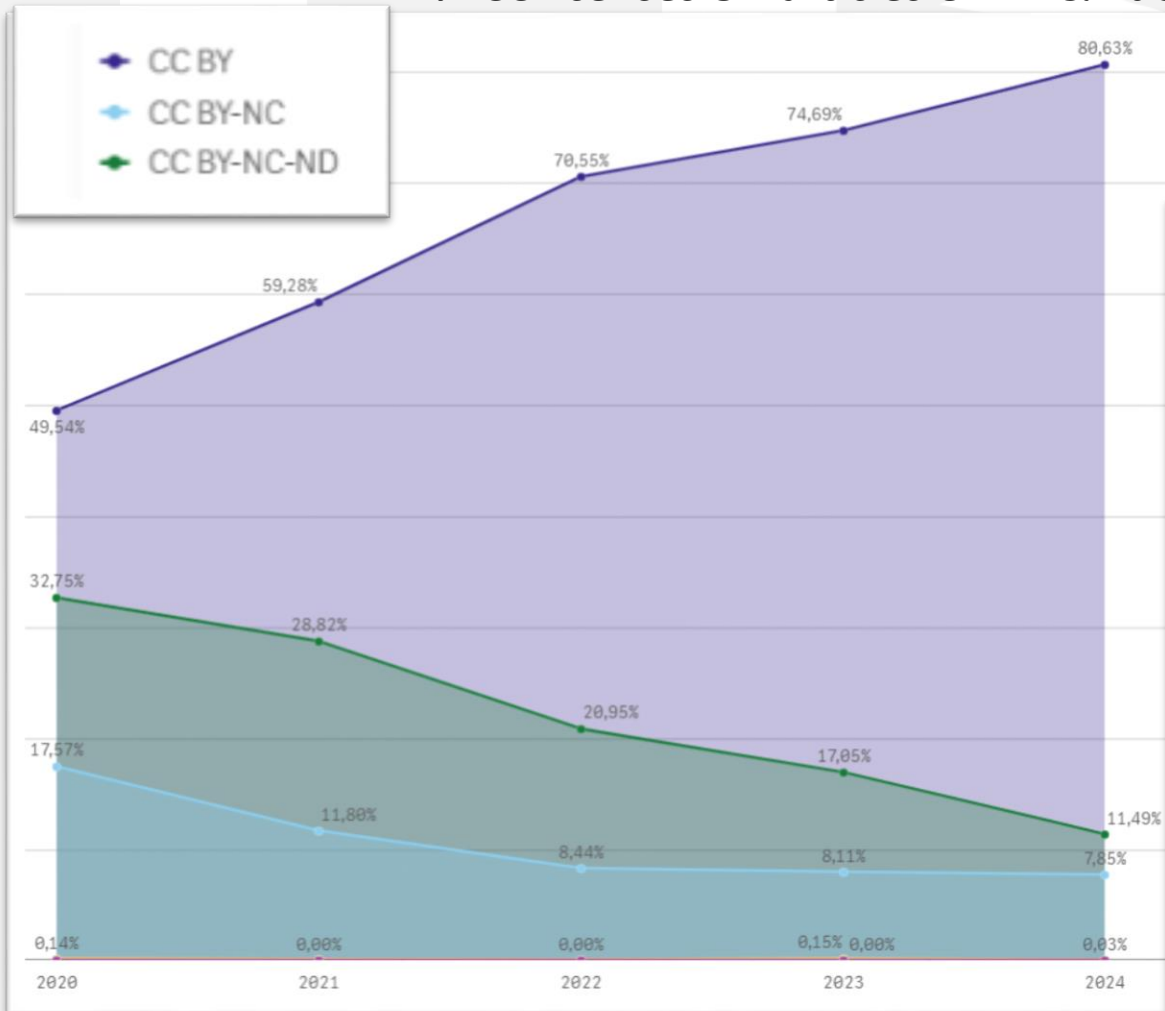
Average cost per article published open access as part of a UKB R&P deal compared with the list price



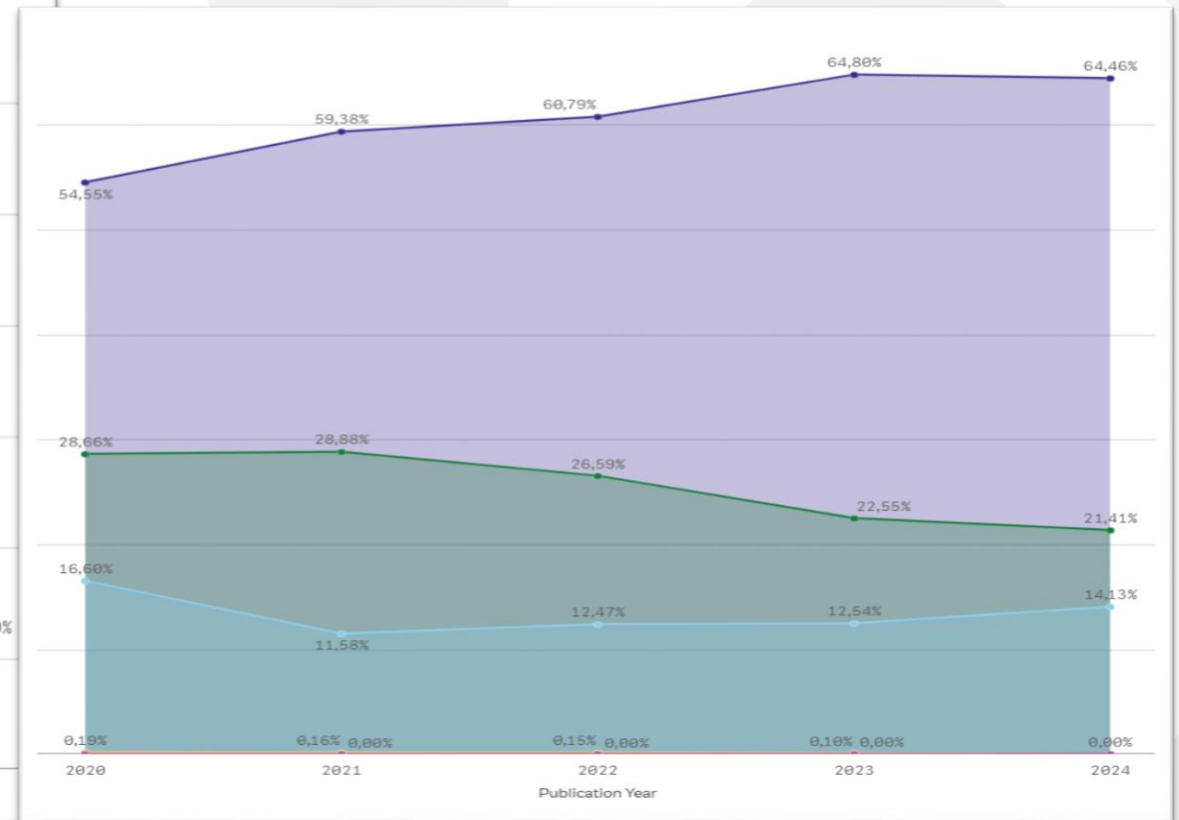
In 2019 the average UKB R&P deal PAR fee was 13% lower than the PAR fee. In 2024 the cap increased to 43%. PAR fee also includes access rights to paywalled articles.

UKB priority: stimulating CC BY

% CC licenses OA articles UKB R&P deal



% CC licenses OA articles in same journals by international authors



Main drivers behind stimulating CC BY

2020 – 2023: reusability & funder compliance

Article 2 Obligations of Publisher and Institution

Example: contract RSC 2022

2.1 Publisher shall publish articles from Eligible Authors as OA Articles under a Creative Commons Attribution licence without delay upon first publication. Publisher will make every effort to support the Eligible Author to comply with the agreement and open access funder requirement and to sign the necessary licence.

Example: workflow change Elsevier 2021

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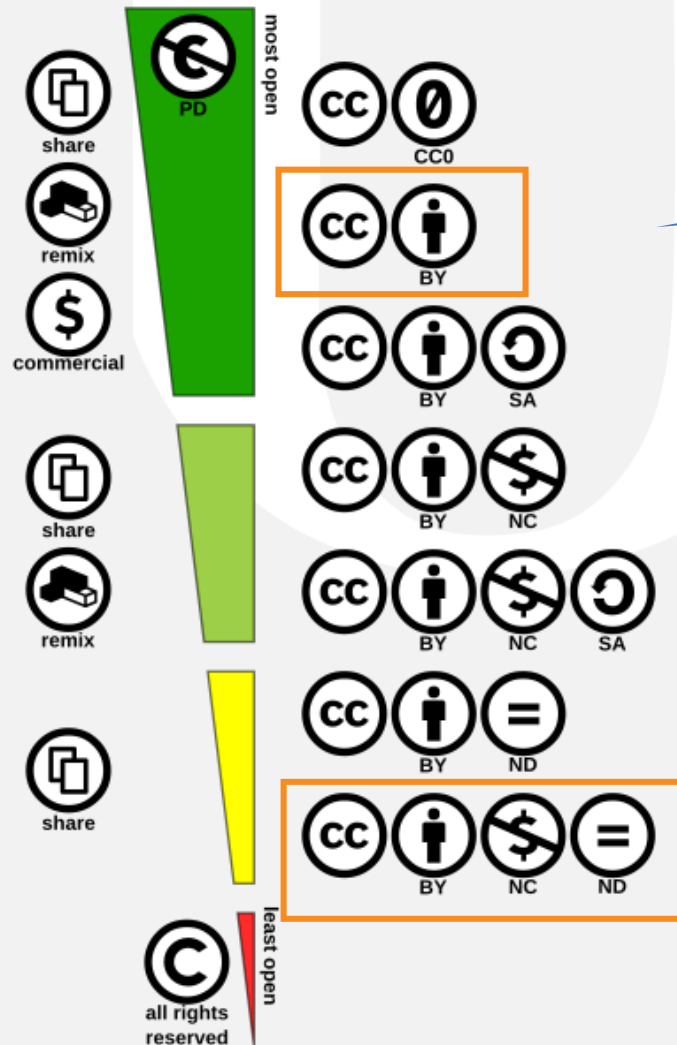
90%

Main drivers behind stimulating CC BY

2023 - current: reusability & funder compliance + academic sovereignty

- What's the issue
- Discussions with publishers
- Action taken & results

Creative Commons Licenses: the options



Consortium “Preferred by your institution, required by most funders”

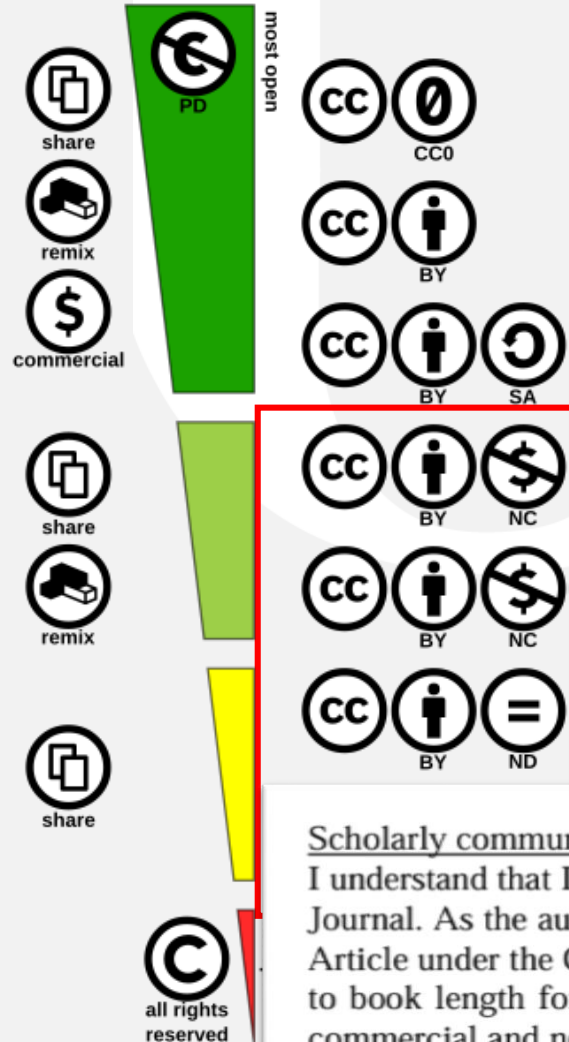
Some authors: “I don’t want Pharma to use an illustration in a commercial brochure”

Some authors: “I don’t want my paper to be translated without my permission”

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Talanta

Volume 225, 1 April 2021, 121971

Short communication

Improved prediction of potassium and nitrogen in dried bell pepper leaves with visible and near-infrared spectroscopy utilising wavelength selection techniques

Puneet Mishra^a, Ittai Herrmann^b, Mariagiovanna Angileri^c

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<https://doi.org/10.1016/j.talanta.2020.121971>

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Highlights

- Vis-NIR wavelengths related to N and K prediction were identified.
- 6 advanced chemometric variable selection were compared.
- N and K in pepper leaves can be predicted with errors of 0.28 and 0.44%, respectively.

Recommended articles

Optimal partner wavelength combination method with application to near-infrared...

Chemometrics and Intelligent Laboratory Systems, Vol...
Tao Pan, ..., Jun Xie

Detection of chlorophyll fluorescence



Improved prediction of potassium and nitrogen in dried bell pepper wavelength selection techniques

Author: Puneet Mishra, Ittai Herrmann, Mariagiovanna Angileri

Publication: Talanta

Publisher: Elsevier

Date: 1 April 2021

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Talanta

Publication type: Journal

Article: Improved prediction of potassium and nitrogen in dried bell pepper leaves with visible and near-infrared spectroscopy utilising wavelength selection techniques

ISSN: 0039-9140

Publication Year: 1958 - Present

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The impact of this policy

- It limits academic sovereignty and author rights
- It creates hidden income streams for publishers
- It stimulates publishers to encourage authors to choose restrictive licenses

Why CC BY-NC-ND?

- It is our view that this license provides the best combination of dissemination and protection, particularly for our authors in humanities and social sciences.

- It limits the re-usability of open access and strengthen the position of wealthy organizations who can afford to buy additional reuse rights
- It puts pressure on trust in open access when authors become aware of this publisher behavior

Arguments publishers use to defend their policy and the response of UKB

Publisher: *we support author choice*

UKB: it's not about choice of license, it's about ownership & sovereignty

Publisher: *it's a service to the author*

UKB: than it should be optional, and authors should be in control

Publisher: *we protect articles against AI misuse*

UKB: Publishers use it to sell user rights to big tech, creating an unequal playing field for smaller / national AI initiatives like GPT-NL and Open EURO LLM

Publisher: *we use it to generate additional income / subsidize publication costs*

UKB: It's not transparent and publishers should not decide if a request for commercial reuse is granted or not

Actions taken by UKB

- Collaboration and awareness
- Negotiations
- Contract

Action taken by the Dutch consortium: collaboration and communication / awareness

open access
2020

be informed take action collaborate learn

FINAL STATEMENT

16th Berlin Open Access Conference

Delegations of research performing and research funding organizations from 38 nations and six continents, including ministries of education and research, funders, university and research leadership, libraries and national-level library consortia, scientists and scholars, gathered at the 16th Berlin Open Access Conference (B16), held 6-7 June 2023 in Berlin.

The statement that follows represents the strong consensus of all delegations present at the meeting.

The global open access transition must advance at a far greater pace.

Through its open access negotiations, research communities in all continents are making research outcomes more visible and accessible at no cost to readers or authors, for the benefit of all but want to move faster. Publishers must offer transformative and transitional open access agreements to all as the default and work at pace and scale to effect a full, rapid and permanent transition away from paywalled access to research results.

Inequity is incompatible with scholarly publishing.

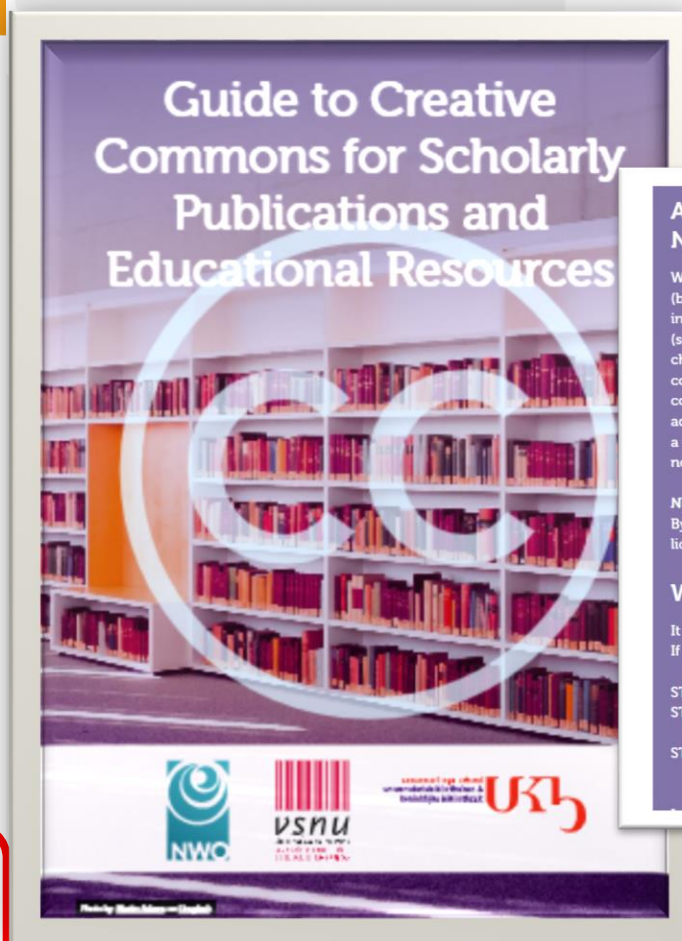
Progress in removing subscription paywalls must not risk creating barriers to participation in open science and scholarship. The open access transition must be truly inclusive and reflect the plurality of research disciplines, topics, languages, and outputs. Differentiated regional pricing (geopricing) of open access publishing services, that reflect the cultural, policy and financial positions of all communities, is in the interests of the entire global research community and supports the goals of scholarship. One size fits all open access publishing models based on high publishing charges are inequitable. Pricing for publishing services must be globally fair, transparent, affordable and sustainable.

Academic self-governance is an imperative in scholarly publishing.

Quality assurance in the process of scientific peer review must be clearly separated from the processes associated with the provision of publishing services to prevent practices that lower standards in order to increase publisher revenue. Editorial independence must be guaranteed.

Author choice and author rights must be fully enabled.

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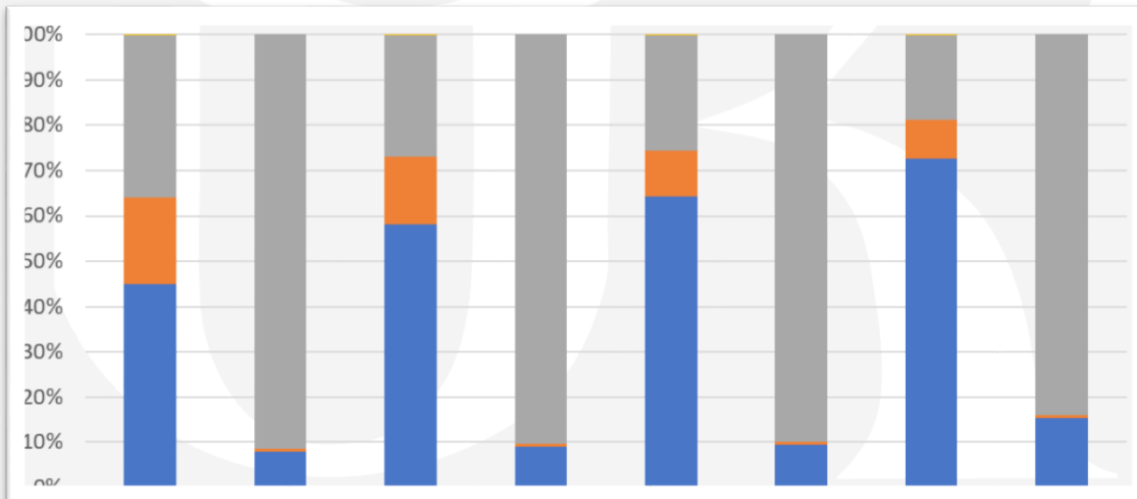
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- STEP 3: Publish the article under a CC BY license and reference the object previously deposited in the repository in the article.

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Negotiations: part of the mandate

innovations towards just and open scholarly communication. This includes **quality assurance, cost control, supportive policies** at national and at the institutional level, and further development of guiding principles for **safeguarding public values and digital sovereignty**.

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**And benchmarking publishers on
% CC BY versus CC BY-NC / NC-ND**

Negotiation results: Elsevier (2025)

- Publisher: change in License to Publish not negotiable
- Agreed on: workflow change

Elsevier did change it's LCP on reuse of own work end of 2023 after discussions with Couperin, UC and UKB

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Negotiation results: Wiley (2024)

- Publisher: change in License to Publish not negotiable. Technically, the workflow can't be tailored for UKB
- Agreed on: KPI

- 2.1. The Consortium and Wiley acknowledge the importance of unrestricted reusability of open access publications. In line with institutional and funder policies, authors will be encouraged to choose CC BY instead of more restrictive variations as part of the Wiley open access workflow. If, during the Agreement, Wiley creates a standard workflow that enables implementation of a single license choice with opt out, this will be offered as an upgrade to this Agreement. In the time being, Wiley will communicate to authors to ensure the greatest possible use of the CC BY license.
- 2.1.a. Every half year the Consortium and Wiley evaluate the impact of the communication on license choice. If the percentage of CC BY is below 90%, Wiley and the Consortium will explore options for further improvement of the communication towards authors.

% CC BY increased first half 2024 but declined 2nd half 2024.

Action started in 2025 to review workflow for options to stimulate CC BY

Negotiation results: T&F (2024)

- Publisher: we will change the License to Publish
- Result in agreement

Mid 2024 T&F stated that they will not implement this because it would impact their LTP worldwide. The workflow is now changed to CC BY only

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Other UKB 'CC BY only' R&P deals

- ACS (2022)
- Karger (2025)
- LWW (2024)
- RSC (2025)
- Sage (2025)
- Walter de Gruyter (2025)

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Some final reflections

- % CC BY under UKB deals will increase to 90% in 2025
- The deals are stimulating maximum reusability
- Increasing number of deals don't offer authors a license choice. Not because we are against author choice, but we don't want a publisher to take over control of the license.
- For an individual (small) country / consortium it's not possible to change LTP strategies of international publishers.
- AI / LLM training makes the discussion more complex (but still... we don't want the publisher take over control).

The background of the slide features large, faint, stylized letters 'UKS' in a light gray color. The letters are positioned behind the main text, with 'U' on the left, 'K' in the middle, and 'S' on the right.

Questions, discussion