

## **Licensed to fill?**

### **International document delivery**

### **Why we need an international copyright exception**

**Libraries and Archives: Information without Borders**

**IFLA side event at SCCR/30**

**30 June 2015**

## What is inter-library document delivery?

- managed system of resource sharing between libraries that enables an end user to access specific resources not available in their home institution
- international requests are made when the material is not available locally
- non-commercial basis, taking into account any copyright or licensing conditions
- institution-to-institution service (Marrakesh Treaty 'authorized entity')

Dear Colleagues

We are searching for the following journal article - we have tried British Library, NLM and OCLC possible holding libraries - all are lacking the particular volume that contains the article:

**Journal of Forensic Medicine and Toxicology** (ISSN 0971-1929 - Published in New Delhi)  
Volume 16, part 1, 1999 pages 27-30

Article author : Jain, S

Article title : Estimation of age from 13 to 21 years.

If anyone can assist, it will be greatly appreciated!

## **International document delivery supports global research**

*“Research shows that much of the best research in Europe takes place as a result of international, cross-border collaborations.*”

*Our information infrastructure must be globally oriented, and underpinned by a legal framework that supports seamless access to information and enables its exploitation for innovation.”*

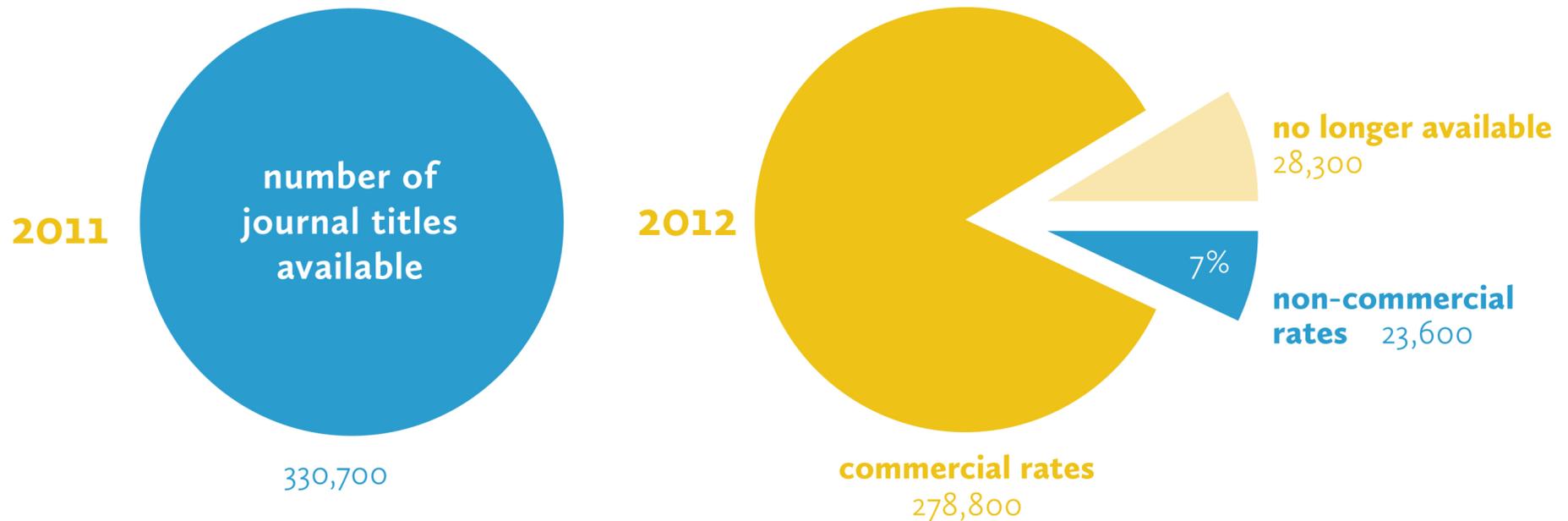
LIBER, Ligue des Bibliothèques Européene de Recherche,  
at WIPO SCCR/27

## **Regulating international document delivery: copyright or licensing?**

### **Freedom of Information request to the British Library**

- January 2012: BL ceased copyright-based international document supply service to protect Library from claims of copyright infringement
- replaced with a publisher-approved licensing scheme - International Non-Commercial Document supply service
- April 2015: EIFL submitted FOI request to evaluate impact on access to knowledge

# Number of journal titles available under the non-commercial licensed scheme fell by 93%

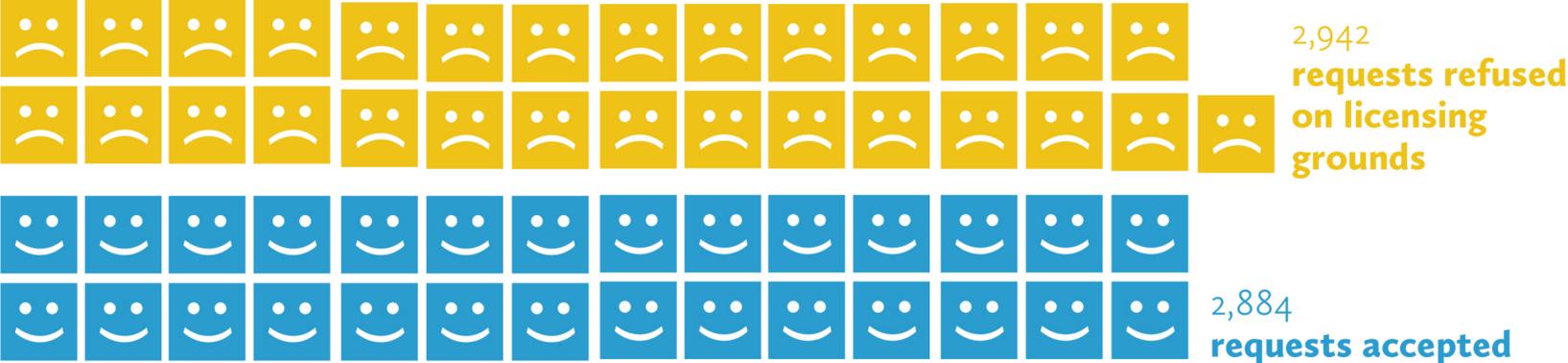


## Number of satisfied requests fell by 97%



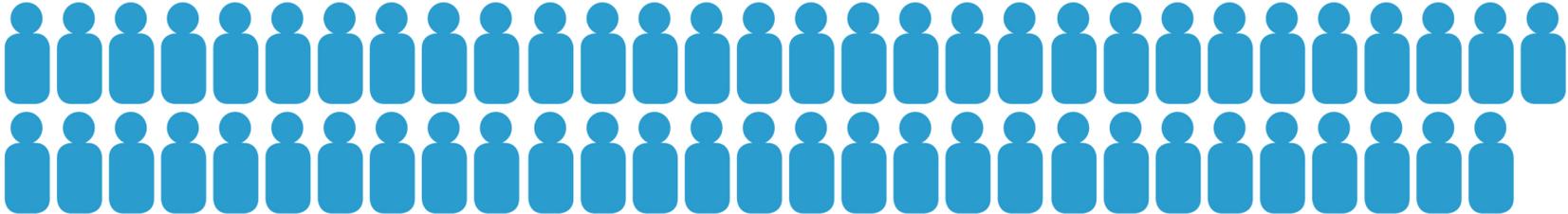
# In 2012, more requests refused on licensing grounds than were satisfied

2012

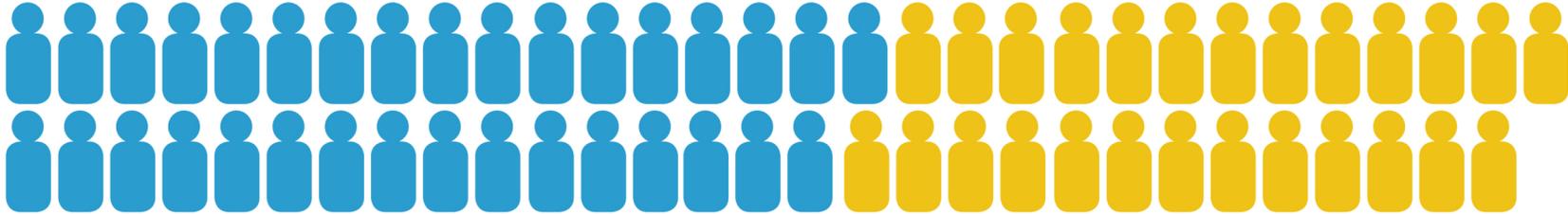


# 26 fewer countries served

**2011** 59 countries served



**2014** 33 countries served 26 fewer



- BL one of the world's largest research libraries, 'library of last resort'
- finding alternative sources - if they exist - takes time and expertise
- some institutions have specialist document supply librarians - most do not - faculty, students, researchers at a loss
- loss to global library and research community is immense

*"In 2012, a patron at Columbia University requested two pages from an early twentieth century literary journal found only at the British Library. Although the Library had the journal, it was not allowed to send the pages. The patron couldn't comprehend the refusal".*

Peter Bae, former Head of Delivery Services, Columbia University

- International pricing of journal articles is a barrier to reading
- Price of some requested articles increased from c. \$20 to \$80

*“We did try the new British Library service a couple of times when nobody else on earth had what we needed. But because of the enormous increase in prices, we dare not even look at the website anymore”.* Library of the Lithuanian University of Educational Sciences



## Interlending & Document Supply

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### OpenURL

### Purchase

Pay Per View (30 days access to this item for EUR24.00)

### Rent

Rent this article from 

Public health workers in Liberia stunned to find articles published in a number of journals indicating that Liberia should be included in the Ebola virus endemic zone.

The warning had been given as far back as 1982.

*“Part of the problem is that none of these articles were co-written by a Liberian scientist. The investigators collected their samples, returned home and published the startling results in European medical journals. Few Liberians were then trained in laboratory or epidemiological methods. Even today, downloading one of the papers would cost a physician here \$45, about half a week’s salary.”* Yes, We Were Warned About Ebola, New York Times

## **Students and researchers**

- delays or denies research
- sends out message that copyright is a barrier to research & learning

## **Libraries**

- reduces effectiveness in supporting science & scholarship
- undermines role in explaining the importance of copyright to users

## **Policy perspective**

- reduces efforts to build respect for the law in society
- when people denied access to information for education and research due to copyright or licensing restrictions, it's a policy failure

# ELSEVIER CRACKS DOWN ON PIRATED SCIENTIFIC ARTICLES

BY ERNESTO ON JUNE 9, 2015

C: 121

*Academic publishing company Elsevier has filed a complaint at a New York District Court, hoping to shut down the Library Genesis project and the Sci-Hub.org search engine. The sites, which are particularly popular in developing nations where access to academic works is relatively expensive, are accused of pirating millions of scientific articles.*

With a net income of more than \$1 billion [Elsevier](#) is one of the largest academic publishers in the world.

Through its [ScienceDirect](#) portal the company offers access to millions of scientific articles spread out over 2,200 journals.

Most large universities have licenses to allow staff and students to use ScienceDirect freely, but for outsiders most of the top academic publications are behind an expensive paywall.

In common with other content behind paywalls, there are several specialized sites that ~~allow the general public to download pirated copies of these academic works. The~~

## Library Genesis<sup>1M</sup>

Distribution of LG scientific articles via torrents  
Added upload form for fiction (log:pass look at the forum)

 Search!

Search in :

- LibGen (Sci-Tech)
- Scientific articles
- Fiction
- Comics
- Standards
- Magazines



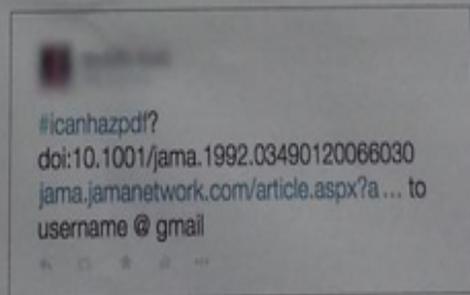
# #ICANHAZPDF

## INTRODUCTION

The #icanhazpdf hashtag facilitates peer-to-peer sharing of scholarly articles on Twitter.

To use #icanhazpdf, an individual composes a tweet containing a description of or link to their email address, and the #icanhazpdf hashtag. Other Twitter users fulfill requests by searching Twitter for the #icanhazpdf hashtag, accessing requested articles through institutional or personal subscriptions, and then emailing the article to the requestor. Once a request has been fulfilled, the requestor deletes the tweet.

This system maintains anonymity for the article provider, as he or she may be infringing copyright or be in violation of licensing agreements.



Sample #icanhazpdf tweet

## LITERATURE SEARCH

Two studies of the #icanhazpdf hashtag were identified during the literature search process. In a recent blog post, Liu reports the results of a study of tweets collected by Altmetric over a 12-month period. A more recent conference paper by Gardner and Gardner (2015) analyzes the use of the hashtag over a 4-month period in 2014. To date, no study has analyzed #icanhazpdf requests for health

*“#icanhazpdf is a symptom of a broken scholarly publishing system and of the complexity of many libraries’ interlibrary loan interfaces”.*

Bypassing Interlibrary Loan via Twitter: An Exploration of #icanhazpdf Requests

- FOI results shows that licensing is not the solution
- only 11% of countries have document supply exception
- almost no countries have addressed the issue of cross-border transfer of content  
(WIPO Study on Copyright Limitations & Exceptions for Libraries & Archives)
- We need a copyright exception to support international document supply

**Let's sort this out!**

# Thank you!

Teresa Hackett

Copyright and Libraries Programme Manager

[teresa.hackett@eifl.net](mailto:teresa.hackett@eifl.net)