



AUTHORS ALLIANCE

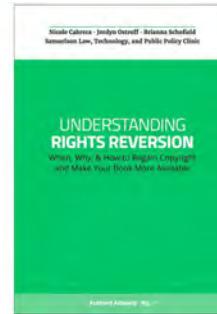
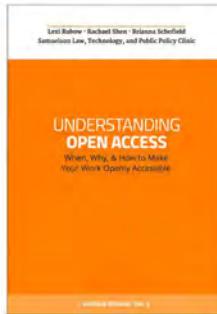
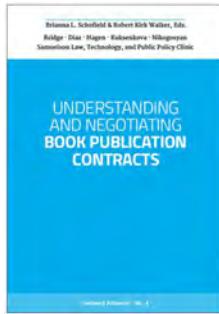
Clarifying Ownership of Rights for Open Access

Dave Hansen

authorsalliance.org

Resources for Authors

Guides: Book Publication Contracts, Open Access, Fair Use, Rights Reversion, Termination of Transfers, and More





Proposition 1: legal OA is preferable to illegal OA

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US court grants Elsevier millions in damages from Sci-Hub

Quirin Schiermeier

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Some doubt that the publishing giant will see any money from the pirate site.

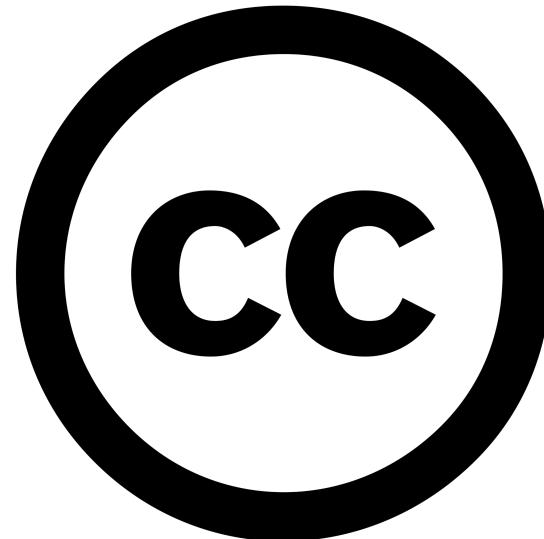
One of the world's largest science publishers, Elsevier, won a default legal judgement on 21 June against websites that provide illicit access to tens of millions of research papers and books. A New York district court awarded Elsevier US\$15 million in damages for copyright infringement by Sci-Hub, the Library of Genesis (LibGen) project and related sites.

Judge Robert Sweet had ruled in October 2015 that the sites violate US copyright. The court issued a preliminary injunction against the sites' operators, who nevertheless continued to provide unauthorized free access to paywalled content.





Proposition 2: Authors signing CC license publishing agreements isn't enough





Proposition 3: Ownership of rights is often unclear



So what do we do?

- Universities need to take a close and updated look at university IP and research data policy, agency/funder grant language
- Funders need to be sensitive to institutional realities and be flexible with their grant language to effectively support OA
- Authors need clear, simple and consistent guidance