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## **Doporučené rozdělení odpovědnosti za správu repozitáře mezi zaměstnance a zaměstnavatele**

Koščík, Michal  
2015

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# Responsibility for an open access repository

Michal Koščík, Masarykova univerzita

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# WHAT IS THE MOTIVATION

Achieving  
the mission

Berlin  
declaration?

Funding  
policy?

Other  
duties?



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# Can You force an employee to fill repository

YES !!!

- Obligation to publish in OA platforms
- Force him to upload results to the repository

Limits

- Not all authors are employees of an employer
- Institution has waived its rights
- Employer has given consent to exclusive license contract

# Who shall decide what is published under OA?

## Employee?

- More flexible
- Easier to „digest“
- Has better contacts in the field

- Follows his own interest
- Lower legal awareness

## Institution?

- Follows public interest
- Legal support
- Has its own budget

- Does not have detailed knowledge of the result
- Buerocratic structure

Most common mistakes

# 1. CO-Authorship

The Pluto system: Initial results from its exploration by New Horizons - Google Chrome

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RESEARCH ARTICLE

The Pluto system: Initial results from its exploration by New Horizons

S. A. Stern<sup>1,2</sup>, F. Bagenal<sup>2</sup>, K. Ennico<sup>3</sup>, G. R. Gladstone<sup>4</sup>, W. M. Grundy<sup>5</sup>, W. B. McKinnon<sup>6</sup>, J. M. Moore<sup>3</sup>, C. B. Olkin<sup>1</sup>, J. R. Spencer<sup>1</sup>, H. A. Weaver<sup>7</sup>, L. A. Young<sup>1</sup>, T. Andert<sup>8</sup>, J. Andrews<sup>1</sup>, M. Banks<sup>9</sup>, B. Bauer<sup>7</sup>, J. Bauman<sup>10</sup>, O. S. Barnouin<sup>7</sup>, P. Bedini<sup>7</sup>, K. Beisser<sup>7</sup>, R. A. Beyer<sup>3</sup>, S. Bhaskaran<sup>11</sup>, R. P. Binzel<sup>12</sup>, E. Birath<sup>1</sup>, M. Bird<sup>13</sup>, D. J. Bogan<sup>14</sup>, A. Bowman<sup>7</sup>, V. J. Bray<sup>15</sup>, M. Brozovic<sup>11</sup>, C. Bryan<sup>10</sup>, M. R. Buckley<sup>7</sup>, M. W. Buie<sup>1</sup>, B. J. Buratti<sup>11</sup>, S. S. Bushman<sup>7</sup>, A. Calloway<sup>7</sup>, B. Carcich<sup>16</sup>, A. F. Cheng<sup>7</sup>, S. Conard<sup>7</sup>, C. A. Conrad<sup>1</sup>, J. C. Cook<sup>1</sup>, D. P. Cruikshank<sup>3</sup>, O. S. Custodio<sup>7</sup>, C. M. Dalle Ore<sup>3</sup>, C. Deboy<sup>7</sup>, Z. J. B. Dischner<sup>1</sup>, P. Dumont<sup>10</sup>, A. M. Earle<sup>12</sup>, H. A. Elliott<sup>4</sup>, J. Erco<sup>7</sup>, C. M. Ernst<sup>7</sup>, T. Finley<sup>1</sup>, S. H. Flanigan<sup>7</sup>, G. Fountain<sup>7</sup>, M. J. Freeze<sup>7</sup>, T. Greathouse<sup>4</sup>, J. L. Green<sup>17</sup>, Y. Guo<sup>7</sup>, M. Hahn<sup>18</sup>, D. P. Hamilton<sup>19</sup>, S. A. Hamilton<sup>7</sup>, J. Hanley<sup>4</sup>, A. Harch<sup>20</sup>, H. M. Hart<sup>7</sup>, C. B. Hersman<sup>7</sup>, A. Hill<sup>7</sup>, M. E. Hill<sup>7</sup>, D. P. Hinson<sup>21</sup>, M. E. Holdridge<sup>7</sup>, M. Horanyi<sup>2</sup>, A. D. Howard<sup>22</sup>, C. J. A. Howett<sup>1</sup>, C. Jackman<sup>10</sup>, R. A. Jacobson<sup>11</sup>, D. E. Jennings<sup>23</sup>, J. A. Kammer<sup>1</sup>, H. K. Kang<sup>7</sup>, D. E. Kaufmann<sup>1</sup>, P. Kollmann<sup>7</sup>, S. M. Krimigis<sup>7</sup>, D. Kusnierkiewicz<sup>7</sup>, T. R. Lauer<sup>24</sup>, J. E. Lee<sup>25</sup>, K. L. Lindstrom<sup>7</sup>, I. R. Linscott<sup>26</sup>, C. M. Lisse<sup>7</sup>, A. W. Lunsford<sup>23</sup>, V. A. Mallder<sup>7</sup>, N. Martin<sup>20</sup>, D. J. McComas<sup>4</sup>, R. L. McNutt Jr.<sup>7</sup>, D. Mehoke<sup>7</sup>, T. Mehoke<sup>7</sup>, E. D. Melin<sup>7</sup>, M. Mutchler<sup>27</sup>, D. Nelson<sup>10</sup>, F. Nimmo<sup>28</sup>, J. I. Nunez<sup>7</sup>, A. Ocampo<sup>17</sup>, W. M. Owen<sup>11</sup>, M. Paetzold<sup>18</sup>, B. Page<sup>10</sup>, A. H. Parker<sup>1</sup>, J. W. Parker<sup>1</sup>, F. Pelletier<sup>10</sup>, J. Peterson<sup>1</sup>, N. Pinkine<sup>7</sup>, M. Piquette<sup>2</sup>, S. B. Porter<sup>1</sup>, S. Protopapa<sup>19</sup>, J. Redfern<sup>1</sup>, H. J. Reitsema<sup>20</sup>, D. C. Reuter<sup>23</sup>, J. H. Roberts<sup>7</sup>, S. J. Robbins<sup>1</sup>, G. Rogers<sup>7</sup>, D. Rose<sup>1</sup>, K. Runyon<sup>7</sup>, K. D. Retherford<sup>4</sup>, M. G. Ryschkewitsch<sup>7</sup>, P. Schenk<sup>29</sup>, E. Schindhelm<sup>1</sup>, B. Sepan<sup>7</sup>, M. R. Showalter<sup>21</sup>, K. N. Singer<sup>1</sup>, M. Soluri<sup>30</sup>, D. Stanbridge<sup>10</sup>, A. J. Steffl<sup>1</sup>, D. F. Strobel<sup>31</sup>, T. Stryk<sup>32</sup>, M. E. Summers<sup>33</sup>, J. R. Szalay<sup>2</sup>

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# 1. CO-Authorship

1. Not all authors are employees of the institution
2. Institution relies, that „home authors“ somehow manage to receive consent from other co-authors

## **3. BUT !!!!**

4. Home author receives the consent from the „wrong person“ – since he does not understand law

2. Authorship by copyright act is not the same as dedication of an article



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# Copyright act

- Author is person, who has created the *work*
- Copyright protects literary or scientific work which is created by author *and is expressed in an objectively perceivable form*

# THE PROBLEM

All „authors“ have  
their share in a  
scientific achievement

Not all of them are  
true authors within  
the meaning of the  
Copyright act

# Issue of Ph.D. students

---

They are not employees

---

School needs to conclude license agreement. The student is obliged to enter the agreement, but ....

---

Nobody says it should be for free

---

Nobody says it should be under CC

# Typesetting and graphical layout

They are copyrighted as well

Only true „manuscripts“ or raw data can be shared without getting further consent

- Be careful with exclusive licenses!

# Two main risks in repository



Employee

Institution

# Alternative solution


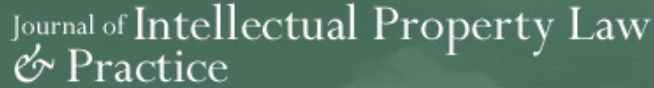
Why do we need a repository?

# What is the meaning of a repository






# What do we really need to achieve OA goals?



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
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
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
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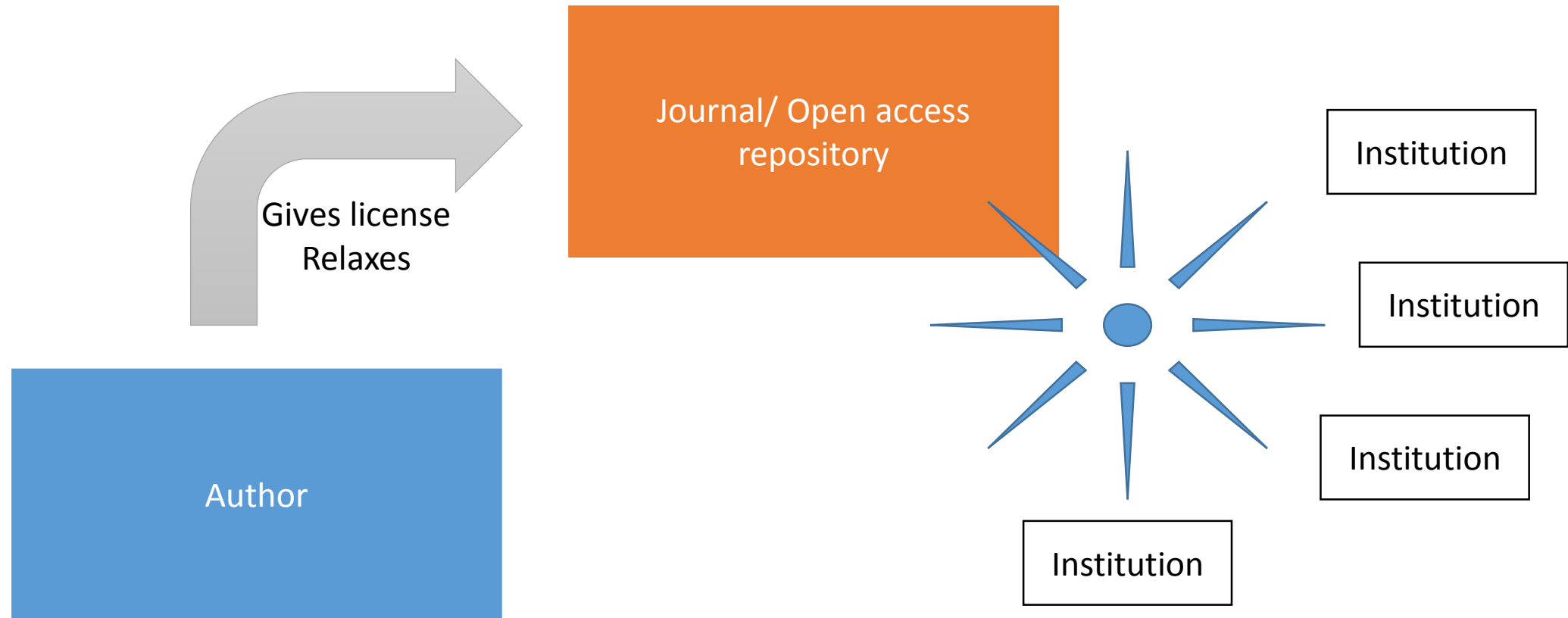
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