



cOAlition S

Plan S and the sharing of Author Accepted Manuscripts without embargo and with a public copyright licence (Rights Retention Strategy)

Strasbourg, 15 July 2020

Dear Publisher,

The following letter sets out important changes that cOAlition S Organisations are making to their funding agreements to ensure the research they fund is made Open Access. These changes may directly affect your publishing policies.

Please read this letter carefully and complete the response form (provided at the end of the letter) by the 5 October 2020.

What are the routes to Plan S compliant Open Access?

cOAlition S is comprised of research organisations from around the world that have committed to work in a coordinated manner towards the implementation of the Plan S principles. Plan S is a set of Open Access requirements for publicly funded research articles.

In support of Plan S, cOAlition S Organisations have articulated **three routes in which the research they fund can be made Open Access ("OA")**:

- **Route 1:** authors publish in an Open Access journal or on an Open Access platform, and cOAlition S Organisations will financially support fair and reasonable publication fees.
- **Route 2:** authors publishing in a subscription journal must make either the final published version (Version of Record (VoR)) or the Author's Accepted Manuscript (AAM) openly available in **a repository without embargo, with a public copyright licence (CC BY)**.
- **Route 3:** authors whose institutions or publishers participate in transformative arrangements – including transformative (model) agreements and transformative journals – can publish Open Access in subscription journals that fall under these transformative arrangements

Note: The VoR is defined as the version of a journal article that has been made available by any organization that acts as a publisher by formally and exclusively declaring the article "published". The AAM is defined as the version of the work as accepted for publication, including all changes made during the peer review process.

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What will change for authors' rights and manuscripts when Plan S takes effect?

We are writing to inform publishers of **changes to the way in which research articles must be made available by cOAlition S Organisations' grantees when Plan S takes effect**. For some cOAlition S Organisations these changes will be effective from 1 January 2021, whilst for others they will start later as new funding terms and conditions take effect – see <https://www.coalition-s.org/plan-s-funders-implementation> for details. The changes include requirements that:

- Authors (or their organisations) must retain sufficient intellectual property rights to comply with their OA requirements.
- Authors (or their organisations) must ensure Open Access to the Author Accepted Manuscripts (AAMs) or the Version of Record (VoR) of research articles, at the time of publication. All research articles must be made available under a [Creative Commons Attribution](#) “CC BY” licence or equivalent or, by exception, if so decided by a cOAlition S Organisation, a [Creative Commons Attribution, NoDerivatives](#) “CC BY-ND” licence, or equivalent.

The grant agreement of most cOAlition S Organisations will stipulate that a Creative Commons Attribution “CC BY” licence or equivalent (or a Creative Commons Attribution, No Derivatives, “CC BY-ND” licence if agreed by the cOAlition S Organisation) will be applied to all future Author Accepted Manuscripts (“AAMs”) as of the commencement of the grant.

The focus of this letter is to set out our approach to enable the repository route (route 2). And, though *either* the AAM or the VoR can be made available through this route, the approach set out here **focuses on making the AAM version immediately available in Open Access under the above-mentioned licences**.

What does this change mean for publishers?

To support the implementation of Plan S, most cOAlition S Organisations will roll-out these requirements (bulleted list above) in their relationships with grantees from 1st January 2021. We will be recommending that funding agreements include a requirement for researchers to acknowledge the source of their funding when submitting their initial drafts to journals for consideration and to state the particular **public copyright licence that has been applied to any future AAM** produced from it, for example:

“This research was funded, in whole or in part by the [cOAlition S Organisation name] [Grant number]. For the purpose of Open Access, the author has applied a CC BY public copyright licence to any Author Accepted Manuscript version arising from this submission.”

As well as writing to give you notice of these changes, we also ask for your full support in delivering the Open Access goals of Plan S. In particular, we **seek your assistance in supporting the research community to utilise the repository route**.

Standard article publishing agreements have, to date, contained clauses which conflict with one or both of the Plan S requirements set out above. If you are not making the VoR available OA in compliance with Plan S then, from 1 January 2021, asking an author, whose funder has implemented Plan S, to grant you an exclusive licence to their AAM (or to otherwise restrict the distribution and reuse of the AAM) will be incompatible with a prior obligation or the existing public copyright licence applied to AAMs by their authors.

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To avoid researchers being presented with publishing agreements whose signature would make them to be in breach of a prior obligation or would go against an already existing licence, **we ask that you include a broad permission allowing authors to make a copy of their AAMs freely available, without an embargo, under a CC BY, or equivalent, public copyright licence** (individual cOAlition S Organisations may exceptionally accept a CC BY-ND licence). Although we are asking you to give permission for *all* research articles you accept for publication, in cases where these are made available under routes 1 or 3 – which would always be the Version of Record – the AAM would not typically be made publicly available.

If you are not willing to give these permissions for all your authors, we request that **you include the following exemption clause (or an equivalent) which is specific to researchers supported by cOAlition S Organisations, in your future publishing agreements:**

*“**[Insert publisher name]** acknowledges that, notwithstanding any other terms or conditions in this agreement:*

- Author Accepted Manuscript versions, which arise from submissions based on results from research funded fully or partially by cOAlition S Organisations, can be made freely available at the time of publication through any Open Access repository of the author’s choice;*
- the Author Accepted Manuscript can be shared under a CC BY or equivalent licence; CC BY-ND upon agreement by the cOAlition S Organisation).*

Exemption clauses of this type have been commonly used for years to make publishing agreements consistent with copyright requirements for research conducted by government employees (e.g. US government requirements and Crown Copyright in the UK). By adding a similar exemption in relation to researchers supported by cOAlition S Organisations you will provide clarity and allow authors, supported by a cOAlition S funder, to publish in your journals.

Provide your response to the Plan S Rights Retention Strategy

To help us advise our researchers on the approach you will adopt for manuscripts submitted to your subscription journals that fall under the Rights Retention Strategy (i.e. authors have the right to self-archive their Author Accepted Manuscripts, without embargo, under a CC BY licence or equivalent (or CC BY-ND upon agreement by the cOAlition S Organisation), in an Open Access repository of their choice), we would be grateful if you could complete this online [response form](#).

When responding please cite your unique publisher response code, as was indicated to you via e-mail (see below).

Publisher response code	INSERT HERE
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If you publish journals on behalf of other organisations (such as learned societies), please cascade this information to them and encourage them to complete this response form.

Please provide this information by **5th October 2020**.

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Responses to be made available through the Journal Checker Tool

The information you provide will be added to the Journal Checker Tool (JCT), a public web service, currently under development, which will be used by researchers funded by any of the cOAlition S Organisations to determine how they can comply with Plan S when seeking to publish in any of your subscription journals. This tool will collect data from a range of sources, including your response to this letter, and from the content of journal webpages. To ensure that the JCT provides accurate and up to date information about your journal(s), we kindly ask you to:

- update your publicly available self-archiving policy documents (including Licence to Publish/Copyright Transfer Agreements);
- notify us when these changes have been made, along with the relevant URL(s).

Sign up to our webinars about the Rights Retention Strategy

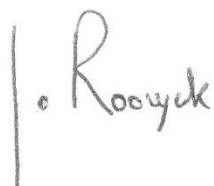
We are also organising a number of webinars to highlight our approach to rights retention through the repository route and to answer any questions you may have about this initiative. If you would like to attend one of the publisher webinars, please complete the [webinar registration form](#).

Further information about the Rights Retention Strategy developed by cOAlition S Organisations can be found at: <https://www.coalition-s.org/rights-retention-strategy>

If you have any questions, please contact Nora Papp Le Roy at: npappleroy@esf.org

We look forward to hearing from you.

Yours sincerely,



Johan Rooryck
cOAlition S Executive Director

You are receiving this letter because you represent a scholarly publisher who will be affected by the new policy of cOAlition S set out in the present letter. The personal data used to contact you was collected from public sources (publisher's website) and concerns the contact name, email address and postal address. This data is processed by the European Science Foundation in order to perform our mission in the public interest and to inform you about relevant issues pertaining to Plan S. The data will be securely stored in France for the duration of the project. Only the authorized persons of the project will receive the data, which will not be communicated to third parties. You have the right to access, rectify, erase or object to the processing of your data. If you wish to make a request, please contact us via the contact details provided in the letter.

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cOAlition S Rights Retention Strategy: publisher response form

How to complete the form

To help us advise our researchers on the approach you will adopt for manuscripts submitted to your subscription journals that fall under the Rights Retention Strategy (i.e. authors have the right to self-archive their Author Accepted Manuscripts, without embargo, under a CC BY licence or equivalent (or CC BY-ND upon agreement by the cOAlition S Organisation), in an Open Access repository of their choice), we would be grateful if you could submit the [online response form](#) by **5th October 2020**, providing the following information:

- The publisher you are responding on behalf of;
- The publisher response code (as provided in the email we sent to you);
- Your name;
- Your email address.

After reviewing the five statements, please select which **one** reflects your position for the journals you publish (by listing their relevant ISSNs.)

If your position varies for different journals, please provide details on a separate submission form (i.e. if you publish 20 journals, and four were aligned with the approach set out in Checkbox 1, four were aligned with the approach set out in Checkbox 2 and so on, you would complete 5 forms).

If you publish a large number of journals, you can submit this information via the bulk upload option available on the response form and either upload it to the response form or send it as an e-mail attachment to info@coalition-s.org.

The information provided will become a data source for the Journal Checker Tool. The data will be made publicly available under a CC0 public domain dedication.

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Publisher response form

Response on behalf of	[insert publisher name]
Publisher response code (see email we sent to you)	[insert response code]
Your name	[insert name]
Your email address	[insert email address]

The following statement applies to our **subscription journals** (i.e. those which are not fully Open Access), detailed in the ISSN box below:

- 1. Our publishing agreements already allow all authors to self-archive their Author Accepted Manuscripts, without embargo, under a CC BY licence or equivalent (or CC BY-ND upon agreement by the cOAlition S Organisation), in an Open Access repository of their choice.
- 2. We will change our publishing agreement(s) to allow **all** authors to self-archive their Author Accepted Manuscripts, without embargo, under a CC BY licence or equivalent (or CC BY-ND upon agreement by the cOAlition S Organisation), from 1 January 2021, in an Open Access repository of their choice.
- 3. We will change our publishing agreement(s) to allow authors, **supported in whole or in part by cOAlition S Organisations**, to enable them to self-archive their Author Accepted Manuscripts, without embargo, under a CC BY licence or equivalent (or CC BY-ND upon agreement by the cOAlition S Organisation), from 1 January 2021, in an Open Access repository of their choice.
- 4. We will **not** change our publishing agreement(s) to accommodate Plans S requirements, but we acknowledge that we have been given notice of the obligations that apply to cOAlition S organisations' grantees. Such authors can make the Author Accepted Manuscript freely available, at the time of publication, under a CC BY licence or equivalent (or CC BY-ND upon agreement by the cOAlition S Organisation), in line with their agreement with their funder(s), from 1st January 2021, in an Open Access repository of their choice¹.
- 5. We will **not** change our publishing agreement(s) to accommodate Plans S requirements, but we acknowledge that we have been given notice of the obligations that apply to cOAlition S organisations' grantees. Please ensure that the cOAlition S Journal Checker Tool (JCT) identifies our journal(s) as one(s) not allowing compliance with the Plan S Open Access requirements from the 1st January 2021. *Note: In cases where a journal is part of a Transformative Arrangement, and where that option is accessible to researchers funded by a cOAlition S Organisation (i.e. they are based at an institution which has entered into such an arrangement with the publisher), the JCT will show the journal to be compliant with Plan S.*

ISSNs this policy applies to:	[insert ISSN's for all your journals which are following the option selected above. If your position varies for different journals, please provide details in a separate submission. (i.e. if you publish 20 journals, and four were aligned with the approach set out Checkbox 1, four were aligned with the approach set out Checkbox 2 and so on, you would complete 5 forms.)
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¹ If we do not hear back from you by 5th October 2020, we will assume Checkbox 4 is your default position. If we subsequently hear from our funded researchers that their manuscripts are not being considered because of the prior copyright licence, we will update the information made available to the Journal Check Tool in accord with Checkbox 5.

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