

## **ALA Midwinter, San Antonio, TX**

ALCTS Networked Resources and Metadata Committee  
and  
LITA Technology and Access Committee  
Combined Meeting with Panel Discussion  
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# **Intellectual Property and Issues in Aggregation of Databases**

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EBSCO has been working with publishers and libraries for over fifty years. In fact, EBSCO is the world's largest intermediary between libraries and publishers. According to a study published in the November 15, 1999 issue of *Library Journal*, "in the area of for-fee web-based products, EBSCOhost and EBSCO's other web products overwhelmingly took top recognition from both groups" (referring to U.S. academic and public libraries). EBSCO is also widely recognized as the leading web-based services provider to international academic and public libraries.

EBSCO plays three types of aggregator roles:

- Consolidates financial transactions for Print Subscriptions (via EBSCO Subscription Services)
- Creates Full Text Databases (via EBSCOhost)
- Consolidates financial and access aspects of Online Journal Subscriptions (via EBSCO Online)

There is some confusion in the marketplace about the difference between a journal available in a full text database vs. that same journal available via an online subscription.

Here is a quick summary of some basic differences between online journals and journals available in full text databases:

### ***Online Journal Subscriptions***

An online journal subscription usually costs the same or more than the same journal in print format, and the publisher often offers some benefit for the library to retain its print subscription to that journal. With the purchase of an online journal subscription, most publishers allow the library to have ownership of the back files, and publishers rarely impose embargo periods on their online journals.

### ***Full Text Databases***

Journals available via full text databases are a totally different story. Always remember that the publisher has final say over uses of its content. The publishers have the control to halt or even withdraw full text coverage from full text databases. Some full text database vendors (not EBSCO) have been advocating print cancellations. These vendors have experienced a tremendous degree of turmoil in their products, and based on our discussions with publishers, this trend will continue. This means that librarians who take the advice of these other full text database vendors will likely end up with an electronic collection that's in shambles. We work with a library that one-year ago cancelled a large number of print journal subscriptions. This was done against our recommendation, in favor of access to those journals via a Michigan-based company's multi-discipline full text database. In the last year, nearly seventy of those journals have been halted or removed from the database. This scenario represents a real example of a negative situation for libraries and publishers. Full text databases offer many, many advantages, but they are not a long-term substitute for print or online journal subscriptions. The return to publishers for participation in full text databases is a small fraction of what they earn from subscriptions. As a result, other potential limitations of full text databases are exclusions and "embargoes." Some publishers do not allow images to be part of full text databases; others exclude articles by freelance authors because of rights issues. In order to protect subscription revenue, some publishers impose embargo periods on their journals when made available via full text databases. Embargoes usually range from one week to one year (depending on the journal). Even if a journal in a database does not currently have an embargo period, it does not mean that one will not be applied in the future. Therefore, EBSCO cannot and does not recommend the cancellation of print in favor of journals available in full text databases. This philosophy has actually benefited our publisher partners who see that our long-term interests are aligned. As a result, our full text database customers - libraries - are seeing a lot less content turmoil in their products (EBSCO's full text databases) than in competing collections.

### ***New Market Exposure for Publishers***

New market exposure is another benefit for publishers licensing content to EBSCO's full text databases. EBSCO is the leading subscription agency and leading full text database aggregator in junior/community colleges and small four-year colleges in North America. This is not a "core" market for many publishers. These publishers appreciate the exposure in these "new" markets. In addition, EBSCO is the overwhelmingly dominant vendor for the emerging markets of the third world. Many of these nations have large universities that are now just beginning to get a reasonable level of funding. EBSCO is positioned to help publishers gain exposure, and in the long-run significant revenue, from databases and online journal subscriptions in these non-traditional markets. This position has excited our publisher partners, and as a result, our worldwide full text database customers are about to see a large number of top-notch academic journals available in EBSCO databases.

### ***Open Society Institute***

One very notable project we are often asked about is called the EIFL Direct Project that was put together by the Open Society Institute (OSI). OSI is funded by the Soros Foundation, which is supported by billionaire philanthropist George Soros. In 1999, OSI evaluated all major full text soft sciences databases. They (OSI) combined feedback from academic consultants in the United Kingdom and the Russian Federation with their own reference committee (which includes some

of the top names in the academic library world). EBSCO's full text databases were unanimously chosen due to the availability of unmatched scholarly content. EIFL Direct provides universities and public libraries in 39 countries, including nations in Central and Eastern Europe, the Commonwealth of Independent States (former Soviet Union), Sub-Saharan Africa, and Central America. The vast majority of these libraries have not previously had access to even a small fraction of the information they are now receiving. EBSCO, its publisher partners, and OSI have the joint goal of exposing these libraries and their nations' governments to the world of information that is available, and the importance and value of this information. Ministers of Education, Ministers of Enlightenment, and Ministers of Science & Technology are all now beginning to see the true value of the journal. Our expectation is that at least some of these ministries will find a way to fund libraries appropriately to be able to afford the ongoing costs of full text databases and journals subscriptions (print and online). Many publishers have asked us how they can become involved in this project, and we have found several different creative ways to accomplish this. We continue to add new publishers on a regular basis.

### ***Article Rights and Freelance Authors***

*Tasini vs. The New York Times* is a decision that has raised a lot of questions about article rights and freelance authors <<http://www.nsu.org/tvt/tvthome.html>>. When notified by publishers or authors, EBSCO has always protected publishers and libraries by excluding some articles written by some freelance authors (those selected by the publishers) who may object to their piece being included in a database.

Excluded articles represent a very small percentage of the articles in our databases. In addition, we are now negotiating directly with some author groups to further clarify rights issues with the goal of possibly expanding our coverage.

### ***Aggregator of the Future***

We believe that the aggregator of the future will integrate both types of journals (print and electronic) with both types of databases (full text and abstract-only). If a library has paid for an online journal, its users should be able to access that journal from its abstract-only databases (such as Sociological Abstracts, PsycINFO, ERIC, etc.). The same thing is true for journals available in full text databases. That same content should also be automatically linked to abstract-only databases. EBSCO currently offers links from abstract-only citations to online journals via EBSCO Online, and will soon offer links from abstract-only citations to journals available in full text databases (such as Academic Search, Business Source, etc.).

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