

# TIB

GERMAN NATIONAL LIBRARY OF  
SCIENCE AND TECHNOLOGY

## The Development of TIB Full Text Supply Services against the background of German Copyright Law

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# Role of TIB I

German National Library for all areas of

- Engineering
- Architecture
- Chemistry
- Computer Science
- Mathematics
- Physics

Funded by

- Federal Republic of Germany and
- all 16 German States (Länder)

# Role of TIB II

- Long-standing operator of an independent document delivery service for Science & Technology subjects
- Successful TIB case in 1999: Statutory Licence for Document Delivery against a fee was approved by the German Federal Court of Justice
- Founding member of subito e.V.
- Uwe Rosemann, Director of TIB, was founding and long-time President of subito e.V.

# Reality of Copyright Law - example of Germany

- Revision of German Copyright Law 2008
- Radical changes to the detriment of libraries and their users / the public
- After intense debate
- Traditionally strong position of the publishers won through

# Statutory Licence for Document Delivery

- § 53a of German Copyright Act (UrhG)
- Introduced with effect of 1 January 2008
- Part of „Second Basket“ of Germany's implementation of the EU directive „Copyright in the Information Society“ (non-mandatory part)

## Scope of Statutory Licence § 53 a UrhG

- Statutory Licence for all publicly accessible libraries
- Reproductions of single articles from journals
- Reproductions of small parts of other works (e.g. books)
- Delivery by mail and fax is permitted, electronic delivery is restricted

# Paradigm shift to agreements with publishers I

- Until 2007, electronic document delivery was generally based on statutory licence
- Disputed by publishers in the subito case in 2004, settled out of court in 2008
- Since 2008, Statutory Licence is limited to a restricted set of electronic deliveries
- Domestic electronic delivery and delivery to commercials now mostly allowed by agreement with RRO or subito agreements

# Paradigm shift to agreements with publishers II

- In anticipation of new legislation and parallel to subito case:
- 2005: Start of Negotiations of subito with STM Publishers Association and German Publishers and Booksellers Association
- Model agreement to license document delivery in bilateral agreements between subito and the respective publisher



# Subito Model Agreement

- Model Agreement in summer 2006 (Deliveries to Non-GALS countries)
- Amendment to Model Agreement in spring 2008 (Deliveries to GALS countries)
- GALS=Germany, Austria, Liechtenstein, Switzerland

# Bilateral Subito Agreements with Publishers

- Bilateral agreements on 11 September 2013: 40+ publishers [source: subito website visited on 11 September 2013 at <http://www.subito-doc.de/index.php?pid=Vertraege>]
- Also: Agreement with Copyright Clearance Center representing a vast range of publishers (6000+ journals)
- Major Libraries with independent document delivery services like TIB oder ZB MED adhere to the rules of the subito agreements by association.

# Subito Agreements: Relief of DRM requirement

- Subito Agreement requires DRM (Digital Rights Management System) with possibility of publishers to opt-out
- 30+ out of 40+ publishers have already opted out of DRM
- Only in 2 cases bound to the commercial customer group:
  - Wiley
  - ACS

[source: subito website visited on 11 September 2013 at <http://www.subito-doc.de/index.php?lang=de&pid=167&mod=page>]

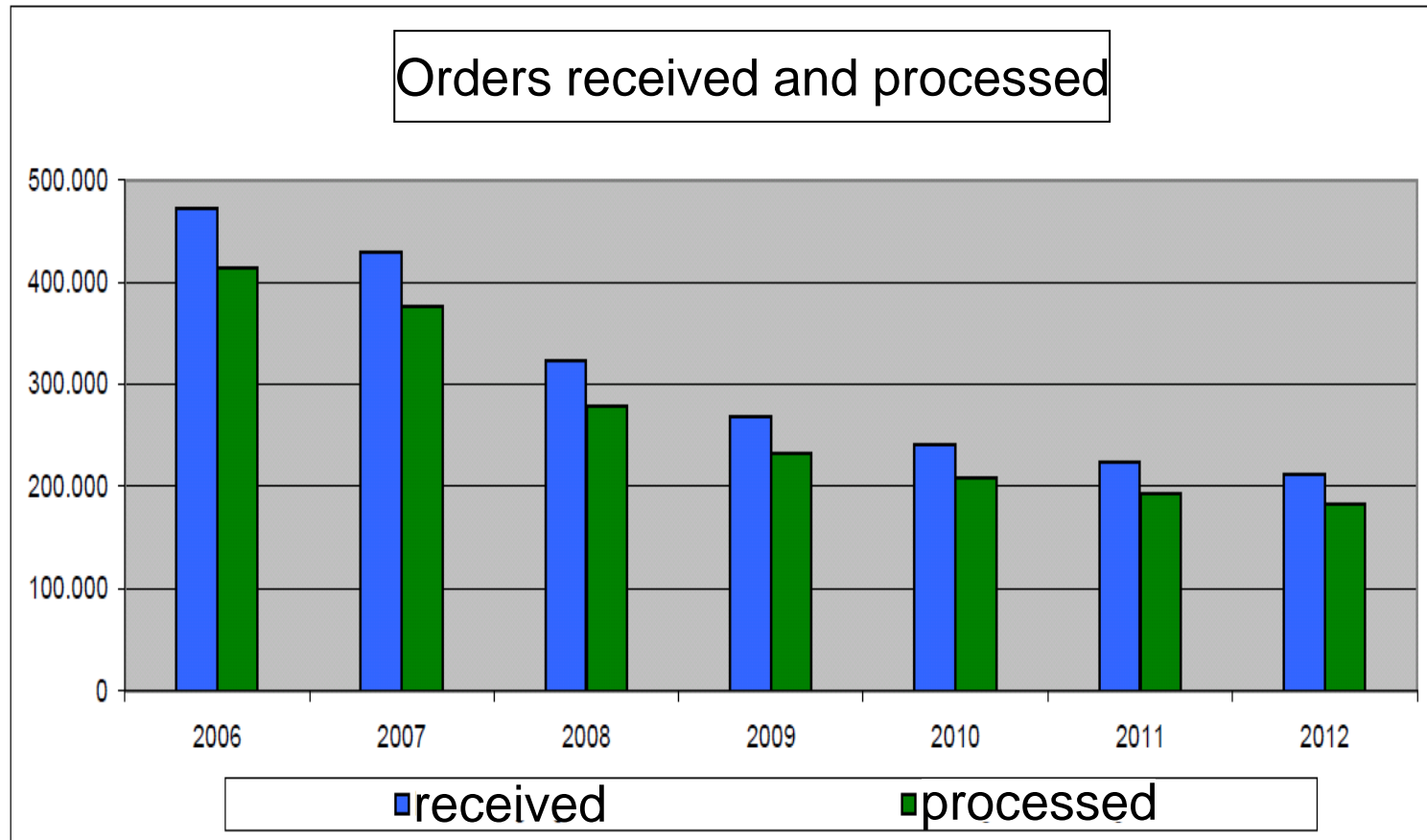
# TIB's individual agreements

- Pay-per-view-agreements with publishers which cover direct download
- Integrated in TIB's GetInfo Portal
- Advantages:
  - High quality of generic pdf files
  - E-only publications are covered
  - Rising number of publishers accepting watermarking instead of „hard“ DRM
- Disadvantage for German customers: higher price in comparison to deliveries under statutory licence

# TIB set of licences - overview

	Germany	Rest of the world
Mail and Fax delivery	•Statutory Licence (implemented by agreement with RRO)	•Subito Agreements or individual agreements
Electronic delivery to non-commercial customers	•Statutory Licence •Subito Agreement or individual agreements (if publisher offers PPV)	•Subito Agreements or individual agreements
Electronic delivery to commercial customers	Agreement with RRO, Subito Agreements or individual agreements	•Subito Agreements or individual agreements

# Development of Orders from 2006 to 2012



# Reasons for decrease of document delivery

- Legal restrictions reduce document delivery options
- Digital resources are available via manifold ways – (because there is no need of holding a document physically the number of suppliers had increased – some of them only acting as brokers)
- High amount of documents is available through licences for academic institutions (German National Licences, consortial solutions of groups of universities)
- Culture of scientific communication is changing, electronic media are allowing direct exchange and cooperation on the subject of interest
- Publishers are offering document delivery services on their own

# GetInfo - TIBs Proprietary Distribution Channel

- **GetInfo** is the portal of TIB for Science and Technology
  - over 160 million data sets, including 20 million produced or licensed by TIB
  - multidisciplinary search request
  - Integration of various knowledge objects, such as research data, audio-visual media and 3D models
  - order function
  - PPV and integrated full text delivery



## GetInfo - Search Area

- specialised **databases** of science and technology
- pay-per-view offerings licensed from publishers
- library catalogues (e.g. collection of the national libraries for medicine (ZB MED) and economics (ZBW))
- interdisciplinary and special databases such as conference proceedings, 3D-objects, AV-Media
  - optional: extension of search area by selection of external databases

# GetInfo Databases

- Home
- Order without search
- Search and Order
- Information services
- Watch list
- Prices
- MyGetInfo
- Register
  
- About GetInfo
- News
- Newsletter
- Customer Service
- Terms and Conditions
- Imprint
- Data protection

## GetInfo

FIND THE WORLD OF SCIENCE AND TECHNOLOGY

### Search and Order

Example: (gear\* OR Getriebe\*) AND Hain

Limit or expand your search space by selecting one or more databases.

### Database selection

Select the databases which you would like to search.

Databases <input type="checkbox"/>	External databases <input type="checkbox"/>
<input checked="" type="checkbox"/> TIBKat <input type="checkbox"/>	<input type="checkbox"/> DKF <input type="checkbox"/>
<input checked="" type="checkbox"/> Catalogue medicine <input type="checkbox"/>	<input checked="" type="checkbox"/> Espacenet <input type="checkbox"/>
<input checked="" type="checkbox"/> Catalogue agriculture <input type="checkbox"/>	<input checked="" type="checkbox"/> ETDEWEB <input type="checkbox"/>
<input checked="" type="checkbox"/> Catalogue economics <input type="checkbox"/>	<input checked="" type="checkbox"/> Fraunhofer Publica <input type="checkbox"/>
<input checked="" type="checkbox"/> TIBscholar <input type="checkbox"/>	<input type="checkbox"/> Infotherm <input type="checkbox"/>
<input checked="" type="checkbox"/> Conference Proceedings <input type="checkbox"/>	<input checked="" type="checkbox"/> INSPEC® <input type="checkbox"/>
<input checked="" type="checkbox"/> TIB Journal Articles <input type="checkbox"/>	<input checked="" type="checkbox"/> PROBADO 3D <input type="checkbox"/>
<input checked="" type="checkbox"/> TEMA® <input type="checkbox"/>	<input type="checkbox"/> RSWB PLUS® <input type="checkbox"/>
<input checked="" type="checkbox"/> DKF <input type="checkbox"/>	<input type="checkbox"/> STN Index Chemistry <input type="checkbox"/>
<input checked="" type="checkbox"/> DataCite <input type="checkbox"/>	<input type="checkbox"/> STN Index Computer Science <input type="checkbox"/>
<input checked="" type="checkbox"/> IUD Bahn <input type="checkbox"/>	<input type="checkbox"/> STN Index Physics <input type="checkbox"/>
<input checked="" type="checkbox"/> RÖMPP <input type="checkbox"/>	<input type="checkbox"/> STN Index Engineering <input type="checkbox"/>
<input checked="" type="checkbox"/> AV-Media <input type="checkbox"/>	<input checked="" type="checkbox"/> TEMA® (WTI) <input type="checkbox"/>
<input checked="" type="checkbox"/> PROBADO 3D <input type="checkbox"/>	<input type="checkbox"/> ViFaPhys <input type="checkbox"/>
<input checked="" type="checkbox"/> CEABA® <input type="checkbox"/>	<input type="checkbox"/> ViFaTec <input type="checkbox"/>
<input checked="" type="checkbox"/> CiteSeerX <input type="checkbox"/>	<input checked="" type="checkbox"/> Zentralblatt MATH <input type="checkbox"/>

**TIB** GERMAN NATIONAL LIBRARY OF SCIENCE AND TECHNOLOGY

German National Library for all areas of engineering as well as architecture, chemistry, information technology, mathematics and physics.

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# Interlibrary Loan / International Interlibrary Loan

- Domestic Library Loan according to "Regulations on Interlibrary Loan in the Federal Republic of Germany" 2012: more than 50.000 orderings received by customers
- International Library Loan
  - since 2013 TIB is back (after a break of some years)
- From beginning of October 2013 TIB also takes part in WorldCat Resource Sharing (soon changing to WorldShare)  
<http://www.oclc.org/en-europe/worldshare-ill.html>

# TIB - Cooperations and Partners - subito

- under German law, subito is a registered association with headquarters in Berlin / Germany
- document delivery service supplied by research libraries in Germany, Austria and Switzerland and China
- produces copies of articles from periodicals or books, sends them to the user and supports the lending of books
- worldwide document delivery with regard to the licence conditions
- using the collections of participating libraries
- 40+ partner libraries including TIB
- more than 40.000 orders delivered annually via TIB

- **FIZ Karlsruhe:** largest non-for-profit extra-university institution for information infrastructure in Germany
- international provider of scientific information and services
- provider of databases that contain around 1.5 billion documents
- development of innovative **e-science solutions and services**, including systems for the confidential management of research data

- **FIZ Karlsruhe** and **TIB** are both members of Leibniz Association, which comprises more than 80 institutions involved in research activities and/or the development of scientific infrastructure.
- AutoDoc - extensively automated, web-based full-text delivery service
  - access to the holdings of international scientific publishing houses,
  - scientific libraries,
  - and full-text providers
- GetInfo and AutoDoc complementing one another in skills and expertise

- Plan to strengthen competitive position in the future on the basis of a long-standing cooperation (e.g. development of the TIB Portal GetInfo)
- Projects of current cooperation of GetInfo and AutoDoc
  - Partnership in document delivery services (TIB → large collection; including PPV- electronic articles ; FIZ AutoDoc → access to a large number of suppliers)
  - Integration of document ordering and delivery in company intranet or portals
  - Development of a common (new) service for document delivery
  - services for storing electronic full texts, and e-Science infrastructure
  - management of licence conditions

# Changes in Workflow of Document Delivery

- since 2008 examination of each order through ADB (software tool organizing the workflow of orders depending on licence conditions)
- Differentiation according to
  - Customer group
  - Country of delivery
  - Form of delivery
- now and then individual examination, if ADB cannot process the order



# GetInfo - Digital Rights Management (DRM)

- around 25 % of publishers are insisting on hard DRM
- a watermark is often accepted by publishers as an adequate alternative
- Hard DRM leads to annoying restrictions in using a document
- Using hard DRM-protected documents requires a plug-in
- Problems often occurring are
  - firewalls prohibit the installation of the plug-in
  - a document was opened on a wrong device
  - a person other than client has opened the document (e.g. secretary) and it cannot be opened again
- Solutions:
  - TIB tries to offer a simpler system soon and
  - Negotiate with publishers for using watermarks

Thank you for your attention!

