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‘PAPERLESS INITIATIVES FOR GREY LITERATURE’

GreyNet

The Grey Journal

An International Journal on Grey Literature

COLOPHON

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About TGJ

The Grey Journal is a flagship journal for the grey literature community. It crosses continents, disciplines, and sectors both public and private. The Grey Journal not only deals with the topic of grey literature but is itself a document type classified as grey literature. It is akin to other grey serial publications, such as conference proceedings, reports, working papers, etc.

The Grey Journal is geared to Colleges and Schools of Library and Information Studies, as well as, information professionals, who produce, publish, process, manage, disseminate, and use grey literature e.g. researchers, editors, librarians, documentalists, archivists, journalists, intermediaries, etc.

Grey Literature is defined as "information produced and distributed on all levels of government, academics, business and industry in electronic and print formats not controlled by commercial publishing i.e. where publishing is not the primary activity of the producing body." (Luxembourg, 1997 expanded in New York, 2004)

About GreyNet

The Grey Literature Network Services was established in order to facilitate dialog, research, and communication between persons and organizations in the field of grey literature. GreyNet further seeks to identify and distribute information on and about grey literature in networked environments. Its main activities include the International Conference Series on Grey Literature, the creation and maintenance of web-based resources, a moderated Listserv, and The Grey Journal. GreyNet is also engaged in the development of distance learning courses for graduate and post-graduate students, as well as workshops and seminars for practitioners.

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EDITOR'S NOTE

This volume marks TGJ's first lustrum. The Grey Journal was launched in the spring of 2005 and has since acquired steady recognition and readership. From the very onset, The Grey Journal established relationships with Abstracting and Indexing Services, Subscription Agents, and a Licensing Agent. These agencies have been instrumental in referencing and indexing the journal's content as well as ensuring access to the full text both in print and electronic formats. Standing agreements are in place with

EBSCO Information Services

LISA Library and Information Science Abstracts

LISTA-FT Database – Library, Information Science & Technology Abstracts

MLA (Modern Language Association) International Bibliography

PAIS International Database

Scopus, Elsevier Bibliographic Databases

Swets Information Services

In this issue, a number of initiatives on grey literature in North America and Europe are openly discussed. These cover issues of copyright, legal deposit, web archiving, open access, and other community based experiences. The lead article in this issue is by Debbie Rabina, Ph.D., Assistant Professor at Pratt Institute's School of Information and Library Science. Dr. Rabina was voted GreyNet Award Recipient 2009 and she is involved in research as well as education in the field of grey literature.

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Copyright licenses and legal deposit practices of grey multimedia materials *

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Abstract

The purpose of this study is to determine whether the type of copyright license under which grey multimedia materials are published makes a difference in terms of their inclusion in library catalogs. The two types of copyright licenses examined are Creative Commons and traditional copyright, and the library catalogs examined is that of the United States Library of Congress and national catalogs of countries represented in the population of the study. The population included grey multimedia materials whose main use is as educational materials, with half the items licensed under traditional copyright license and half licensed under Creative Commons license. The main finding of the study is that Creative Commons license is a barrier to access in traditional bibliographic utilities, and that traditional copyright is a barrier to access in web 2.0 environments. In addition, the study found weak enforcement of legal deposit laws regarding multimedia materials.

Introduction

Multimedia is everywhere and awareness and recognition of it growing.¹ As noted in a recent New York Times article,² we consume multimedia everywhere, anywhere, and all the time: in a taxicab, on a plane, on the street, in front of our computer, on our mobile devices. We watch and listen, often not by our own initiative and often reluctantly. The multimedia surrounding us is mostly push technology: publishers, vendors and others involved in the creation and distribution of content have their content visible on giant billboards, on the backs of taxi seats, and in stores. When it comes to push technology multimedia, we seem unable to shut off the current, but what about pull-technology? When we want the single commercial that we feel will best demonstrate to our students the importance of information to a global society, or that campaign ad that expressed a value-based approach to information, we are at a loss as to where to find them. An added difficulty is that much of multimedia is grey by nature: it is published outside the traditional scholarly communication powerhouses and has limited, if any, bibliographic control. Repositories for multimedia are few and usually highly specialized, limiting the scope of collections. Users of multimedia content, particularly academic faculty, such as those involved with this study, are not only users of information, but increasingly they are asked to be organizers as well. The amount and types of information used in learning and teaching now includes image files, sounds files, movies of varying lengths, web pages, multi authored documents and more. We store these materials on our personal computer's hard drive, in our space on a variety of web 2.0 applications such as YouTube or Flickr, we manage them with tags and list them on multiple bibliographies such as LibraryThing, Zotero and more, but when the moment of truth arrives, few of us are able to locate all this multimedia and we all end up doing a Google search and hoping for the best.

But beyond problems resulting from lack of organization, other barriers to access to multimedia materials also exist: Copyright restrictions and confusion regarding type of copyright license, fair use and permissible use of multimedia materials also hinders use. Multimedia licensed under traditional copyright license is more likely to benefit from existing methods of storage, organization and bibliographic control, but also more likely to have restrictions on use, while multimedia licensed under copyright alternatives, such as creative commons, may have less restrictions on use but may also be less findable. Another layer of complexity is added by the fact that while some countries have legal deposit requirement for multimedia materials, others do not. This study wishes to examine how copyright licenses and legal deposit legislation interact to effect access to grey multimedia materials.

* First published in the GL10 Conference Proceedings, February 2009

Copyright licenses

Copyright is a personal property right that protects creators and allows them to benefit from the fruit of their intellectual and creative work. In the United States copyright, as part of intellectual property, is a constitutional right and protected by the U.S. Copyright Law. In the United States, copyright is automatically awarded to all creators, without preconditions such as registration or legal deposit³. The same holds true to all citizens whose countries are signatory to WIPO.⁴

Copyright is therefore inherent to all intellectual work and giving up rights in a creation is an opt-out option, an act that requires purposeful action. Copyright owners may choose to transfer their rights, with or without preconditions, to others, and allow them to use their creation in ways that are outside the scope on traditional copyright law.

The transfer of copyrights occurs most typically when creators award their exclusive rights to others who help promote their work, in exchange for profiting from it. For the most part, copyrights are transferred from authors to publishers.

The opposite of having a work under copyright is having it in the public domain. While most works reach the public domain due to legal requirements (government publications, expired term-limit of protection, failure to renew copyrights), creators may also choose deliberately to place their work in the public domain. In recent years, alternative to the traditional copyright (symbol©) have emerged, particularly as it pertains to content on the internet. Collectively, these alternative copyright licenses are known as Copyleft, although the terms itself is conceptual and has no legal or contractual implications. The most established among the copyright alternative is the Creative Commons license (symbol CC)⁵. Creative Commons is the brainchild of law professor Lawrence Lessing and was founded as a non-profit organization in 2001. It serves as an alternative to traditional copyright, allowing creators of content to set their own perimeters of use for their creative works, retaining some or no right to them. Under the Creative Commons license, holders of copyright can allow others to use their materials with some or no restrictions, specifically, any combination of attribution (allowing use of your work under the condition of crediting the original author), non-commercial (allowing use of the work for non-commercial purposes), no derivatives (allowing use of the work as long as it is left intact and no derivative works are based on it) and share alike (allowing use of the work as long as the new works based on it are shared under the same copyright license as the original).

Another alternative to copyright is GNU⁶, known predominately to users of open source software. GNU General Public License (GPL) (symbol: Ram) license is specifically for computer programs and associated most often with Linux. The main provision of GNU is "share alike". What is common to all these copyright alternatives is that while traditional copyright is often viewed as censorship and inhibitor of access,⁷ alternative copyright licenses are viewed as being to the benefit of users since they do not restrict access.

Legal deposit

Dating back to the days of King Francois I, the legal deposit was enacted first in France in 1537 and now exists in many countries. The main purpose of legal deposit law is to guarantee that countries will be able to preserve the cultural heritage of their nation. This is done by systematically collecting, storing and recording the print output of the country. While laws differ greatly in detail, the main provision of most legal deposit laws is that publishers are required to send a specified number of copies of each publication they produce to a specified library or libraries. Once received, the publications are recorded in either a catalog or national bibliography, some copies are stored for posterity, and some are made available to the public for research or recreational use. This mechanism ensures bibliographic control, access, and a collection of last resort to a country's print culture. Legal deposit has long been considered by librarians to be a vital link in the chain that allows bibliographic control as well as a safeguard against the loss of cultural heritage.

In the United States, legal deposit is required by the Library of Congress for all works under copyright protection, with a limited and specified list of items exempt from legal deposit requirements⁸. Works licensed under Creative Commons licenses are not addressed by the U.S. Copyright law. One could argue that as long as some right are retained to a work licensed under Creative Commons, legal deposit applies.

One of the advantages to publishers from legal deposit is the inclusion of deposited materials in the Library on Congress catalog and the assignment of a deposit number subfield in the items MARC record (field 017 of MARC 21 record format). Creators of content who do not deposit copies of their work with the Library of Congress are at a disadvantage in terms of making the record of work known and available to a wide audience.

Problem statement

With the proliferation of multimedia materials for both formal and informal learning environments, the question of access to these materials gains urgency. What are the sources that educators, researchers and interested individuals turn to for multimedia materials, and what are the barriers to access? Traditional copyright licenses and lawsuits filed against educational institutions for copyright violation have created a culture of fear among librarians and educators which inhibits access. Images and multimedia materials are used like never before. In the past they were mostly the domain of those with an interest in visual arts, but today they are created and used by educators in all disciplines. While clearinghouses and registries for copyright holders are well established for the print works⁹, such parallels do not exist for multimedia materials.

The use of multimedia in education is growing, as well as the discussion devoted to issues relating to its use, as articulated in *The Journal of Educational Multimedia and Hypermedia*.¹⁰ This research wishes to examine the landscape of grey educational multimedia materials in terms of copyright licenses and traditional tools of bibliographic control. Specifically, the research attempts to answer the following question:

Are grey multimedia works carrying creative commons licenses more or less likely to be included in traditional tools of bibliographic control such as national bibliographies?

Literature Review

In a series of articles published beginning in 2001, Michael Seadle addressed several of the issues pertinent to this study, although they were not examined in an integrated approach. Specifically, Seadle examined multimedia fair use¹¹, digital legal deposit¹², and grey copyright¹³.

Fair use for educational multimedia in the United States is directed by a non-legislative report by the Council of Fair Use (CONFU) on "Fair use guidelines for educational multimedia" that was adopted by the Subcommittee on Courts and Intellectual Property" in 1996.¹⁴ While not a legally binding report, it does define the scope of fair use for educational multimedia materials that carry traditional copyright licenses. Unfortunately, the CONFU guidelines are rather restricting in the use of multimedia materials and perhaps as a result, the guidelines are relatively unused,¹⁵ and are considered to fall short in several crucial ways, mainly that in virtually all cases, fair use for educational multimedia is almost non-existent and requires permission for use.¹⁶ While attempting to disentangle the murky waters in which legal deposit for digital materials, among them education multimedia, exists, Seadle¹⁷ offers an interpretation that while based on existing U.S. copyright law, also introduces issues not specifically addressed by the law and encourages major internet-publishing countries, such as the U.S., U.K. and Germany, to develop policies and procedures for handling the legal deposit of digital materials.

Copyright confusion describes situations where users are uncertain about the copyright status of a work and the extent of permissible fair use. A recent report by the Center for Social Media at American University found that critical teaching is compromised as a result of copyright confusion.¹⁸ As a result of the complexity of copyright law, along with restrictions imposed by parent institutions, educators sometimes opt not to use certain materials, or apply copyright provisions erroneously.¹⁹ The report's recommendation, that teachers educate themselves regarding clear and unambiguous use rights, is easier said than done.

Adding to the confusion regarding fair and permissible use is the multitude of copyright licenses that have developed over the past decade, particularly Creative Commons licenses, developed by Lawrence Lessig of Stanford University in Dec. 2002.²⁰ In a recent study²¹ Kim examined whether Creative Commons can offer solutions to problems of copyright in digital environments and found that Creative Commons licenses offer a greater degree of flexibility for digital environment than traditional copyright, but did not address the question of bibliographic access and control.

Justification and research questions

As the literature review demonstrates, prior research examining access to grey multimedia materials based on type of copyright license is scant and piecemeal. In the absence of a legislative framework as well as prior research addressing access to grey multimedia materials carrying different copyright licenses educators who wish to access and use multimedia for classroom materials have a difficult time both learning about the existence of multimedia materials suitable for their purposes, and in understanding the conditions for their use. This research wishes to fill a gap by learning whether Creative Commons licenses that are usually seen as promoting use, also limit bibliographic access.

Specifically, the following research questions (RQ) will be addressed:

- RQ1: What are the characteristics of multimedia are used by researchers participating in the study
- RQ2: Are works carrying traditional copyright more, less, or just as likely to be included in national bibliographies as works carrying Creative Commons licenses?

Methodology

Syllabi of courses taught by researchers and educators in graduate departments of library and information science were harvested and lists of multimedia materials used for their teaching and research were compiled. An initial list containing two hundred items was collected. Each item was examined to identify the type of copyright license it carried and only items carrying either traditional copyright or Creative Commons licenses were included. Next, the country of origin (i.e.: publication or production) of each item was noted and the four top counties that emerged were the United States, Australia, Belgium and Israel. Other counties identified had a number of items deemed too small to provide meaningful data and were excluded from the study. The final research population consisted of a list of 117 items that met the following conditions: they carried either Creative Commons or traditional copyright and they were published in one of the four countries mentioned above. The majority of items on the list were films with music and games also being represented.

Next, list checking,²² a methodology used primarily for collection development, was used to determine inclusion in bibliographic utilities. The bibliographic utilities chosen were national catalogs, OCLC WorldCat, and the increasingly ubiquitous YouTube, as well as NetFlix. YouTube and NetFlix were added to the more traditional national catalogs and WorldCat after faculty interviewed indicated they are just or more likely to search for movies on the non-traditional sources than in the traditional sources.

Findings

The research population used for this study was found to be relatively new, spanning in years from 2001 to 2008, with newer items receiving higher representation. Countries represented include the United States (75% of all items) followed by Australia, Belgium and Israel, each with just about 8% of items. Most items represented were movies, either on DVD or downloadable, ranging in length from 17:37 minutes to almost 3 hours.

When checked against traditional and non-traditional collection, WorldCat included the largest percentage of items (41.6), followed by Netflix (33%), YouTube (30%) and Library of Congress (8.3%).

Next, items were divided into groups according to the type of license they are licensed under: Creative Commons or traditional copyright. When examined this way, it was found that for traditional copyright, 57% of multimedia were available in Library of Congress or WorldCat and 20% were available complete on YouTube. As for items carrying Creative Commons licenses, 16% were available on Library of Congress or WorldCat and 50% were available complete on YouTube.

The representation in national catalogs was very low. Only 8.3% if items were found in the Library of Congress catalog, with none in the items represented in the national catalogs of their respective countries, regardless of whether or not these countries have legal deposit requirements for multimedia materials.

Discussion and conclusions

This study set out the answer two main research questions: First, we wanted to identify the general characteristics of multimedia material used by faculty in graduate programs of library and information science. Results indicate that the majority of materials used are less than a decade old, originate from the United States, and are mostly movies. Secondly, we wanted to know whether different copyright licenses are represented the same or differently in national catalogs. Results indicate that works licensed under Creative Commons are less likely to be included in national bibliographies than worked carrying traditional copyright. The results indicate that Creative Commons is a barrier to access in traditional tools while traditional copyright is a barrier to access in Web 2.0 environments

The analysis points to some other findings that are worthy of further examination. First, the study was structured around the assumption that legal deposit laws were systemically applied to multimedia in those countries where there are appropriate provisions in the law. This assumption proved wrong and results seem to indicate that multimedia materials are not deposited as required by law. Second, traditional bibliographic utilities such as national catalogs and WorldCat are not reliable tools for searching for multimedia materials, regardless of copyright license type, and national catalogs are particularly inept when trying to locate multimedia carrying Creative Commons licenses. At the same time, it seems that other more popular Web 2.0 tools such as YouTube and Netflix are gaining dominance and a larger percentage of materials from the study were included in them than in professional bibliographic utilities. While this study initially set out to examine only inclusion in national catalogs, Web 2.0 tools were examined since faculty indicated these are the sources they are most likely to turn to first when searching for multimedia materials. It seems that application and enforcement of legal deposit of non-print materials is weak, regardless of type of copyright license, implying disappearance of many of these materials.

While Creative Commons licenses may encourage use, they do not seem to provide access to metadata about multimedia materials implying that knowledge about the existence of Creative Commons materials may not survive in the long run.

Recommendations

Results from this study lead to several questions that should be examined in follow-up studies. First, what is the level of enforcement legal deposit requirements for multimedia materials? Second, does the young age of multimedia materials used in the study (2001 being the earliest) suggests that access to older materials is being lost? Finally, is there a way to achieve long-lasting bibliographic control of gray multimedia materials while limiting restrictions that results from traditional copyright.

References

- ¹ Recently, UNESCO has reserved Oct. 27 at World Day for Audiovisual Heritage
http://portal.unesco.org/ci/en/ev.php-URL_ID=25525&URL_DO=DO_TOPIC&URL_SECTION=201.html
- ² Kelly, K. (2008, Nov. 23), Becoming screen literate. – In: The New York Times Magazine, pp. 48-57
- ³ The United States dropped registration and legal deposit as a prerequisite for copyright in 1978, in preparation for entering the WIPO agreement, as WIPO does not allow conditions for copyright protection.
- ⁴ WIPO Copyright Treaty http://www.wipo.int/treaties/en/ip/wct/trtdocs_wo033.html
- ⁵ More about Creative Commons at the Creative Commons website <http://creativecommons.org/about/>
- ⁶ GNU General Public License <http://www.gnu.org/copyleft/gpl.html>
- ⁷ For further discussion of copyright as censorship and inhibitor of access, see Lessing, L. (2008 Oct. 21), Copyright and politics don't mix. – In: The New York Times <http://www.nytimes.com/2008/10/21/opinion/21lessig.html> ; and, Mazzone, J. (2006), Copyfraud. – In: Brooklyn Law School, Legal Studies Paper no. 40; New York University Law Review, 81, p. 1026. http://papers.ssrn.com/sol3/papers.cfm?abstract_id=787244
- ⁸ See part 202 of 37 CFR, Chapter II for list of exempt materials <http://www.copyright.gov/title37/202/index.html>
- ⁹ See Copyright Clearance Center <http://www.copyright.com/>
- ¹⁰ See Journal for Educational Multimedia and Hypermedia <http://www.aace.org/pubs/jemh/>.
- ¹¹ Seadle, M. (2001), Copyright in the networked world: Multimedia fair use. – In: Library Hi Tech, 19 (4), pp. 422-425. ISSN 0737-8831
- ¹² Seadle, M. (2001), Copyright in the networked world: Digital legal deposit. – In: Library Hi Tech, 19 (3), pp. 299-303. ISSN 0737-8831
- ¹³ Seadle, M. (2008), Copyright in the networked world: Gray copyright. – In: Library Hi Tech, 26 (2), 325-332. ISSN 0737-8831
- ¹⁴ United States Patent and Trademark Office. The Conference on Fair use.
<http://www.uspto.gov/web/offices/dcom/olia/confu/report.htm> . See also summary from University of Texas
<http://www.utsystem.edu/ogc/intellectualproperty/ccmcguid.htm>
- ¹⁵ Seadle, M. (2001), Copyright in the networked world: Multimedia fair use. – In: Library Hi Tech, 19 (4), pp. 422-425. ISSN 0737-8831
- ¹⁶ Sundt, C.L. (2002), The CONFU digital image and multimedia guidelines: The consequences for libraries and educators. University of Oregon <http://darkwing.uoregon.edu/~csundt/copyweb/indy.htm>
- ¹⁷ Seadle, M. (2001), Copyright in the networked world: Digital legal deposit. – In: Library Hi Tech, 19 (3), pp. 299-303. ISSN 0737-8831
- ¹⁸ Hobbs, R., P. Jaszi, P. Aufderheide (2007), The cost of copyright confusion for media literacy. Center for Social Media, School of Communication, American University.
http://www.centerforsocialmedia.org/files/pdf/Final_CSM_copyright_report.pdf
- ¹⁹ Hobbs et al.
- ²⁰ Creative Commons <http://creativecommons.org/>
- ²¹ Kim, M. (2007), The Creative Commons and copyright protection in the digital era: Uses of Creative Commons licenses. – In: Journal of Computer-Mediated Communication, 13 (1) ISSN 1083-6101.
<http://jcmc.indiana.edu/vol13/issue1/kim.html>
- ²² For studies using list checking as a primary methodology see: Lotlikar, S.D. (1997), Collection assessment at the Gasner library. – In: Collection Building 16 (1), pp. 24-29. ISSN 0160-4953, and ; Moss, E. (2008), An inductive evaluation of a public library GLBT collection. – In: Collection Building 27 (4), pp. 147-156. ISBN 0160-4953

Green Light for Grey Literature? Orphan Works, Web-Archiving and other Digitization Initiatives : Recent Developments in U.S. Copyright Law and Policy*

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Abstract

This paper reviews recent legislative and case developments in the area of copyright law affecting the collection, preservation including digitization and dissemination of grey literature. Alternative frameworks for crafting a legislative solution to impediments the copyright present to these uses are discussed. This includes review of pending legislation targeting the problem of so-called "orphan works" offering a limitation on the monetary damages or injunctive relief the copyright owner may be granted and another pending proposal aimed at relaxing the anti-circumvention prohibition of section 1201 that would allow access to compilations consisting primarily of public domain works that are protected by technical protection measures. The recent SECTION 108 STUDY GROUP REPORT also contain recommendations related to preservation (reproduction) and dissemination of both analog and borne-digital works, including a new provision for internet archiving. Finally, recent case law supporting the archiving of various online sub-literatures is reviewed, such as the disputes over caching and archiving by Google and the TurnItIn plagiarism combating service. Short of a legislative solution, the procedural elements affecting copyright enforcement are assessed to determine the legal risk in use of grey literature. These proposals and cases are analyzed and critiqued, with assessment towards solving the copyright issues related to the preservation and use of various grey literatures. Policy failures as well as successes in the United States can assist policy makers in other countries when contemplating copyright issues related to preservation and use of grey literature.

Introduction

This paper proceeds on the assumption grey literature refers to "any documentary material that is not commercially published and is typically composed of technical reports, working papers, business documents, and conference proceedings"¹ or the "quasi-printed reports, unpublished but circulated papers, unpublished proceedings of conferences, printed programs from conferences, and the other non-unique material which seems to constitute the bulk of our modern manuscript collections."² In the educational context it could also include recorded lectures and other course content, student papers, thesis' repositories, etc. The dominant theme of these conceptualizations is the unpublished nature of the literature, but is this true in every case? A later section of this paper explores the issue of publication status and asks whether in the eyes of the U.S. copyright law these works are indeed unpublished, with the impact of that publication status on use and legal risk discussed. Issues related to the institutional collection and dissemination of grey and other literatures protected by copyright is of increasing interest in the United States, the European Union³ and world-wide.⁴

There are two options pursued in the United States when of crafting legislative or regulatory "solutions" to impediments that the copyright poses to the reproduction (collection, preservation, etc.) and public distribution (circulation, dissemination online, etc.) of protected content. The first is to offer an exemption (or more precisely an affirmative defense) for what would otherwise be an infringing use. Exemptions come in two forms, general (those available to all, such as fair use under section 107) and specific (limited to the particulars of the circumstance, such as the exemption granted to libraries and archives for reproduction and distribution of certain works under section 108). The second option is to offer users some sort of safe harbor or protection from the impact of such infringement. This is typically crafted as a limitation on monetary⁵ and in some cases injunctive remedies⁶ available to copyright owners. In rare instance immunity from any liability whatsoever may be granted.⁷ This paper

* First published in the GL10 Conference Proceedings, February 2009

assess whether the existing and emerging legal climate is amenable to the use of grey literature in the ways that libraries, archives, and other institutional organizations might desire to obtain and make accessible grey literature, through archiving, digitization, etc. The paper explores the current and potential interplay of the two policy options in light of proposals for reform recent case developments and also the dynamics of copyright litigation.

Library And Archive Reproduction And Distribution Under Section 108

Other than fair use (discussed below) section 108 of the United States copyright law offers qualifying institutions specific reproduction and distribution rights that may be useful in obtaining and distributing collections of grey literature. Section 108 allows for the reproduction and public distribution (circulation for example) of copies or phonorecords⁸ of the collection of a qualifying library and archive for preservation and security of unpublished materials or of published materials in cases of damage, deterioration, loss, or theft, or if the existing format in which the work is stored has become obsolete.

Current Law

In cases of preservation and security under section 108(b), the copy or copies, phonorecord or phonorecords (up to three copies or phonorecords may be made) must be from a work in the current collections of the library or archive and if a digital copy is made, must not be made available to the public in that format outside the premises of the library or archives, i.e., remote access to the material is not allowed afterwards. A copy made under subsection (b) for deposit in another library or archive may be transferred to that library or archive in digital format but the receiving library or archive must not distribute the material in that format or likewise if this institution is the receiving library or archive, i.e., staff cannot make the reproduced material available to patrons in digital form in any manner such as an in-house intranet.⁹ This would allow a qualifying library or archive with a collection of unpublished grey report or proceeding literature of the ABC Association or the XYZ Corporation to make a copy of the collection for preservation or security purposes or even to make a complete copy of the collection for another qualifying library or archive. The library or archive could digitize these collections as well in order to increase searching capabilities of users (staff or patrons) in accessing the content. However, the digital copies may not be made available outside the premises of the library or archive, but relegated to in-house use alone.

In cases of damage, deterioration, loss, or theft, or if the existing format in which the work is stored has become obsolete under section 108(c), the copy or copies made (up to three copies may be made) are subject to the same limitation on digital distribution, i.e., remote access to the material is not allowed, and the library or archive must first make a reasonable effort to obtain an unused replacement of the published work at a fair price.¹⁰ A "reasonable effort" "will vary according to the circumstances of a particular situation. It will always requires recourse to commonly-known trade sources in the United States, and in the normal situation also to the publisher or other copyright owner (if such owner can be located at the address listed in the copyright registration), or an authorized reproducing service."¹¹

The legislative history of the digital copying provision of section 108, added by the Digital Millennium Copyright Act,¹² indicates that Congress was concerned with infringement vis-à-vis the proliferation of digital libraries: "Although online interactive digital networks have since given birth to online digital 'libraries' and 'archives' that exist only in the virtual (rather than physical) sense on Web sites, bulletin boards and home pages across the Internet, it is not the Committee's intent that section 108 as revised apply to such collections of information...The extension of the application of Section 108 to all such sites is tantamount to creating an exception to the exclusive rights of copyright holders that would permit any person who has an online Web site, bulletin boards, or a home page to freely reproduce and distribute copyrighted works. Such an exemption would swallow the general rule and severely impair the copyright owner's right and ability to commercially exploit their copyrighted works."¹³ Thus, an on-premises library or archive use of a section 108(b) or (c) digital copy is the rule. These obvious limitations of section 108 prompted the recent work of the Section 108 Study Group to consider recommendations for legislative reform.

Proposals for Change: The Section 108 Study Group Report

Various recommendations contained within the Section 108 Study Group Report (Report) would increase the ability of a library or archive (the Report recommends that museums also be added to the list of qualifying institutions) to collect, archive and make other use of grey literature.¹⁴ First, the Report recommends that section 108 be amended to allow third parties through outsourcing arrangements to reproduce the work for later use by a qualifying archive, library or museum. It is often the case the large digitization projects require institutions to engage the services of low-cost often off-shore third parties. Amended section 108 would allow such services if undertaken without subsequent retention or commercial use by the outsourcer and the outsourcer agreed contractually to be subject to effective process, i.e., agree to be sued in United States court.¹⁵

Several recommendations implicate the preservation, digitization and dissemination aspects of collections containing or consisting grey literature and other works. In specific, the Report recommends amendment of section 108 to allow off-site lending of physical-digital content, e.g., a CD-ROM, if that was the original format of the item for preservation or security purposes under subsection (b) and for replacement copying under subsection (c), with a new category "fragile" of work added to subsection (c) "replacement" rights.¹⁶ "[T]he Study Group defines a 'fragile copy' as one that is embodied in a physical medium that is at risk of becoming unusable because it is delicate or easily destroyed or broken and cannot be handled without risk."¹⁷ Depending upon the format, items of grey literature may fall into this category. The Study Group could not reach consensus on access to virtual-digital, e.g., web-based works, thus the Report made no recommendation regarding this critical level of access in the Report.

Subject to numerous qualifying conditions a section 108 entity would be able to preserve "at-risk published or other publicly disseminated works in its collections."¹⁸ The most dramatic recommendation relates to the ability of qualifying entities, subject to an opt-out mechanism by owners regarding publicly available online content, to make that content "accessible to users for purposes of private study, scholarship, or research."¹⁹ However "publicly available online content" is content not protected by password or "requiring an affirmative act by the user to access" and would likely exclude content found on websites that are subject to terms and conditions of use, End User License Agreements (EULA)²⁰ or other control mechanisms that we require click of an "I agree" prompt or other affirmative click of agreement but not websites subject to mere browse wrap agreements.²¹ Qualifying content could be copied or archived by the institution for individual noncommercial use by patrons. Thus sources of grey literature as well as other content located on third party websites could be subject to the archiving provisions of an amended section 108.

Solving The Problem Of Orphan Works

It may be that archiving and digitization, i.e., reproduction and public distribution of a work of grey literature in its entirety may be impeded by concerns of copyright infringement. Depending on the circumstances as such use may be beyond fair use.

The Problem

It may be that the institutional collectors of grey literature like other users of copyrighted content would be willing to contact the owner and secure permission to use the work, even if compensation of the owner is involved. However, the owner cannot be identified or located. Given the nature of the provenance of grey literature such content may be particularly susceptible to the problem of orphan works. An "orphan work" is "a term used to describe the situation where the owner of a copyrighted work cannot be identified and located by someone who wishes to make use of the work in a manner that requires permission of the copyright owner."²² Users that desire to make the use but refuse to do so under any circumstances of legal risk, i.e., that the owner could one day surface and sue for copyright infringement will forego that use. As copyright law is a law of strict liability, these good faith attempts do not impact liability though general efforts of good faith may impact damages.²³ "Such an outcome is not in the public interest, particularly where the copyright owner is not locatable because he no longer exists or otherwise does not care to restrain the use of his work."²⁴

The Solution

Earlier this fall Senate bill S. 2913, the Shawn Bentley Orphan Works Act of 2008²⁵ passed in the Senate is awaiting action in the final days 110th Congress, having been

engrossed in the House on September 27. The bill would create new section 514 of the copyright law (title 17 of the United States Code). Proposed section 514 is an example of the second form of policy approach to a copyright problem, i.e., addresses the problem not by creating an exemption but in limiting the so-called bottom line, i.e., damages, the user-defendant faces should litigation by the owner-plaintiff be successful. If the user meets the safe harbor requirements of the provision then the only monetary relief the plaintiff can claim is for reasonable compensation for the infringing use made of the work. Damages (actual or statutory including damage enhancement for willful violations) as well as costs and attorney fees are not available. In some circumstances no monetary relief whatsoever is available. In the instance of derivative uses injunctive relief is also limited. The question is whether or not limiting monetary liability to reasonable compensation is still too much for some would-be users to afford whereby such user would still forego use of the orphan work. Thus the impact of this solution would not be in the "public interest" to use the language of the Report.

Reasonable compensation is defined under proposed section 514(A)(3) as "the amount on which a willing buyer and willing seller in the positions of the infringer and the owner of the infringed copyright would have agreed with respect to the infringing use of the work immediately before the infringement began." The impact is obvious, users must obtain some evidence or documentation of what that amount might have been, and second keep that evidence or documentation should the orphan owner ever appear one day and the user need to prove qualification under the safe harbor. It is also a requirement of qualification that should the owner appear the user must bargain in good faith, offering to pay reasonable compensation. So again having documentation of what this amount might be is useful especially in cases where the owner appears years after the initial infringement. Considering the duration of copyright in the United States there may be a lengthy period during which this information may be relevant. Assuming the work is still protected by copyright this would be three years after infringing use of the work ceases, as the statute of limitations for commencing a civil action is three years.²⁶ So for a work for which the copyright does not expire until say 2045, where the infringing use commences in 2010, lasts until 2035 when the work is deaccessioned from the library or archive collection, the user would need to keep records of what reasonable compensation would have been in 2010 for 28 years: 25 years of use plus the three years to cover the tolling of the statute of limitations. For situation where the use is continuous, i.e., the work remains a permanent part of the collection such making the work accessible to the public on a website for example, that would be for as long as the copyright lasts plus three years!

Under proposed section 514(c)(1)(B), a nonprofit educational institution, museum, library, archives, or a public broadcasting entity (or employees of such entity acting within the scope of their employment) can reduce the monetary amount to zero if three conditions are met. First, the infringement was performed without any purpose of direct or indirect commercial advantage (this is different than a situation where the use *results* in a direct or indirect commercial advantage, only the "purpose" must be so). Second, the infringement was *primarily* educational, religious, or charitable in nature (this is not the same "solely" nor does this standard look to entity, the categorizations being those employed more often to describe the nature of the entity rather than as here its conduct, i.e., here the "infringement"). Third, after receiving a notice of claim of infringement and having an opportunity to conduct an expeditious good faith investigation of the claim, i.e., some legal assessment of the merits of the claim of infringement must be undertaken) the infringer promptly ceased the infringement.

The "notice of claim of infringement" does not require that a law suit be filed rather it is more akin to the notice under section 512(c)(3) that triggers an expeditious take-down or restriction of access to content.²⁷ As required under proposed section 514(a)(1) the notice would be made in writing and include the name of the owner and title of the infringed copyright as well as sufficient information regarding the owner or their representative and the location of the infringing content.

Finally in the case of derivative works²⁸ or to be more precise under proposed section 514(c)(2)(B), where the infringer has "prepared or commenced preparation of a new work of authorship that recasts, transforms, adapts, or integrates the infringed work with a significant amount of original expression," the court may not enjoin the

defendant's continued use. The concept of integration offers a somewhat broader scope of uses than contemplated by the statutory definition of derivative work. Moreover, the inability to enjoin continued preparation or use in essence creates a statutory license to use the work as long as the "infringer pays reasonable compensation in a reasonably timely manner after the amount of such compensation has been agreed upon with the owner of the infringed copyright or determined by the court." If the owner refuses to agree during good faith attempts at negotiation, the court may order the owner to accept the reasonable compensation and allow the use to continue. The user must also provide attribution "in a manner that is reasonable under the circumstances to the legal owner of the infringed copyright." However attribution is only required "if requested by such owner." It is odd to condition a court ordered attribution upon request by the owner as an initial condition of section 514 qualification is to provide attribution, as discussed below.

Qualifying for the Proposed Section 514 Safe Harbor: The Search

There are several requirements before the section 514 limitations on remedy can apply. First, the user (the proposed language repeatedly uses the word "infringer") must by a preponderance of the evidence demonstrate that before the use ("infringement") began he or she "performed and documented a qualifying search, in good faith, to locate and identify the owner of the infringed copyright" and that the search was unsuccessful. This suggests two elements to a search: substantive as to the content of the search or its protocol ("a qualifying search") and procedural as to how the search is executed ("in good faith"). A user might have access to a list of the proper steps or best practices developed by library and archive professionals but exert little effort to complete or execute those steps practices.

The requirements of a "diligent effort that is reasonable under the circumstances to locate the owner" is detailed in proposed section 514(b)(2).

The diligent effort requires "at a minimum" a search of the Internet accessible Copyright Office records (assuming there is sufficient information regarding to the work to construct a search), a search of other authorship and ownership information, the "use of appropriate technology tools, printed publications, and where reasonable, internal or external expert assistance" and "appropriate databases, including databases that are available to the public through the Internet." These sources might include content made available from third party sources, for example, a web-accessible database of renewal records of published works filed between 1950 and 1992, available at <http://collections.stanford.edu/copyrightsrenewals/bin/page?forward=home> (renewal records). Of course not all of the content will come at little or no cost. In fact a later provision anticipates a diligent effort to include recourse to pay-per-use services ("use of resources for which a charge or subscription is imposed"). A later provision requires review "as appropriate" of Copyright Office records not available to the public through the Internet. This suggests either a trip to Washington, D.C. is in order or at least to the regional federal depository library (as not all partial depositories would have Copyright Office records in the collection). Finally, proposed section 514 anticipates that the Copyright Office ("Recommended Practices" including at least one such statement for each category of work of authorship listed in section 102²⁹) as well as "authors, copyright owners and users" make available best practices to assist users in performing a qualifying search.

If through this search process the owner is located, even though never contacted or once contacted fails to respond to the inquiry the work ceases to be orphan.³⁰ The proposed provision reads in part: "The fact that, in any given situation . . . an owner of the infringed copyright fails to respond to any inquiry or other communication about the work shall not be deemed sufficient to meet the conditions under paragraph (1)(A)(i)(I)", i.e., "performed and documented a qualifying search." Second, attribution "based on information obtained in performing the qualifying search" must be provided about the owner "in a manner that is reasonable under the circumstances." Attribution will make it easier for owners to identify their works and the unlawful use being made of them. This in turn fulfills the purpose of section 514 (or at least the remission mechanism proposed by the U.S. Copyright Office) which makes it more likely that copyright owners will find users and vice-versa and come to agreement over the use of the work.³¹ Use of the work must also indicate that it is made subject to the proposed section with "the form and manner of which shall be prescribed by the Register of Copyrights." This is likely done to dissuade others from incorrect assumption that because the qualifying user is making use of the work, such as posting of the work on the library or archive website, use of the work by all takers is welcome and free. Rather the provision promotes awareness of uses that are

compliant with proposed section 514. In terms of process, the application of the section 514 safe harbor must be asserted in the initial pleading by the defendant. It is assumed this is done to encourage the parties to come to some reasonable agreement or perhaps to assist the court in pretrial motion determinations.

Additional Requirements: When (If) the Owner Later Appears

In addition to these requirements occurring prior to use of the work, other requirements exist should the owner of the orphan work later surface and give “notice of a claim of infringement.” The user, after “having an opportunity to conduct an expeditious good faith investigation of the claim” must first undertake a good faith negotiation with the owner over the amount of “reasonable compensation” then “render payment of reasonable compensation in a reasonably timely manner after reaching an agreement with the owner” (or if ordered by the court to do so). Once it is determined (either by negotiation or by the court) what amount constitutes reasonable compensation that amount must be paid in a “reasonably timely manner.” It is not certain what the requirement of claim investigation is meant to accomplish. It could be to assess the merits of the claim, but this would be odd as the user has likely long since concluded that the use of the work is infringing otherwise there would be no need to have undertaken measures that would qualify for the proposed section 514 safe harbor. This “good faith investigation of the claim” may address procedural aspects of the circumstances, i.e., verifying identification of the owner, the work infringed and the infringing work. Another issue is whether the good faith negotiation obligation must be successful, as the statute appears to anticipate no other option. Notice also, the obligation to negotiate is on the user not the owner. So if the owner wants nothing to with arriving at an arrangement that would compensate for past use and instead desires to sue the user for infringement the owner is free to do so. Of course if the user is able at least to document a good faith attempt to negotiate (as well as the other search and attribution requirements) then the monetary relief available to the owner will be foreclosed for a qualifying nonprofit or limited to reasonable compensation in other circumstances or for derivative uses.

Should S. 2913 or some subsequent variation become law, this discussion provides a basis upon which the user can understand its operation and fulfill the requisite legal obligations or to assess whether the cost of those obligations are not worth the benefit of the safe harbor. In essence, the bill encourages search and documentation of the search for the copyright owner. Oddly, if the search is successful the work is no longer “orphan” and the provision will not apply. Yet in this instance permission may not be forthcoming and so use cannot be made of the work without the threat of legal repercussion anyways. When a work remains orphan and the copyright owner is not located, the bill offers benefit but at potential high practical (time, record-keeping, etc.) and actual cost (outside exerts and resources) that may be no better in terms of the cost of the associated with a use of the work without application of the safe harbor, the cost of the legal risk of use under present law.

Users of orphan works should also be aware of the potential looming cost of litigation to vindicate a proper attribution and search. Those who move forward with use will be the test cases, carrying the initial cost of this “sorting out,” hopefully to the benefit of subsequent users. It is critical that courts do not interpret the reasonably diligent search, attribution or other requirements too harshly otherwise the litigation-avoidance incentive will not operate properly. Once a precedent has been set to establish some reasonable norms for predicting when the provision would apply, users will have some structure as to what constitutes search and attribution, and owners might be more reluctant to litigate.

A brief comment of technical protection measures

U.S. law prohibits circumvention of technological protection measures (TPMs) that control access³² as well as the distribution (trafficking) of technologies that control access³³ or distribution (trafficking) of protection technologies that control specific uses of a work, so called “black-box” devices.³⁴ Such devices are those that are primarily designed to circumvent, have limited commercially significant purpose, or are marketed as an anti-circumvention device. It is unknown the extent to which grey literature is disseminated subject to such TPMs. However, the increasing use of TPMs by content owners of “white” literature and in particular formats such as sound recordings such as CDs and audiovisual works such as DVDs suggests that this may be a future problem for grey literature as well. In order for content to be subject to the prohibition on circumvention the content must be within subject matter and protection

of the copyright law, the prohibition does not apply to content not protected by copyright such as that in the public domain.³⁵ Second, the control must be put in place by the copyright owner or with the permission of the copyright owner. If the control is instigated by a third party web site owner or database vendor for example without permission of the copyright owner, the prohibition will not apply.

For qualifying institutions seeking to acquire grey literature that may be subject to such prohibitions there is a statutory exception, at least for lawful circumvention during the acquisitions phase. Section 1201(d) provides a specific exception for qualifying nonprofit libraries, archives, or educational institutions to circumvent an access control in order to make a bona fide determination of whether to purchase an item for its collection or curriculum: "access to a commercially exploited copyrighted work solely in order to make a good faith determination of whether to acquire a copy of that work for the sole purpose of engaging in conduct permitted under this title shall not be in violation of subsection (a)(1)(A)."³⁶ Notice that this exception operates with respect to the section 1201(a)(1)(A) anti-circumvention of access control provision, it does not allow qualifying nonprofit libraries, archives, or educational institution to traffic in either an access or use control.³⁷ Such entities are still prohibited from engaging in conduct that remains a section 1201(a)(2) or section 1201(b) trafficking violation, i.e., sharing the means of the circumvention with another qualifying entity.

In addition there is three year cycle of rule-making, with a de novo review made of requests for regulatory exemption to the circumvention prohibition. The statutory standard for granting the regulatory exemption is whether or not "noninfringing uses by persons who are users of a copyrighted work are, or are likely to be, adversely affected." In 2006 the standard was modified somewhat as "the Register has concluded that in certain circumstances, it will also be permissible to refine the description of a class of works by reference to the type of user who may take advantage of the exemption or by reference to the type of use of the work that may be made pursuant to the exemption... must be properly tailored not only to address the harm demonstrated, but also to limit the adverse consequences that may result from the creation of an exempted class."³⁸ There are six exemptions granted under current law, two of possible relevance to preservation and access: "Computer programs protected by dongles that prevent access due to malfunction or damage and which are obsolete and library preservation of "computer programs and video games distributed in formats that have become obsolete."³⁹ Likely neither is of much relevance to collections of grey literature but nonetheless indicates that should grey literature be increasingly subject to such controls, short of legislative remedy through amendment of section 1201,⁴⁰ there is an accessible if somewhat cumbersome and limited regulatory process to achieve similar even if not permanent ends.

Web Archiving and Fair Use

Several recent cases in the past two years have suggested that initiatives to engage in systematic archiving of content can be a fair use. In *Perfect 10 v. Amazon.com, Inc.*,⁴¹ the Ninth Circuit concluded that Google's creation of its thumbnail index of images was fair use, commenting that "the significantly transformative nature of Google's search engine, particularly in light of its public benefit, outweighs Google's superseding and commercial uses of the thumbnails in this case." However, as the index allows users of the Google search engine to be led to infringing sources of the content, Google could be found contributorily liable: "Applying our test, Google could be held contributorily liable if it had knowledge that infringing Perfect 10 images were available using its search engine, could take simple measures to prevent further damage to Perfect 10's copyrighted works, and failed to take such steps."⁴² A conclusion of fair use was also found in another case involving Google, this time its practice of automatically archiving web sites unless the owner opted out. In *Field v. Google, Inc.*,⁴³ a district court again identified the social good that such preservation projects can achieve: "The fact that the owners of billions of Web pages choose to permit these links to remain is further evidence that they do *not* view Google's cache as a *substitute* for their own pages. Because Google serves *different and socially important purposes* in offering access to copyrighted works through 'Cached' links and does *not* merely *supersede* the objectives of the original creations, the Court concludes that Google's alleged copying and distribution of Field's Web pages containing copyrighted works was *transformative*."⁴⁴ Finally, the impact of the recent settlement by publishers and authors against Google also suggests that such archiving projects will continue to present legal challenge but through decision or settlement will be allowed to

continue.⁴⁵ These developments lend support for similar efforts by institutions providing similar social good by preservation of the cultural record. It may be that the same argument could be made in the case of preservation of grey literature when that collection is unique and does not exist elsewhere and the institutions serves as the sole source of the content. A final archive decision not involving Google also stands for the proposition that such initiatives offer a beneficial societal purpose and can likewise be a fair use. In *A.V. v. iParadigms, Ltd.*,⁴⁶ the court observed that as in the Google index, cache and archive cases the “use of Plaintiffs’ written works [is] highly transformative. Plaintiffs originally created and produced their works for the purpose of education and creative expression. iParadigms, through Turnitin, uses the papers for an entirely different purpose, namely, to prevent plagiarism and protect the students’ written works from plagiarism... makes no use of any work’s particular expressive or creative content beyond the limited use of comparison with other works... provides a substantial public benefit through the network of educational institutions using Turnitin. Thus, in this case, the first factor favors a finding of fair use.”⁴⁷ As a result the use of the student-plaintiff’s papers in the TurnItIn databases was a fair use. In each of the case the use was deemed transformative and even though the entire work was taken in the instance of images in the Google cases or student papers in the *iParadigms* case the complete taking was necessary to accomplish the good purpose. This is in contrast to the recent case involving the Harry Potter Lexicon. The nature of encyclopedias and reference guides being in general transforming, though under the particular circumstances the publisher of *The Lexicon: An Unauthorized Guide to Harry Potter Fiction and Related Material* took more than once necessary to accomplish its good purpose.⁴⁸

Final thoughts on the use of Grey Literature and the particulars of Copyright Enforcement

Other elements of the copyright law may make use of grey literature nonfringing or reduce the likelihood of litigation or the fallout from that litigation should it occur. First, it may be that the content is not protected by copyright. For example, works produced by the federal government are in the public domain.⁴⁹ Other works may have fallen into the public domain due to lapse of protection. The rules can be rather complex. In general works published before 1923 are in the public domain, those works published 1923-1963 with notice and renewal are protected for 95 years from date of publication and those published 1964-1977 with notice (renewal automatic) are also protected for 95 years from the date of publication. Under the 1976 Copyright Act, works created after 1977 are protected for the duration of the author’s life plus 70 years, or if corporate, anonymous, pseudonymous: lesser of 95 years from publication or 120 from creation. If the work is unpublished and created before the first of January 1978 (the effective date of the 1976 Copyright Act) then duration of copyright is 2002 or the author’s life plus 70 years, whichever is longer. If created before 1978 and published before 2003, then the work is protected for the greater of author’s life plus 70 years or until 2047. If the unpublished work was created after 1977, the duration is for the life of the author plus 70 years, or 120 years from creation for corporate, anonymous, pseudonymous authors. When the death date of an author is unknown: a default of 120 years from creation applies. As a result, the period of liability for infringing use of protected content may be lengthy. However, certain particulars of copyright litigation and enforcement may work against litigation and reduce the ultimate legal risk the user of grey literature may face.

Legal risk is a combination of several factors: the potential for liability, the likelihood of litigation (or threat of litigation) as well as the possibility of settlement and the impact of that litigation (or settlement), i.e., what remedies are available to the copyright owner. What is the potential for liability (“can I be sued?”), how likely is litigation (“will I be sued?”) and how likely is it that the infringement will be discovered, and what remedies are available (“what’s the bottom line?”). Furthermore, the scope of available damages (and award of costs and attorneys fees) is related to whether the work is published or unpublished, the publication status of the work. Much of the grey literature may be in fact unpublished. Furthermore, there may be an opportunity for damage remission, discussed below, as well.

While the work need not be registered to be protected, it is a prerequisite to litigation.⁵⁰ How many grey literature works are registered? Assuming the work is registered, and this may be a significant assumption in the case of grey literature, the timing of the registration in relation to the infringement and the status (unpublished or published) of the work determines the scope of damages available to the copyright

owner. This may impact the decision to sue or not. It is unlikely an owner would undertake the cost of litigation if the monetary award were limited to actual damages alone or if costs or attorneys fees could not be recovered in addition. Registration must occur before infringement of an unpublished work and within three months of publication for published works in order to obtain statutory damages and attorney's fees.⁵¹

Even if there is potential for a significant award of damages, where the infringement is undertaken by an employee of nonprofit educational institution or library (or the institution itself is liable), and the employee was acting within scope of employment, believed and had reason to believe, that the use was a fair use under section 107, and infringed by reproducing the work, the court must remit the statutory damages awarded to zero.⁵² The possibility of no statutory damages may dissuade a owner from ever suing.

So are works of grey literature published or unpublished? Publication is defined in Section 101 as the "distribution of copies or phonorecords of a work to the public by sale other transfer of ownership, or by rental, lease, or lending." The distribution of copies on a busy street is publication, as is the unrestricted gift of copies constitutes. So too is leaving copies in a public place for anyone to take a publication. However, distributing text at a seminar for use only by the recipients is ordinarily not publication.⁵³ One district court concluded that posting content on the internet is a publication.⁵⁴ "The statutory definition of publication set forth above specifies two rules worth emphasizing: First, publication includes only acts of publication (1) by the copyright owner or (2) authorized by the owner. Unauthorized acts of publication by others do not result in publication. The copyright owner has the sole authority to authorize publication. Second, the phrase 'copies or phonorecords' refers only to plural items. What happens when a single work is distributed? For example, if a single piece of sculpture or book is distributed, rented, or lent, does publication occur? Not necessarily. There must be multiple copies available for distribution, transfer, rent, lease, or lending. Thus, publication occurs only if the single item is one of many copies available for distribution."⁵⁵ Thus Internet sources of grey literature are likely published, as are ephemeral reports of organizations that are released to the public, some conference proceedings, etc. Internal organizational documents from a corporation for example that reside in an institutional archive such as a university remain unpublished even if circulated (though this would constitute a public distribution under the copyright law. Once digitized and made accessible on the web, the publication status changes. Yet in either case such documents are likely to be unregistered! If the corporation retained copyright in those documents it could not proceed with litigation until it registered those works. In the proper circumstances the legal risk of using grey literature may be small, the works may be unprotected by copyright or if protected may offer unattractive circumstances for litigation.

Conclusion

The expanded collection and dissemination of grey literature (as well as other works protected by copyright) through archiving and digitization is bolstered by recent case law establishing the circumstances under which such initiatives can be a fair use under U.S. copyright law. In addition legislative reform is under way (section 108 and proposed section 514) to increase range of use rights available to institutions regarding protected content including grey literature. Moreover, the particulars of copyright enforcement may also work to minimize the legal risk in remaining circumstances.

References

- ¹ Brian Matthews, *Gray Literature: Resources for Locating Unpublished Research*, C&CRL NEWS, March 2004.
- ² PETER HIRTLE, *BROADSIDES VS. GREY LITERATURE* (1991), as quoted in MOYA K. MASON, *GREY LITERATURE: ITS HISTORY, DEFINITION, ACQUISITION, AND CATALOGUING*, available at: <http://www.moyak.com/researcher/resume/papers/var7mkmkw.html>.
- ³ See, GREEN PAPER, *COPYRIGHT IN THE KNOWLEDGE ECONOMY*, COM(2008) 466/3, available at http://ec.europa.eu/internal_market/copyright/docs/copyright-info/greenpaper_en.pdf, FINAL REPORT ON DIGITAL PRESERVATION, ORPHAN WORKS AND OUT-OF PRINT WORKS, SELECTED IMPLEMENTATION ISSUES (June 4, 2008), available at http://ec.europa.eu/information_society/activities/digital_libraries/doc/hleg/reports/copyright/copyright_subgroup_final_report_26508-clean171.pdf. See also, Annex: Model agreement for a licence [sic] on digitisation [sic] of out of work prints, available at http://ec.europa.eu/information_society/newsroom/cf/itemdetail.cfm?item_id=3366 (April 18, 2007).
- ⁴ See, e.g. STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS, *STUDY ON COPYRIGHT LIMITATIONS AND EXCEPTIONS FOR LIBRARIES AND ARCHIVES* (Seventeenth Session, Geneva, November 3 to 7, 2008) (Prepared by Kenneth Crews), available at http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=109192.
- ⁵ See, e.g. 17 U.S.C. § 504(c)(2).
- ⁶ See, e.g., 17 U.S.C. § 512(j).
- ⁷ See, e.g., 17 U.S.C. § 108(f).
- ⁸ 17 U.S.C. § 101 defines a phonorecord as “‘material objects in which sounds, other than those accompanying a motion picture or other audiovisual work, are fixed by any method now known or later developed, and from which the sounds can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. The term “phonorecords” includes the material object in which the sounds are first fixed.”
- ⁹ 17 U.S.C. § 108(b).
- ¹⁰ 17 U.S.C. § 108(c).
- ¹¹ H. Rpt. No. 94-1476, 94th Cong. 2d Sess. 75-76 (1976), reprinted in 5 United States Code Congressional and Administrative News 5659, 5689 (1976).
- ¹² Pub. L. No. 105-304, Title IV, sec. 404, 112 Stat. 2860, 2889-2890 (1998) (codified at 17 U.S.C. § 108).
- ¹³ S. Rpt. No. 105-190, 105th Cong. 2d Sess. 63 (1998).
- ¹⁴ U.S. COPYRIGHT OFFICE, THE SECTION 108 STUDY GROUP REPORT 31 (2008).
- ¹⁵ U.S. COPYRIGHT OFFICE, THE SECTION 108 STUDY GROUP REPORT 39 (2008) (“not for any other direct or indirect commercial benefit...contractually prohibited from retaining copies...preserves a meaningful ability...to obtain redress from the contractor for infringement by the contractor”). “The contractor should be contractually required to submit to U.S. jurisdiction and have assets in the United States, or be bonded and insured in this country.” Id at 41.
- ¹⁶ U.S. COPYRIGHT OFFICE, THE SECTION 108 STUDY GROUP REPORT 52 and 61 (2008).
- ¹⁷ U.S. COPYRIGHT OFFICE, THE SECTION 108 STUDY GROUP REPORT 54 (2008).
- ¹⁸ U.S. COPYRIGHT OFFICE, THE SECTION 108 STUDY GROUP REPORT 69 (2008) Qualifying conditions relate security of process (“best practices”), storage capacity, system integrity, identification, retrieval, security of access, and the ability to migrate, audit, afford (in terms of cost), support (in terms of mission) and transfer (in cases of cessation of operations) the preserved content. Allowance should also be made smaller entities to engage in such efforts as well. Id. at 69-70.
- ¹⁹ U.S. COPYRIGHT OFFICE, THE SECTION 108 STUDY GROUP REPORT 80 (2008).
- ²⁰ *Ticketmaster L.L.C. v. RMG Technologies, Inc.*, 507 F.Supp.2d 1096, 1108 (C.D. Cal. 2007) “Thus, by the Terms of Use, Plaintiff grants a nonexclusive license to consumers to copy pages from the website in compliance with those Terms. Inasmuch as Defendant used the website, Defendant assented to the terms.” See also, *Druyan v. Jagger*, 508 F.Supp.2d 228, 237 (S.D.N.Y. 2007) (citing *Ticketmaster Corp. v. Tickets.com, Inc.*, 2003 WL 21406289 (C.D. Cal. 2003); and *Register.com v. Verio*, 126 F. Supp. 2d 238 (S.D.N.Y. 2000)): “First, courts have consistently held that the use of a website for such purposes as purchasing a ticket manifests the user’s assent to the Terms of Use, and that such terms constitute a binding contract as long as the terms are sufficiently conspicuous.”
- ²¹ *Specht v. Netscape, Inc.*, 306 F.3d 17, 32 (2d Cir. 2002) (footnote omitted): “Internet users may have, as defendants put it, ‘as much time as they need[]’ to scroll through multiple screens on a webpage, but there is no reason to assume that viewers will scroll down to subsequent screens simply because screens are there. When products are ‘free’ and users are invited to download them in the absence of reasonably conspicuous notice that they are about to bind themselves to contract terms, the transactional circumstances cannot be fully analogized to those in the paper world of arm’s-length bargaining.” See also, Blaze D. Waleski, *Enforceability of Online Contracts: Clickwrap vs. Browse Wrap*, *e-Commerce Law & Strategy*, November, 2002, Vol 19, no. 7 (no pagination in Westlaw).
- ²² U.S. COPYRIGHT OFFICE, REPORT ON ORPHAN WORKS 15 (2006).
- ²³ See, e.g., *Lowry’s Reports, Inc. v. Legg Mason, Inc.*, 271 F. Supp. 2d 737, 746 (D. Md. 2003) (“The fact that Legg Mason’s employees infringed Lowry’s copyrights in contravention of policy or order bears not on Legg Mason’s liability, but rather on the amount of statutory and punitive damages and the award of attorneys’ fees.” (emphasis added).)
- ²⁴ U.S. COPYRIGHT OFFICE, REPORT ON ORPHAN WORKS 15 (2006) (emphasis added)
- ²⁵ S. 2913, 110th Congress, 2d Session (April 24, 2008) (Shawn Bentley Orphan Works Act of 2008).
- ²⁶ 17 U.S.C. § 507.
- ²⁷ 17 U.S.C. § 512(c)(1)(A) (“upon notification of claimed infringement as described in paragraph (3), responds expeditiously to remove, or disable access to, the material that is claimed to be infringing or to be the subject of infringing activity”).
- ²⁸ 17 U.S.C. § 101 defines a derivative work as “a work based upon one or more preexisting works, such as a translation, musical arrangement, dramatization, fictionalization, motion picture version, sound recording, art reproduction, abridgment, condensation, or any other form in which a work may be recast, transformed, or adapted.”

²⁹ 17 U.S.C. § 102 provides that “[w]orks of authorship include the following categories: (1) literary works; (2) musical works, including any accompanying words; (3) dramatic works, including any accompanying music; (4) pantomimes and choreographic works; (5) pictorial, graphic, and sculptural works; (6) motion pictures and other audiovisual works; (7) sound recordings; and (8) architectural works.”

³⁰ See also, U.S. COPYRIGHT OFFICE, REPORT ON ORPHAN WORKS 97 (2006) (“[O]nce an owner is located, the orphan works provision becomes inapplicable.”).

³¹ U.S. COPYRIGHT OFFICE, REPORT ON ORPHAN WORKS 97 (2006) (“The primary goal of this study is to prompt owners and users to find each other and commence negotiation—it is *not* intended to allow use of works in disregard of the owner’s wishes after that owner has been found.”)

³² 17 U.S.C. § 1201(a)(1).

³³ 17 U.S.C. § 1201(a)(2).

³⁴ 17 U.S.C. § 1201(b).

³⁵ See, *Online Policy Group v. Deibold, Inc.*, 337 F. Supp. 2d 1195 (N.D. Calif. 2004); and *Lexmark International, Inc. v. Static Control Components, Inc.*, 387 F. 3d 522 (6th Cir. 2004).

³⁶ 17 U.S.C. § 1201(d)(1).

³⁷ See, 17 U.S.C. § 1201(d)(4) (“This subsection may not be used as a defense to a claim under subsection (a)(2) or (b), nor may this subsection permit a nonprofit library, archives, or educational institution to manufacture, import, offer to the public, provide, or otherwise traffic in any technology, product, service, component, or part thereof, which circumvents a technological measure.”).

³⁸ 71 Fed. Reg. 68472, 68473 (November 27, 2006).

³⁹ 37 C.F.R. §201.40 (2006).

⁴⁰ See, e.g. H.R. 1201, the Freedom and Innovation Revitalizing U.S. Entrepreneurship Act of 2007 (FAIR USE Act of 2007), 110th CONGRESS, 1st Session (February 27, 2007). The FAIR USE Act would amend section 1201 to allow for circumvention of an access control protecting compilations consisting primarily of public domain works, a work of “substantial public interest” for purposes of “criticism, comment, news reporting, scholarship, or research” and would allow circumvention in order to exercise rights under section 108(c) privileges, but excluding works in “obsolete” formats.

⁴¹ *Perfect 10 v. Amazon.com, Inc.*, 487 F.3d 701, *13 (9th Cir. 2007).

⁴² *Perfect 10 v. Amazon.com, Inc.*, 487 F.3d 701, *19 (9th Cir. 2007).

⁴³ *Field v. Google, Inc.*, 412 F.Supp.2d 1106 (D. Nev. 2006).

⁴⁴ *Field v. Google, Inc.*, 412 F.Supp.2d 1106, 1119 (D. Nev. 2006) (all emphasis added).

⁴⁵ *The McGraw-Hill Cos. Inc. v. Google Inc.*, No. 05 CV 8881 (S.D.N.Y. filed Oct. 19, 2005); and *Authors Guild v. Google Inc.*, No. 05 CV 8136 (S.D.N.Y. filed Sept. 20, 2005). See, MOTION to Approve /Notice of Motion for Preliminary Settlement Approval (October 28, 2008); and STIPULATION AND ORDER FOR AMENDMENT OF PLEADINGS (October 30, 2008) available at <http://news.justia.com/cases/featured/new-york/nysdce/1:2005cv08136/273913/>.

⁴⁶ *A.V. v. iParadigms, Ltd.*, 2008 WL 728389 (E.D. Va. 2008).

⁴⁷ *A.V. v. iParadigms, Ltd.*, 2008 WL 728389. *6 (E.D. Va. 2008).

⁴⁸ *Warner Brothers Entertainment, Inc. v. RDR Books*, 575 F.Supp.2d 513 (S.D.N.Y. 2008). Regarding the books in the Harry Potter series: “Other times, however, the Lexicon disturbs the balance and takes more than is reasonably necessary to create a reference guide. In these instances, the Lexicon appears to retell parts of the storyline rather than report fictional facts and where to find them.” *Id.* 548. Regarding the companion books to the series the use is less transformative: “The Lexicon’s use of copyrighted expression from Rowling’s two companion books presents an easier determination. The Lexicon takes wholesale from these short books. Depending on the purpose, using a substantial portion of a work, or even the whole thing, may be permissible... In this case, however, the Lexicon’s purpose is only slightly transformative of the companion books’ original purpose. As a result, the amount and substantiality of the portion copied from the companion books weighs more heavily against a finding of fair use.” *Id.* at 548-549.

⁴⁹ U.S.C. § 105 (“Copyright protection under this title is not available for any work of the United States Government.”).

⁵⁰ 17 U.S.C. § 411: “[N]o action for infringement ... shall be instituted until registration of the copyright claim has been made...”

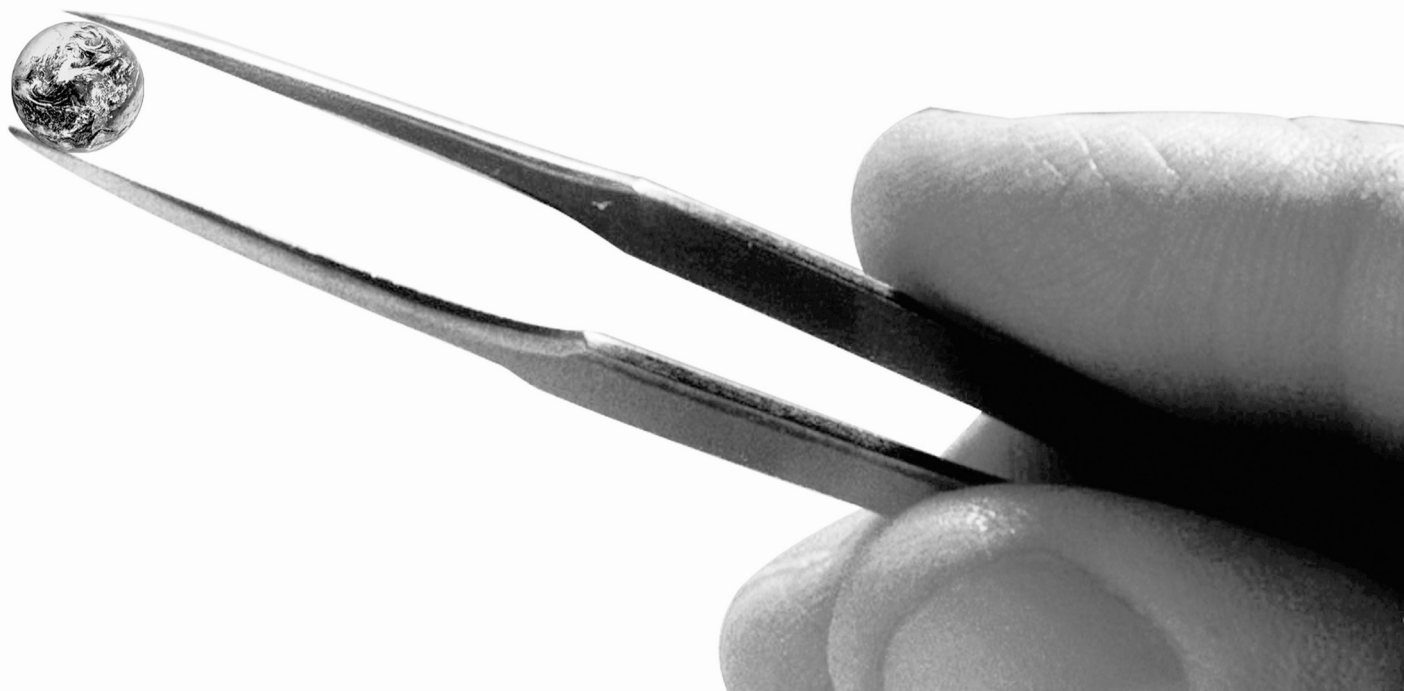
⁵¹ 17 U.S.C. § 412 (“[N]o award of statutory damages or of attorney’s fees ...shall be made ... [for infringement of] an unpublished work commenced before the effective date of its registration; or ... commenced after first publication of the work and before the effective date of its registration, unless such registration is made within three months after the first publication of the work.”).

⁵² 17 U.S.C. § 504(c)(2).

⁵³ Compendium II, Copyright Office Practices § 905.02 (1984). See also, *Estate of Martin Luther King, Jr. v. CBS, Inc.*, 194 F.3d 1121 (11th 1999) (“I Have a Dream” speech of Dr. Martin Luther King heard by thousands and broadcast to thousands more was not a publication.)

⁵⁴ *Getaped.com v. Cangemi*, 188 F.Supp.2d 398 (S.D.N.Y. 2002). Events: website revised in June, infringement in July, registration in August, litigation follows. “Consequently, when a website goes live, the creator loses the ability to control either duplication or further distribution of his or her work. A webpage in this respect is indistinguishable from photographs, music files or software posted on the web—all can be freely copied. Thus, when a webpage goes live on the Internet, it is distributed and ‘published’ in the same way the music files in *Napster* or the photographs in the various *Playboy* decisions were distributed and ‘published.’” *Id.* at 402.

⁵⁵ JOHN W. HAZARD, JR., COPYRIGHT LAW IN BUSINESS AND PRACTICE § 1:5 (2008).



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Grey Literature Produced and Made Available by Universities – Helping Future Scholars or Plagiarists?*

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Abstract

Universities and other institutions of higher education are far the greatest producers of grey literature (GL). Most of their education process is based on various written essays or other sorts of similar tasks. Even more important, the whole process is usually finished by some sort of written theses/dissertation (graduation work, diploma) that shows a graduate is capable of research work and has a proper knowledge of the field. The traditional paradigm was to make this material available through academic libraries. The Internet has helped to simplify this process and relieve academic librarians from trivial and routine tasks. It has also made it easier for all potential users, often students themselves, to access these materials, adding to other materials they can use that are part of GL materials. This sounds like a great leap forward if current research did not indicate that academic plagiarism is now a very serious problem worldwide.

The research presented in this paper presents how librarians are getting involved both in making materials available and at the same time in fighting plagiarism and how their expertise in dealing with different information sources, including those called "grey literature," can be used to help teaching staff in their struggle to maintain the quality of academic education. This is also one of the factors turning traditional library tasks and services toward the more professional expertise expected by information technology experts. The survey of academic libraries in Slovenia presents the availability of theses and dissertations and other services offered by academic libraries and librarians and their future plans.

Introduction

Universities and other institutions of higher education are important producers of grey literature (GL). Higher education programs are usually concluded by some sort of written paper, a thesis or dissertation, which shows that a graduate is capable of research work and has a proper knowledge of the field. A student does this task following the successful completion of all study program requirements, and the written paper is subject to approval. Although called by various names in different countries and languages and at different universities (thesis, dissertation, graduate or diploma work, final papers, etc.), the form of the paper is more or less standard. The work is written and has a title, abstract, table of contents, main part, and bibliography. The main part or body consists of

- introduction,
- review of the literature,
- methodology,
- results/findings,
- analysis and interpretation of findings, and
- summary, conclusions, applications, and recommendations for further study

These papers are not the only grey literature originating at universities—research contributes its share—but form by far the greatest part of it. Their vast numbers place universities among the greatest sources of grey literature.

The special value of theses lies in the fact that they are reviewed, checked, and evaluated. Theses are submitted to a committee consisting of a mentor/supervisor and two or more committee members who usually act as the reviewers. Normally the committee members are professors and experts in their field and have the task of reading theses, making suggestions for changes and improvements, and giving the final approval. Only after the final approval do theses become official, and the fact that a student's work goes through a review process by the university is the guarantee of its quality.

A thesis is a written text representing the independent research and authorship of a single individual. Its purpose in higher education remains the same today as it has

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been for centuries, across countries and disciplines. It would be beyond the scope of this paper but still worth mentioning that this remains the principle despite various critiques of both the romantic notion of authorship and the epistemological assumptions that form traditional notions of independent scientific and scholarly research: research today involves teamwork, multi-authorship is the rule in most scientific disciplines, but the thesis remains the last bastion of single authorship. What happens afterwards? A student successfully completing a degree on the basis of a thesis receives his diploma, approval that he is ready to join the social division of work or the labour market in a certain role. The proof of this readiness, the thesis, remains at the academic institution. Traditionally, theses were regarded as library material because they were available through academic libraries. Libraries made them part of their collections, catalogued them, shelved them, and made them available to users. They were typical GL material as it was not easy to find and access it. Libraries had also an archival role since often only one copy of a thesis existed.

Electronic Thesis and Dissertation (ETD)

The Internet has helped to solve many library and librarians' problems and relieve (academic) librarians from trivial and routine tasks. This applies to theses and dissertations as well. The solution offered is Electronic Thesis and Dissertation (ETD). The term ETD refers to a thesis or dissertation that is archived and circulated electronically rather than archived and circulated in print. Most ETDs take the form of text uploaded in a word processing format or in Adobe's portable document format (PDF) and look very much like traditional printed theses. They reside on the Internet where they are accessible to potential users. Extensive overview of ETD can be read in a Sourcebook for educators, students, and librarians, titled *Electronic theses and dissertations* (Fox, 2004)

A major boost to ETD was the Networked Digital Library of Theses and Dissertations initiative. The Networked Digital Library of Theses and Dissertations (NDLTD) is a collaborative effort of universities around the world to promote the creation, archiving, distribution, and access of ETDs. Since its inception in 1996, over one hundred universities have joined the initiative, underscoring the importance institutions place on training their graduates in the emerging forms of digital publishing and information access (Suleman 2001). The NDLTD is an international organization dedicated to promoting the adoption, creation, use, dissemination, and preservation of electronic analogues to traditional paper-based theses and dissertations. Its website contains information about the initiative, how to set up ETD programs, how to create and locate ETDs, and current research in digital libraries related to the NDLTD and ETDs.

An overview (Edminster 2002) of these international efforts to develop a worldwide digital library of theses and dissertations focused on

- a. the need to provide developing countries with equal access to current international scholarship;
- b. the collaborative development of training materials to facilitate wider global participation in the NDLTD;
- c. the work of multi-university/library and corporate collaborations to establish centralized metadata for ETDs; and
- d. the development of multi-language search interfaces.

However, the objectives of the NDLTD were originally seen more broadly, including

- to improve graduate education by allowing students to produce electronic documents, use digital libraries, and understand issues in publishing;
- to increase the availability of student research for scholars and to preserve it electronically;
- to lower the cost of submitting and handling theses and dissertations;
- to empower students to convey a richer message through the use of multimedia and hypermedia technologies;
- to empower universities to unlock their information resources; and
- to advance digital library technology (Suleman 2001)

To gain an overview of activities relating to ETDs internationally, the web sites of every member of the NDLTD were examined. A study of approximately two hundred sites revealed that only a small percentage of the NDLTD institutions dealt with a large quantity of ETDs in 2002 (Copeland, 2003). The findings from the survey indicated that many universities could make better use of the guidance notes relating to all aspects of ETD production, management, and use, so it should be seen as an initiative impacting on various national ETD systems.

Why national systems? Usually theses and dissertations are seen as an important information resource because as a rule they are the result of research. Part of their content finds its way into other publications (journal articles, congress papers, and books), but not all of it. This is an important element in national use, although we tend to forget that theses and dissertations serve to disseminate research information within local communities, especially within smaller countries and language environments. A survey by Stock (2007) of theses written in English showed important differences between European repositories. In the Scandinavian countries as well as in Belgium and The Netherlands, between 50% and 90% of (doctoral) theses are in English. In German universities the percentage of English theses has grown to reach 25%. This indicates the willingness in some countries to give the widest access possible to one's work through the choice of language and through the internet.

This is perhaps positive globalization, but it also has a negative effect. While English has become the international language of research, this does not mean that all other languages have become non-scientific. If theses and dissertations are not available in national languages, this will become an issue and a problem.

There are various national initiatives and surveys presenting the current state of theses and dissertation collections, their usage, problems with access, and the academic and research community's attitude toward ETD. But do national ETD systems work? They seem to suffer from the same problems that plague the international NDLTD system, at least judging by national reports.

In India an integrated system at the national level to locate and access theses has not been fully implemented. While just a few Indian universities have actually started ETD projects at the moment, the majority have the intention of starting such projects soon (Vijayakumar 2007). In recent years, South Korean university libraries have tried to improve user services and access to ETDs in several ways. However, authors blame the absence of an adequate policy and infrastructure to handle them at the national level for the fact that little practical progress has been made at individual academic libraries (Park 2007).

As reported for France, an integrated national ETD system still does not exist, the results of the government initiative seem disappointing, and the development and implementation of national software and services is progressing more slowly than planned. At the same time, a growing number of alternative, more or less successful local initiatives, academic networks, and open archives provide access to more than four thousand ETDs. The reasons for this paradoxical situation are various. So far, neither the government nor any other institution has had enough coercive or persuasive force to impose a unique model for ETDs. Perhaps this "unique model" is simply unrealistic and not adapted to the heterogeneous needs, behaviours, and traditions of France's scientific and academic communities (Paillasard 2004).

It is clear that in recent years an increasing number of universities are building their own ETD systems or are at least considering doing so. Why are they important for every university? More and more ETD initiatives are connected with the electronic submission of theses and dissertations and other issues that help solve specific university problems, improve quality, and save time and money.

Generally speaking, five objectives for university or other higher education institution ETD systems can be named:

1. to make research reported in theses and dissertations more widely and easily available;
2. to initiate and encourage digital development;
3. to ease submission process;
4. to save space in libraries; and
5. to benefit the higher education process.

The first objective is very general and needs little explanation. An institutional repository includes a variety of materials produced by the university, not only thesis and dissertations but also research reports, congress papers, and especially teaching materials. Some university institutional repositories are also being used as resources for electronic publications and e-journals. This makes university institutional repositories different from other types of digital repositories.

Although they fail to substantiate their claims with data, many authors argue that electronic writing tools are transforming graduate education, enhancing mentoring and the shape of thesis content. A recent analysis of bibliographies from student research papers revealed what sources students used to support their research. While web sites were a definite fixture in student bibliographies, on average they were not the predominant source of information that one might expect given the current perception of student research. In the study, 55% of the bibliographies did not cite any web sites at all. This is an important finding to note, as it runs counter to the concerns of faculty (Carlson 2006). It might vary across the disciplines, but it is generally valid for the majority. One of the reasons for this might be that when students face submitting their work in the traditional printed format, they tend to work or think traditionally about the information sources they use. Another reason might be the instability of Internet resources. A study of undergraduate students' citations of web sites had astonishing results: only 18% of the URLs cited in 1996 and only 55% of the URLs cited in 1999 led to the correct documents in 2000 (Davis 2001).

Generally speaking, the paper-based thesis submission process consists of three steps: production, submission, and preservation. Availability and use are primarily shaped by the paper version. Many universities are experimenting with electronic submission, which completely surpasses traditional paper forms. Bevan (2005) describes the issues involved in the introduction of mandatory submission of electronic theses at Cranfield University in the UK. McGill University in Montreal, Canada, has undertaken a pilot project to test aspects of workflow, style sheets, metadata, and search functions (Park 2007a). In the pilot project, a new model for tracking the electronic file through the production, conversion, dissemination, and preservation processes was developed. The students first submit their theses in whichever of four authoring tools they prefer. After the completion of the examination process and thesis revision, the students submit two paper copies of the thesis to the Thesis Office and upload the electronic version. The supervisor reads and approves either the paper form or the electronically submitted final copy. The Thesis Office performs a content check on both versions, a paper copy of the thesis is sent to the library, and the library is notified that the content check has been completed.

The advantage of single-institution ETD systems is clear and obvious. A study of ETD system implementation at individual higher education institutions discovered that library administrators who implemented ETD repositories at different universities adapted their models to the needs of their institutions and their graduate students. ETD system administrators made decisions about implementation models and software and hardware infrastructure in terms of human and technical resource allocation (Yioris 2007). These decisions are difficult to achieve at the international or even the national level, and this gives the advantage to local systems.

The next step is seen as the electronic submission of ETDs automatically building the repositories. The permanent and secure preservation of documents is often an issue; the tension between libraries' two-fold responsibility of preserving and providing access to information takes on particular significance with ETDs. As the examples have shown, many universities balk at the idea of allowing students to submit work exclusively in electronic form, and they continue to require what is perceived to be a more "permanent" print copy for archival purposes. As complementary to print, some universities will accept an archival version on CD-ROM, but there are concerns as to the long-term durability of this technology (Edminster 2002).

The preservation and availability of ETDs at all levels is not the only concern universities and other higher institutions have regarding them. There is also a concern regarding plagiarism and other forms of cheating. Plagiarism is the nightmare of higher education, often a theme not to be discussed in public. It is even hard to uncover the extent of it. Over a three-year period, McCabe (2006) surveyed more than 80,000 students and 12,000 faculty in the United States and Canada and confirmed that plagiarism is a significant issue. For example, if the four behaviours in which students engage least frequently—turning in work copied from another, copying large sections of text from written sources, turning in work done by another, and downloading or otherwise obtaining a paper from a term paper mill or website—are combined, it is clear that 16% of all undergraduate respondents and 8% of responding graduate students reported one or more of these behaviours in the past year. In contrast, a surprisingly large number of faculty (79%) report they have observed one or more instances of these behaviours in the last three years, driven in part by a

perception that a large number of students (59%) have copied material almost word for word from a written source without citation. Due to their "grey literature" nature, ETDs are often seen as the main source of students' "cut and paste" work.

Survey

Higher education in Slovenia is regulated by the Higher Education Act (1993, but amended almost every two years). Higher education institutions in Slovenia comprise four universities with 53 faculties and art academies and twelve separate higher education institutions established as private institutions as of March 2008 (13 more are in preparation).¹ Higher education institutions are autonomous in managing their internal organization and operations (according to their statutes and the legal requirements). The implementation of a three-cycle higher education system according to the Bologna Declaration has been slow and reluctant, but it is progressing. There are three university libraries and almost every university faculty has its own library and often individual departments have their own libraries as well. The most important feature introduced by the new legislation was the new role of the university with the change from being an association of independent faculties into an integrated university, but this new legislation did not touch the library systems and organization.

All higher education institutions were surveyed. The creation of separate private higher education institutions has been very rapid in recent years. However, we discovered that most of the new higher education institutions have no libraries or similar services. Although the legislation demands that every higher education institution have organized library services, many new institutions wished to cut costs and proclaimed public libraries as their library services provider, which raised (among other issues) doubts about the quality of their programs.

Sixty-three higher education institutions, faculties, and departments were chosen for a further survey. All libraries use the National Union Catalogue and Co-operative Online Bibliographic System and Services (COBISS) system to input their theses and dissertations. The development and operation of the COBISS system has been the core of the library information system in Slovenia for the last three decades. Almost all libraries and information services within public institutions are part of the COBISS system, and their materials part of the database. Slovenia and its library system is also very much shaped by its national online bibliographical system for collecting and making all the information about library collections available to all interested users.

Special tags distinguish ETDs from other parts of library collections. The COBISS Union Catalogue used the following numbers in the 1998-2008 period as of November 2008:

104568	Graduation theses (Pre-Bologna system)
1458	Specialist theses
9680	Master's degree theses
6625	Ph.D. dissertations*
*3,442 in Slovenian language)	

Only ten of the higher education institutions have some form of their own ETD system, and three more intend to organize one in the near future. The great majority of these libraries allow their patrons and other users to access and use this part of their collections (theses and dissertations) only within the library premises. It can be understood from the information on their web sites that some libraries require a special author's permission before allowing access to the material.

In addition to the survey, we decided to interview twelve librarians to acquire more detailed information about this topic. They were all from the University of Ljubljana, Slovenia's largest and oldest university. Librarians from various disciplines were interviewed: one each from the natural sciences, biotechnical sciences, biomedicine, and arts and humanities faculties, and four each from the technical and social sciences faculties. We selected faculties and departments with working and planned ETD systems as well as some without such plans at the moment.

The interviewed librarians, either heads of libraries or in the larger academic libraries the person responsible for this part of the collections, rate theses and dissertations as having importance in furthering research in the respective disciplines and believed that mentors often advise their students to consult them. All agreed that theses and

dissertations are an important part of their collections and are treated with special care. Seven considered theses and dissertations important for all of their users; others thought they are more important for students and less important for teaching staff and other users. They said that teaching staff rely more on journals and other information sources and refer to theses and dissertations only sporadically. One librarian mentioned that theses and dissertations are important for teaching staff as an aid for their work with students.

The next question was how users can access theses and dissertations. Four librarians were from libraries that have ETD systems (one since 2003, the second since 2006, and the other two since 2007). Interestingly enough, one institution has stated on its web site that an ETD system is in preparation, but its librarian actually did not know anything about it. Other librarians were not thinking about ETD systems, and one mentioned his doubts about a possible ETD system, since he thought that some theses and dissertations are prepared for and in cooperation with industry, which is an obstacle to making them available via the Internet. One library publishes an updated list of theses and dissertations on its web pages, and it is interesting that another library started with such a list and by adding PDF files to it created a simple but effective ETD system.

Access policies concerning theses and dissertations vary across libraries, even though they are all libraries of the University of Ljubljana. Only three libraries allow the open borrowing of theses and dissertations (for two weeks or in one case for a month). In one library only teaching staff can borrow this material, while others can use it only within the library premises. Another library allows borrowing theses done by postgraduate students but not other material. Others allow the use of theses and dissertations only in library premises, and two require written permission from the authors before any action. In only three libraries can users have direct access to theses and dissertations in the library premises; mostly due to the lack of space, all the others keep them in the part of the library where visitors have no access.

All librarians referred to these materials as an important part of their collection that needs special handling. Surprisingly, only two librarians are directly involved in helping students with their thesis and dissertations. Three of them reported that students have to submit their theses to the library for citation and other checking.

Plagiarism was an issue for most of the interviewed librarians, although two librarians denied it was a problem. The first claimed she had never heard of any cases, and the second stated that theses and dissertations are results of research work, and while the results can not be copied or faked, of course some paragraphs of the theoretical section can always be copied. A similar opinion was given by the librarian from the Art Academy, who pointed out the originality of the artistic part of theses and dissertations. Others knew about plagiarism (for some librarians, this is one of the reasons not to lend theses and dissertations for home use) and often had anecdotal examples. Generally speaking, the librarians thought that plagiarism is the primary concern of mentors and teaching staff and not theirs.

Future developments and challenges

The wide availability of the National Union Catalogue and COBISS is likely to encourage a shift to full-text databases of electronic theses and dissertations (ETDs). However, this can be also an obstacle since many libraries and librarians might see it as a reason not to have their own ETD systems because "everything" is already available. A further obstacle might be the extreme decentralization of academic libraries in older universities and the absence of any form of library services in the new universities and higher education institutions. Decentralization in its present form could mean a zealous opposition to any form of ETD system, and the absence of library services means that an ETD system can not be built at all.

While some might be in favour of transferring ETDs to a central library and collaborating in ETD management, others will not. Those not in favour will tend to prefer a hybrid method of sharing ETDs whereby each library preserves its originals and provides full-text access to the theses and dissertations at its own repository. At the same time, each library would send a copy to the central library, which makes the full text theses and dissertations available to other libraries. The centralized input of records for other library material presenting research results (SICRIS) has been replaced by direct input from each library in Slovenia, and this should remain the

principle for ETDs if the system is to succeed. Of course, the national authorities must provide the proper regulation as was done in the case of SICRIS.

The electronic submission of ETDs must be the next step. Many academic libraries might think various issues are an obstacle to creating ETD systems, including the risk of plagiarism and the lack of funding, administrative support, and regulation. However, those that have already started creating their own ETD systems should prove them wrong and demonstrate the possibility that the infrastructure support, technical expertise, and financial support to create ETD systems already exists in their own institutions. Effective awareness programs are required to increase their visibility and emphasize their usefulness. The complete electronic submission of theses and dissertations can be the decisive point toward implementing ETD systems and is therefore worth special effort and investment.

Librarians need to get more involved in helping students write theses and dissertations and create their electronic counterparts. This could be a way to improve their status, which is very low in universities in Slovenia as demonstrated by recent events regarding their salaries in the new national scheme. Active participation in the creation of theses and dissertations, the ultimate demonstration of higher education, could certainly have positive status repercussions.

It is easier for students to plagiarize from ETDs because of the increased access to electronic documents and simple copy and paste functions. The features of search functions, however, make detecting plagiarism easier as well. Every university has policies in place regarding plagiarism, and these must be enforced along with the proper application of fair-use guidelines (Yioris 2007). Why the second? There are many good technical methods of detecting plagiarism, but students can not be left alone in the fight to prevent it. Librarians can help considerably by educating students on how their work will be assessed and the potential traps of possible plagiarism. The difference between copyright violation and the threat of plagiarism is often confused in discussions about intellectual property. Plagiarism occurs when someone poses as the author of a work; copyright infringement occurs when someone uses another's work without proper authorization or citation. Students rarely understand the difference, and librarians have the expertise and authority to help them make the distinction.

In theory, librarians are seen as experts who understand user needs and perceptions. They know what works and what does not. They know how to help, inform, persuade, and teach users (Bailey 2005). They could serve as more than just "plagiarist busters," but this does require that librarians improve their own knowledge of the issues regarding academic integrity. They should be able to promote a more complex understanding of the Internet and a critical approach to research and writing. The problem is not that students today are more dishonest but that their experience—particularly with the Internet-based transfer of information—has led them to form different attitudes toward information, authorship, and plagiarism (Wood 2004).

We also need other activities to promote the concept of ETD systems. According to current data, workshops and web documents are most often used to educate students about ETDs, although faculty and administrators learn about them mainly through presentations, lectures, and seminars. The methods might be different in different environments, but the fact is that approaches must be different for different users. Even if ETD systems benefit students, professors, and the public alike by enhancing graduate education, expanding graduate research, and increasing a university's output quality, the activities must be tailored for the different audiences. Universities need to recognize the potential value of accessible ETDs since theses and dissertations reflect an institution's ability to lead students and support original work. An interesting observation is that when ETDs are in an accessible place, students and teaching staff will make judgments regarding the quality of a university by reviewing its digital library. Universities must respond accordingly, ensuring they provide the resources and training students need to incorporate new literacy tools such as animation, graphics, sound, and streaming multimedia (Edminster 2002).

This may be seen today as a distant future. The uncertainty created by the relatively recent introduction of ETD systems and the absence of national policies and frameworks in this area hinder their rapid adoption. What we might need is an ETD submission protocol, implemented and tested for different institutions. As a result of the different ETD projects, recommendations can be made and different approaches

chosen. It will be exciting to see something regarded as a grey literature in the past and treated accordingly become the core of higher education activities and a centerpiece of a university's reputation.

At the University of Ljubljana, a new portal, the Digital Library of the University of Ljubljana (DIKUL² – *Digitalna knjižnica Univerze v Ljubljani*) has been established employing the concept. of local ETD systems (each faculty and department should have its own). Theses and dissertations are seen as one of the digital information resources students and teaching staff use (along with international and domestic e-journals, e-books, digital teaching materials, etc.). ETDs can also be accessed through the National Union Catalogue of COBISS where a link to the digital version can be added to an original catalogue input. A series of promotion activities was launched for teaching staff and students as well as for librarians. The electronic submission of ETDs will be next step, which should be easy due to the widespread use of various e-teaching programs in which students already present their papers in electronic form for supervision and grading. However, the tradition of written theses and dissertations may be a real obstacle.

Literature

1. Bailey CW. (2005) The role of reference librarians in institutional repositories. *Reference Services Review*. 33 (3), 259-267
2. Bevan, S. (2005), "Electronic thesis development at Cranfield University", *Program: Electronic library and information systems*, 39 (2), 100-11.
3. Carlson, J. (2006) An Examination of Undergraduate Student Citation Behavior *The Journal of Academic Librarianship*, 32 (1), 14-22
4. Copeland, S., Penman A., Milne R. (2005) Electronic theses: the turning point. *Program: electronic library and information systems*. 39 (3), 185-197
5. Davis PM., Cohen SA., (2001) The Effect of the Web on Undergraduate Citation Behavior 1006-1999, *JASIS* 52 (4), 309-14
6. Edminster, J., Moxley, J., (2002) Graduate Education and the Evolving genre of Electronic Theses and Dissertations. *Computers and Composition* 19, 89-104
7. Fox. EA., (editor) (2004) *Electronic theses and dissertations*. Marcel Dekker, New York, Basel :
8. McCabe DL. (2006) Cheating among college and university students: A North American perspective. *international journal for educational integrity* 1 (1)
9. Paillassard, P., Schöpfel, J. & Stock, C. (2004) How to get a French doctoral thesis, especially when you aren't French. GL6 conference 55-63 Online. Available http://www.greynet.org/images/GL6,_Page_143.pdf
10. Park EG, Nam Y, Singe OS. (2007) Integrated Framework for Electronic Theses and Dissertations in Korean Contexts. *The Journal of Academic Librarianship*, 33, (3), 338-346
11. Park, EG., Zoo, G., McKnight, D., (2007) Electronic thesis initiative: pilot project of McGill University, Montreal. *Program: electronic library and information systems*. 41 (1),
12. Stock C. (2007) Open access to full text and ETDs in Europe: improving accessibility through the choice of language? GL9 conference, Conference CD-ROM. Online. Available: http://opensigle.inist.fr/bitstream/10068/697889/2/GL9,_Stock,_2008,_Conference_Preprint_.pdf
13. Suleman H et al, (2001) 'Networked Digital Library of Theses and Dissertations: Bridging the Gaps for Global Access—Part1: Mission and Progress,' *D-Lib Magazine*, 7 Online. available: <http://www.dlib.org/dlib/september01/suleman/09suleman-pt1.html>
14. Vijayakumar, J.K., Murthy, T.A.V., Khan M.T.M. (2007) Electronic Theses and Dissertations and Academia: A Preliminary Study From India. *The Journal of Academic Librarianship*, 33, (3) 17-421
15. Wood, G., (2004) Academic Original Sin: Plagiarism, the Internet, and Librarians. *The Journal of Academic Librarianship*, 30 (3), 237-242
16. Yiotis, K., (2008) Electronic theses and dissertation (ETD) repositories What are they? Where do they come from? How do they work? *OCLC Systems & Services: International digital library Perspectives* 24 (2), 101-115

References

¹ http://www.mvzt.gov.si/en/areas_of_work/science_and_higher_education/higher_education/dejavnost_visokega_sola/register_of_higher_education_institutions_in_the_republic_of_slovenia/#c16877

² <http://dikul.uni-lj.si>

Do social scientists read and need e-prints?

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Abstract

In the past decades the traditional form of scholarly communication is augmented by a new one. The birth and growth of the internet spawned several new opportunities for scholarly communication. One of them was a new form of publication, to save time and money¹: the electronic journal.² Newer, less traditional, means of communication also emerged. For example, large databases where everyone can publish their own work. Does this mean the end for the traditional journal?

One of the first scientists to address this question was Andrew Odlyzko in his infamous article 'Tragic loss or good riddance: the impending demise of traditional scholarly journals'.³ He predicted that 'scholarly publishing will soon move to almost exclusively electronic means of information dissemination. This will be caused by the economic push of having to cope with increasing costs of the present system and the attractive pull of the new features that electronic publishing offers.'⁴

It is true that such alternatives to traditional scholarly communication attracted many scientists, but it did not mean the end for the journal, as we will see below. New problems do arise, two of them are concerned with findability and quality. How does one find an article which is not published in the traditional way and if found, what is the quality of the work? This paper will focus on the use of grey literature as a means of scholarly communication, in particular in the humanities, resulting in the following research question: Do social scientists read and need e-prints?

Definitions

Before discussing the possible use and need of grey literature in the humanities it is useful to take a closer look at the definition. According to Debachere one should describe grey literature, rather than trying to define it.⁵ Mason remarks: 'Collectively the term covers an extensive range of materials that cannot be found easily through conventional channels such as publishers, but which is frequently original and usually recent'.⁶ The US Interagency Gray Literature Working Group define grey literature as 'foreign or domestic open source material that usually is available through specialized channels and may not enter normal channels or systems of publication, distribution, bibliographic control, or acquisition by booksellers or subscription agents'.⁷ What lacks in these definitions is the commercial component: the goal of grey literature is not financial gain. Examples of grey literature are preprints, e-prints, technical reports, dissertations, lectures, numeric data sets, blogs, fora etc.⁸

Grey literature in the academic environment

The use of grey literature by scientists and researchers differs per field of study. Anne Gentil-Beccot studied the information behavior of high-energy physicists at CERN. This specific field of study is reasonably small; about 20.000 researchers who publish five to seven thousand articles per year in less than ten journals. She found that 91% of the high-energy physicists prefer e-print repositories, like ArXiv.org⁹ and Spires. This is primarily due to the quick access to articles, which these repositories made possible. If an article is submitted to a traditional, peer-reviewed journal it can take up to one year before it is published. With e-print repositories the time between submission and publication is negligible.

By analyzing citations, usage and logfiles Gentil-Beccot found that a staggering 82% of all high-energy physics scholars favored ArXiv.org above the traditional journal when they had the choice where to get the article.¹⁰ The main reason for this is accessibility for ArXiv.org is an open access one-stop shop.

Remarkably, she also found that journals were not entirely abandoned. On the contrary, although grey literature is used for direct communication and actual reading, publishing in traditional journals continues for reasons of the peer-review, quality-assurance, and officialdom.¹¹

However, the above is only true for a specific field of study. ArXiv.org is aimed at the exact sciences. E-repositories for the social sciences are scarce. Steve Harnad's CogPrints¹², an e-repository for papers in the field of psychology, comes close. He envisioned a system where free and quick communication between scholars took center stage. Harnad remarks, 'I have called this new medium "scholarly skywriting." In principle, all the interactions at the "pilot" stage of inquiry -- from informal brainstorming to participating in research symposia to circulating preprints for peer criticism before formally submitting them to an archival journal for peer review -- can now be accomplished by skywriting, not only at a great saving in travel and talking time, but with a speed, geographic scope, and scale of multiple interactivity that no prior means of communication could even come close to providing.'¹³ However, psychology is pre-eminently an amalgam of exact and social science. Why do historians, for example, not make use of these kinds of repositories?

There is one obvious reason: actuality. Arxiv.org was primarily initiated to make access to findings of other researchers quicker. Developments in the exact sciences are going extremely fast. As a result, an article submitted for publication in a traditional journal might very well be obsolete when it is published. This is much less the case in the social sciences, primarily due to the nature of research. Researchers in the social sciences use other works to support and illustrate their own standpoints and views, which Crossick calls the culture of the extended footnote: 'Many citations are used to shape an argument rather than to signal prior research on which one is building'.¹⁴ Whereas in the exact sciences, results of experiments and research are used to support their own results.

Furthermore, where the exact sciences primarily make use of articles, for the same reason as above, social scientists also read and publish monographs. Which are not well suited for e-repositories and scientists are more reluctant to share whole books rather than articles. Moreover, the development and utilization of digital technologies and network capabilities have been adopted at a slower pace in the humanities than in the exact sciences. Richard K. Johnson, director of the Scholarly Publishing & Academic Resources Coalition (SPARC), thinks this might be connected to the available financial means. He argues: 'In most areas of science, investigation is inherently more expensive than in the humanities. Enhancements to infrastructure that make electronic dissemination feasible in scientific fields have often been subsidized through federal government spending on scientific research'.¹⁵

Does this mean e-repositories are not useful in the social sciences? Of course in general, being current is much less decisive in the humanities than it is in the exact sciences. Furthermore, books are still valuable sources of information, whereas in the exact sciences articles dominate the field. This does not mean, however, that e-repositories are not suited for the humanities. They can serve as central points to store, read and download the vast amount of grey literature. Examples include dissertations, early versions of articles, articles which were not accepted for publication and maybe even students' academic term papers. Such repositories thus provide access to a whole new wealth of information, insights and theories, which cannot be found through traditional ways. For example, the ability to store different version of articles can be very useful and valuable in specific (sub)disciplines. And, the ability to add comments and remarks to certain passages will spur scientific debate.

Generally speaking, the main critique always comes back to two main topics: quality and copyright protection dealing with plagiarism. To discuss these in-depth is far beyond the scope of this paper, but a few remarks are here in place. The quality of traditional articles published in journals is guaranteed by peer-review. In the case of an e-repository, anyone can upload anything. A phenomenon described by Ginsparg, who visualizes a global village, but warns for the village idiot.¹⁶ However, scholars can judge the quality of an article by themselves or rely on the comments of others. In either case, a certain level of quality is expected. Dissertations, unpublished articles, and even students' papers, once graded, purport some degree of quality. Plagiarism is less an issue for the information is freely and online accessible, which makes the identification of copycats far easier. One can even imagine that plagiarism-software will be developed based on the repository itself, as discussed by Primož Južnic.¹⁷ Why then are there so few repositories¹⁸ for grey literature in the humanities? One explanation lies within the financial means. University libraries are struggling to keep their heads above water. While the price of journals skyrockets, budgets are shrinking. A second explanation is the conservatism of social scientists. Publishing in traditional

journals is highly valued, while the step to an open access repository appears, at this moment, one too far.

Conclusion

E-repositories in the exact sciences are valuable sources of information and are intensively used. In the social sciences, however, repositories similar in magnitude to ArXiv.org do not exist. One of the main factors for adopting e-repositories it houses current information. Although, the use of information (sources) is different in the social sciences than in the exact sciences, e-repositories offer more than just quick publishing. It acts as an gateway to an immense body of grey literature, which can be valuable to the work of scholars and students alike. Financial constraints and a conservative mindset seem to be the highest hurdles to be overcome in the sprint to international e-repositories for the social sciences. Nevertheless, there is a spark of hope, as Kling remarks: 'If the very recent past is prologue to the future, we shall expect a relatively slow growth in the number of fields that adopt disciplinary repositories. The local control of the Guild Publishing Model¹⁹ leads me to expect many more e-script repositories, which fit that model to be developed in the next decade.'²⁰

Bibliography

- Crossick, Geoffrey, 'Journals in the arts and humanities: their role in evaluation', *Serials* 20(3) (2007) 184 – 187.
- Debachere, Marie-Claire, 'Problems in Obtaining Grey Literature', *IFLA Journal* 21(2) (1995) 94 – 98.
- Ginsparg, Paul, 'First Steps Towards Electronic Research Communication', *Computers in Physics* 8-4 (1994) 390 – 396.
- 'Winners and Losers in the Global Research Village', in: Sir R. Elliot and D. Shaw (eds.), *Electronic Publishing in Science I*, proceedings of joint ICSU Press/UNESCO conference (Paris 1996). Digitally available via: <http://arXiv.org/abs/physics/9605001>.
- Gentil-Beccot, Anne, 'Do High-Energy Physics Scholars read Scientific Journals?', Presentation at the 10th International Conference on Grey Literature (Amsterdam 2008).
- Gray Information Functional Plan, 1995
- Harnad, Stevan, 'Scholarly Skywriting and the Prepublication Continuum of Scientific Inquiry', *Psychological Science* 1-6 (1990) 342 – 343. Digitally available via: <http://users.ecs.soton.ac.uk/harnad/Papers/Harnad/harnad90.skywriting.html>.
- 'On-Line Journals and Financial Fire-Walls' (1994). Digitally available via: <http://cogprints.org/1699/>.
- 'The Future of Scholarly Skywriting' (1999). Digitally available via: <http://users.ecs.soton.ac.uk/harnad/Papers/Harnad/harnad99.aslib.html>.
- Hitson, Brian, 'WorldwideScience.org: Bringing Light to Grey. Opening address at the 10th International Conference on Grey Literature (Amsterdam 2008).
- Johnson, Richard K., 'The Future of Scholarly Communication in the Humanities: Adaptation or Transformation?', paper delivered at *Scholarly Journals: Our Futures in the Digital Soup*. Presented by the Council of Editors of Learned Journals on December 30, 2004 in conjunction with the Modern Language Association Annual Convention. Digitally available via: www.arl.org/sparc/bm~doc/SPARC_CELJ.pdf.
- Južnic, Primož, 'Grey Literature produced and made available by Universities – Helping future Scholars or Copycats?', Presentation at the 10th International Conference on Grey Literature (Amsterdam 2008).
- Kling, Rob, 'The Internet and Unrefereed Scholarly Publishing', *Annual Review of Information Science and Technology* 38 (2004) 591 – 631.
- Kling, Rob, Lisa Spector and Geoff McKim, 'Locally controlled scholarly publishing via the internet: The guild model', *Proceedings of the American Society for Information Science and Technology* 39 (2002) 228 – 238.
- MacDonnell, Karen, 'Naturae Curios: Origin of the Scholarly Journal' (1998). Digitally available via: http://www.slais.ubc.ca/courses/libr500/fall1999/www_presentations/K_macdonnell/origin.htm.
- Mason, Moya K., 'Grey Literature: Its History, Definition, Acquisition, and Cataloguing'. Digitally available via: <http://www.moyak.com/researcher/resume/papers/var7mkmkw.html>.

Odlyzko, Andrew, 'Tragic loss or good riddance: the impending demise of traditional scholarly journals', *International journal of human-computer studies* 42 (1995) 71 – 122.

Tenopir, Carol, Donald W. King, Peter Boyce, Matt Grayson and Keri-Lynn Paulson, 'Relying on electronic journals: Reading patterns of astronomers', *Journal of the American Society for Information Science and Technology* 56(8) (2005) 786 – 802.

References

¹ A development fed by the serials crisis: the price of traditional, paper, journals increases, while the budget of the library remains stable. As a result, the library has to withdraw part of their subscriptions. Consequently, the number of consumers decreases, which causes the price to rise again. This process is also amplified by the decision of many libraries to subscribe to a paper and electric form. Karen MacDonnell, 'Naturae Curiosi: Origin of the Scholarly Journal' (1998). Digitally available via:

http://www.slais.ubc.ca/courses/libr500/fall1999/www_presentations/K_macdonell/origin.htm.

² There are several types of electronic journals, in the broad sense of the word. First, traditional journals which are digitalized and put online. Second, journals entirely and only published online. Third, a database of articles, which will be published, the so-called preprints. Lastly, databases with articles which are not cleared for publishing (yet). This category is called e-prints or e-scripts (Rob Kling, 'The Internet and Unrefereed Scholarly Publishing', *Annual Review of Information Science and Technology* 38 (2004) 591 – 631, 592). The focal point of this paper will be the fourth category.

³ Andrew Odlyzko, 'Tragic loss or good riddance: the impending demise of traditional scholarly journals', *International journal of human-computer studies* 42 (1995) 71 – 122.

⁴ Odlyzko, 'Tragic loss or good riddance', *IJHS* 42, 86.

⁵ Marie-Claire Debachere, 'Problems in Obtaining Grey Literature', *IFLA Journal* 21(2) (1995) 94 – 98, 94.

⁶ Moya K. Mason, 'Grey Literature: Its History, Definition, Acquisition, and Cataloguing'. Digitally available via: <http://www.moyak.com/researcher/resume/papers/var7mkmkw.html>.

⁷ Gray Information Functional Plan, 1995.

⁸ See: Brian Hitson, 'WorldwideScience.org: Bringing Light to Grey. Opening address at the 10th International Conference on Grey Literature (Amsterdam 2008).

⁹ Founded by Paul Ginsparg in 1991. Paul Ginsparg, 'Winners and Losers in the Global Research Village', in: Sir R. Elliot and D. Shaw (eds.), *Electronic Publishing in Science I*, proceedings of joint ICSU Press/UNESCO conference (Paris 1996). Digitally available via:

<http://arXiv.org/blurb/pg96unesco.html>. And: Paul Ginsparg, 'First Steps Towards Electronic Research Communication', *Computers in Physics* 8-4 (1994) 390 – 396.

¹⁰ Users who go directly to ArXiv.org thus are not counted. Almost the same percentage (80%) is found by Tenopir et al. with regards to astronomers. Carol Tenopir, Donald W. King, Peter Boyce, Matt Grayson and Keri-Lynn Paulson, 'Relying on electronic journals: Reading patterns of astronomers', *Journal of the American Society for Information Science and Technology* 56(8) (2005) 786 – 802.

¹¹ Anne Gentil-Beccot, 'Do High-Energy Physics Scholars read Scientific Journals?', Presentation at the 10th International Conference on Grey Literature (Amsterdam 2008).

¹² <http://cogprints.org/>

¹³ Stevan Harnad, 'Scholarly Skywriting and the Prepublication Continuum of Scientific Inquiry', *Psychological Science* 1-6 (1990) 342 – 343. Digitally available via:

<http://users.ecs.soton.ac.uk/harnad/Papers/Harnad/harnad90.skywriting.html>. Also: Stevan Harnad, 'The Future of Scholarly Skywriting' (1999). Digitally available via:

<http://users.ecs.soton.ac.uk/harnad/Papers/Harnad/harnad99.aslib.html>. And: Stevan Harnad, 'On-Line Journals and Financial Fire-Walls' (1994). Digitally available via: <http://cogprints.org/1699/>.

¹⁴ Geoffrey Crossick, 'Journals in the arts and humanities: their role in evaluation', *Serials* 20(3) (2007) 184 – 187, 185.

¹⁵ Richard K. Johnson, 'The Future of Scholarly Communication in the Humanities: Adaptation or Transformation?', paper delivered at *Scholarly Journals: Our Futures in the Digital Soup*. Presented by the Council of Editors of Learned Journals on December 30, 2004 in conjunction with the Modern Language Association Annual Convention. Digitally available via:

www.arl.org/sparc/bm~doc/SPARC_CELJ.pdf.

¹⁶ Paul Ginsparg, 'Winners and Losers'.

¹⁷ Primož Južnic, 'Grey Literature produced and made available by Universities – Helping future Scholars or Copycats?', Presentation at the 10th International Conference on Grey Literature (Amsterdam 2008).

¹⁸ Of course, there are examples of similar repositories, but not on the scale of ArXiv.org.

¹⁹ Rob Kling, Lisa Spector and Geoff McKim, 'Locally controlled scholarly publishing via the internet: The guild model', *Proceedings of the American Society for Information Science and Technology* 39 (2002) 228 – 238.

²⁰ Kling, 'Unrefereed Publishing', *ARIST* 38, 627.

Towards an Institutional Repository of the Italian National Research Council: A Survey on Open Access Experiences*

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Abstract

The paper presents the results of a survey aiming at identifying documentation, organization as well as technological resources that could be the basis for a future development of a CNR IR. The survey makes use of a semi-structured questionnaire submitted to all CNR research units. Results show that, despite a limited number of OAI compliant repository developed under the autonomous initiative of some CNR research units, there is a mature environment for the development of an IR.

1. Introduction

Institutional repositories (IRs) constitute one of the most important applications of Open Access (OA) principles, which combines both scholars' and research institutions' concern to set up a new scholarly communication paradigm as well as enhance the visibility and impact of scientific research. However, although an increasing number of IRs have been developed internationally since 2002, the debate started by Lynch [Lynch, 2003] and Crow [Crow, 2002] is still open [Geudon, 2002, Harnard, 2005, Ginsparg, 2007, Suber, 2008], aiming at identifying the best way to make IRs an innovative channel for the dissemination, exchange and preservation of scientific contents.

In our opinion the major elements of success of Institutional Repositories (IRs) depend upon a sound synergy among the different stakeholders participating in the process of production, sharing and diffusion of the knowledge produced within the scientific organisation. In fact, in the activities of planning, designing and supporting a new IR it is necessary that a minimum set of conditions are fulfilled:

- The scientific institution has to declare its official commitment to the OA policy, advocating scholarly open access publication;
- Scholars have to be personally motivated and supported to populate IRs;
- An information network has to be built to support the activities connected with the submission and management of scientific contents, at the same time promoting an OA culture;
- A technological infrastructure has to be developed to support the implementation of OAI-PMH compliant repositories.

Even if there is no national policy on IRs, in Italy Open Access Initiatives (OAI) have been primarily promoted by Universities and intra-university consortia, which almost unanimously adhered to the Berlin Declaration [Berlin, 2003]. At the moment the ROAR registry reports about 40 operational OA archives [ROAR], which demonstrates a constant increase in these information systems, even if the number of scientific contents contained shows that they are still not fully deployed. Among other governmental research institutions only the Italian National Institute of Health [De Castro, 2007], has officially supported OA in 2007 making the depositing of its internally produced post-prints mandatory into its newly developed IR.

The National Research Council (CNR), one of the biggest multidisciplinary research institutions composed by a network of 107 geographically distributed institutes, has not expressed an official position toward OA yet. However, thanks to its scientific and organisational autonomy, some CNR Institutes might have made their scientific production freely available either through their own local repositories or through freely accessible web resources. In order to acquire a more precise picture of the AO CNR practice, a group of CNR researchers and librarians (hereafter called "supporter group") has promoted a survey aiming at identifying documentation, organization as well as technological resources that could be the basis for a future development of a CNR comprehensive IR.

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2. Research hypothesis and objectives

Many surveys have been carried out in order to analyse scholars' behaviour and attitude towards publication submission in IRs, which could become "a set of empty shelves", if not adequately populated [Gibbons, 2005]. Other surveys are focused on inventory IRs at a national [Rieh, 2007, Zuber, 2008] and international level [Lynch, 2005; van Westrienen, 2005; van der Graaf, 2008] comparing national policies toward OA, IR characteristics and management.

Considering the development of a new IR as the enforcement of the synergy among different stakeholders, our survey is based on the research hypothesis that aims to:

- Identify actors and roles currently carried out in the development of the different services supporting research activities (i.e. librarians, technical and administrative staff) that contribute to the management of a new IR in terms of system implementation and maintenance, metadata control, and collection definition. The existing cooperative network between CNR libraries organised in consortia arrangement to support common access to digital resources and document delivery already constitutes a shared and value added backbone useful to support an OA culture and practice.
- Identify information and documentation services already developed to disseminate institution's scientific production such as digital libraries, different types of web pages as well as the annual activity report that gathers research outcomes for evaluation aims. All these resources could be integrated in a future CNR comprehensive IR from a technological as well as from an organisational point of view.
- Analyse the content deposited into already developed local IRs or contained in other digital free access archives. This also implies the identification of the actors who provide scientific content (researchers, librarians). The quali-quantitative analysis of the content as well as of the different actors that make it available can provide meaningful indication on the degree of awareness towards OA culture.

Summarizing, our survey intends to carry out an inventory study to identify information and technological resources currently available at CNR research units, which can become the basis for a feasibility study aiming to the development of a future CNR comprehensive IR.

3. Methods

In the phase of survey design great importance was attached to the setting up of what we call a "supporter group", composed by CNR librarians that voluntarily collaborated in sending and collecting the questionnaire. Moreover group tasks were also the direct involvement of other participants so that the supporter group could be enlarged during the survey. This approach is motivated by different factors. Past and present co-operative experiences between CNR libraries ranging from SIGLE participation to actions supporting common access to digital resources have proved to be successful and have created an informal network of collaboration. The universe of CNR libraries is very diverse; depending on their location they can manage large bibliographic collections, serve more than one research unit, have close and embedded collaboration with technological services or, on the contrary, they can be small libraries with very limited human resources. For these reasons a direct knowledge of the reality to be investigated can ensure not only a good response rate, but also accurate data collection of questionnaires. Last but not least, we think that a future development of a CNR comprehensive IR has to directly involve librarians as one of the major stakeholders in the promotion and setting up of an IR.

At the beginning of the survey the supporter group was composed of 10 librarians, which became about 25 at the end of the study, the group is widespread throughout CNR research units.

Then the questionnaire was developed together with the identification of CNR survey units that had to be reached by the questionnaire. We decided to submit the questionnaire to all CNR Institutes and their territorial sections (hereafter called CNR research units), so that the survey could have the feature of an inventory study fulfilling the proposed aims.

The survey makes use of a semi-structured questionnaire of 14 questions within two different sections that reflect the survey objectives: questions 1-9 are related to the characteristic of the developed OA archive, questions 10-14 concern information resources on the Institute's scientific production made freely available in other forms. Additionally, respondents were asked for information on gender and occupational

position. The questionnaire submission started in March 2008 and the questionnaire collection was ended by June. Completion of the questionnaire took about 20 minutes.

In particular the questionnaire seeks answers to the following interrogatives:

- Quantification of already existing and/or IRs under construction and identification of their characteristics,
- Identification of other types of freely accessible web resources (institutes' and/or scholars' websites, collections of scientific production for evaluation uses),
- Identification of the actors responsible for the content submission, management, cataloguing and dissemination,
- Identification of practices for the input of internal scientific production within the library catalogue and CNR Annual report.

Another important decision concerned the adoption of the IR definition given both by DRIVER Project and SPARC in which an IR is defined as:

- Containing research results,
- Institutional and/or thematic, and
- OAI-PMH compliant.

The adoption of this definition and in particular the prerequisite of OAI metadata harvesting makes it possible to verify technological requirements that should be fulfilled in future planning and design of a CNR comprehensive IR.

4. Results

4.1. Survey numbers

Table 1
Distribution of questionnaire received by CNR Research units

Survey Numbers			
	<i>CNR Research units No.</i>	<i>Received Questionnaire No.</i>	<i>Coverage %</i>
Institutes	107	93	87
Sections	187	67	36
Total	294	160	54

Table 1 shows the distribution of the questionnaire received by CNR research units. 160 out of 294 Research units - equal to 54% - provided correctly completed returns. Most of the respondents were CNR Institutes (87%) and this indicates that the survey reached its major target, as CNR Institutes should be the main institutional promoter of local repositories and could become a first level aggregator of the publications of its belonging research units.

Moreover, 15 Institutes also sent their questionnaire including the data for their sections, so that the information coverage of the survey is higher than shown in table 1, reaching almost 60% of all CNR research units.

Fig. 1. Distribution of questionnaire received by CNR Department

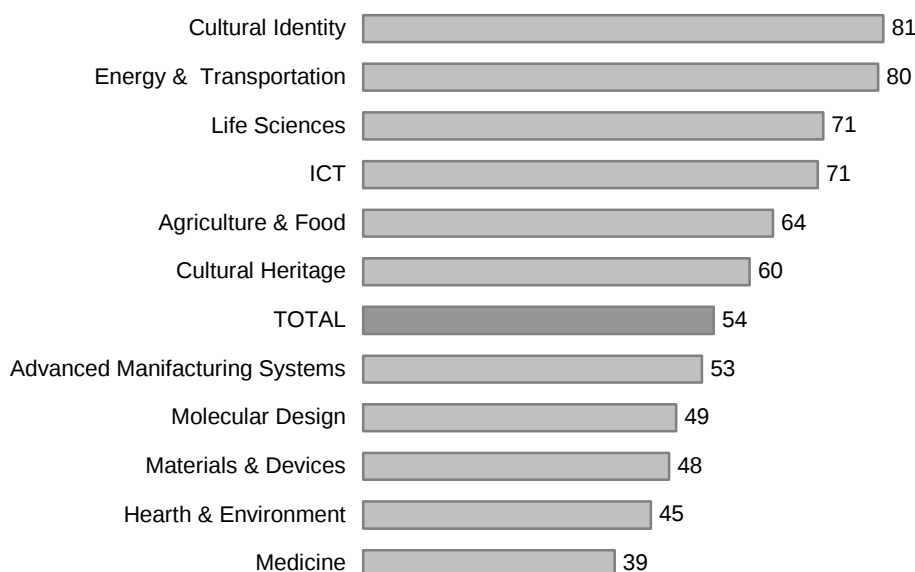
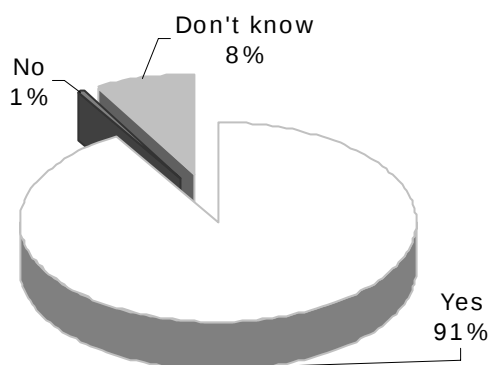


Figure 1 shows the distribution of the questionnaire received by CNR Department, which group Research units on disciplinary basis. In 7 departments out of 11 the respondent rate was higher than 50%, reaching high coverage percentages in the Department of Humanities and Social sciences (Cultural Identity 81%) as well as in Energy and Transportation (80%). The high rate of these responses could be ascribed to the active involvement of the supporter group in these specific areas.

4.2 Berlin Declaration

Fig. 2. – Distribution of respondents to the question: "Do you think CNR should subscribe the Berlin Declaration?"

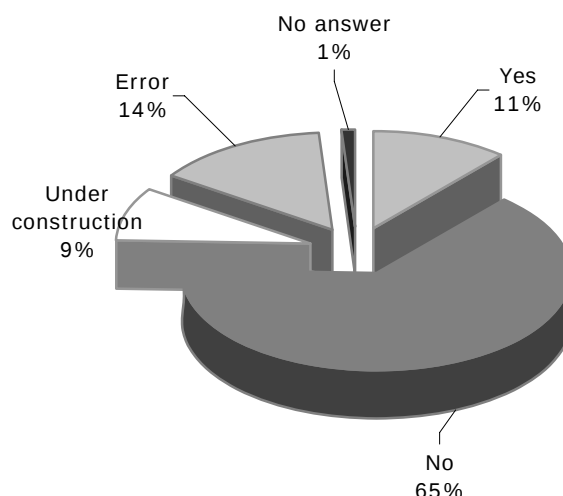


In the first question of the questionnaire respondents were asked whether CNR should subscribe the Berlin Declaration. This question gave us the possibility to summarize the principles of OA as well as to obtain the respondents' opinions on their willingness to make CNR as well as their own scientific production freely available. 91% answered that they were in favour of CNR subscribing the Berlin Declaration, while only 1% was against and 8% indecisive. This positive attitude towards OA encourages us to further promote an OA policy at an institutional level requiring CNR top management to both subscribe to the Berlin Declaration and support the setting up of a CNR comprehensive IR.

4.3 Research units' Repositories

The first section of the questionnaire aimed to ascertain whether CNR research units have developed their own repository to collect the publications produced by their researchers. Moreover, this section intended to analyse repositories' information content, access policy, as well as their organisational and technical characteristics.

**Fig. 3 - Distribution of respondents to the question:
“Does your Institute have a local IR to collect the publications produced by
its researchers?”**



A common understanding of the definition of IR is required in the analysis of the answers to the question whether each research unit has developed its own repository or is about to develop it. As mentioned above, in our survey we decided to adopt the definition given by DRIVER (Digital Repositories Infrastructure Vision for European Research) and by SPARC (Scholarly Publishing and Academic Resource Coalition) because among other criteria (“containing research results and being institutional and/or thematic”) it includes the important factor of IRs being compliant with OAI-PMH standard. This criterion is particularly crucial in the case of CNR. Given its multidisciplinary nature as well as its network organization composed of autonomous research units, a future comprehensive IR should be based on a federated system architecture made of locally managed but at the same time interoperable repositories. Moreover, according to our broad objectives, getting a precise picture of the technology used by CNR research units can contribute to the identification of the right strategy to implement such infrastructure, taking the already developed systems into account as well as providing guidelines for new repositories to be brought into operation.

For this reason the responses affirming to have set up a local repository have been further analysed, at first verifying the information given in the questionnaire about the software used and then checking this information on the research unit’s websites. This enabled us to verify the correspondence with the definition of IR adopted. In cases of doubt we contacted the respondents for more detailed information to verify whether and what type of metadata standards were adopted in order to make the repository OAI-PMH compliant.

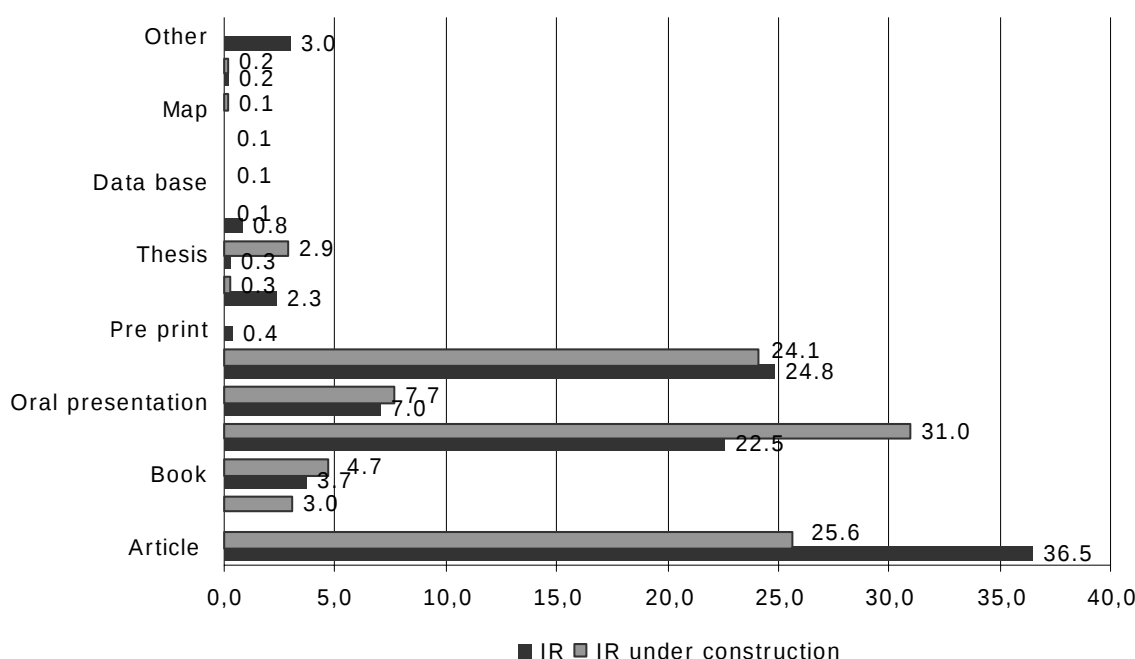
The results of this *two-step* analysis are shown in figure 3. The majority of CNR research units do not have a local repository (65%), only 18 research units (11%) have developed a repository and 14 (9%) are planning one. A meaningful percentage of respondents (14%), despite affirming to have a local repository, has been classified as “error”, because under analysis, their system turned out to be not compliant with OAI-PMH standards.

The analysis of these responses (equal to 23 Research units) showed a variety of forms of making their scientific production freely available. Some of them (8 out of 23) give a list of the publications sometimes linked to abstracts and/or full text, while 6 research units provide databases, generally searchable by type of publication, and sometimes make the abstract available. Interestingly, some research units considered they have a repository because they identify it with a CNR central collection of the scientific production sent yearly to construct the Annual report.

4.4. Content of CNR research units' repositories:

To determine the size of the repositories in terms of number of contents as well as document types considered, the respondents were asked to give an approximate number for each type of materials present in the local repository selecting them from a predefined list. This list included among the most frequently deposited textual materials, such as journal articles, books, technical reports and other GL documents also video, maps, primary datasets, software and databases. Some of these non-textual materials were not selected by the respondents and therefore are not considered in the analysis (Fig. 5). The extension to other types of research materials should be encouraged, as it would more closely reflect the research activities carried out within an institution and would therefore be worth depositing and diffusing in an IR. The analysis of the following questions pertain to 17 respondents out of 18 in the case of already developed repositories, and 11 out of 14 for the repositories under construction.

Fig 4 – Distribution of the document types present in already developed repository (n =17) and in those under construction (n=11)



The total number of contents deposited in the local repositories is about 15.000, while in those under development there are about 3.000 documents.

The comparison between the document types deposited in the already developed repositories and those present in the repositories under construction is given in figure 4. The most frequently inserted document types are journal articles, published proceedings and technical reports. It is interesting to note that in the repositories under construction, even if at a very low percentage, there is a tendency also to make other materials available (e-articles, courseware materials, videos and maps) or to insert some of them more frequently (theses 2,9% in repositories under construction vs. 0,3% in already developed repositories).

4.5. Period of publication of the deposited materials

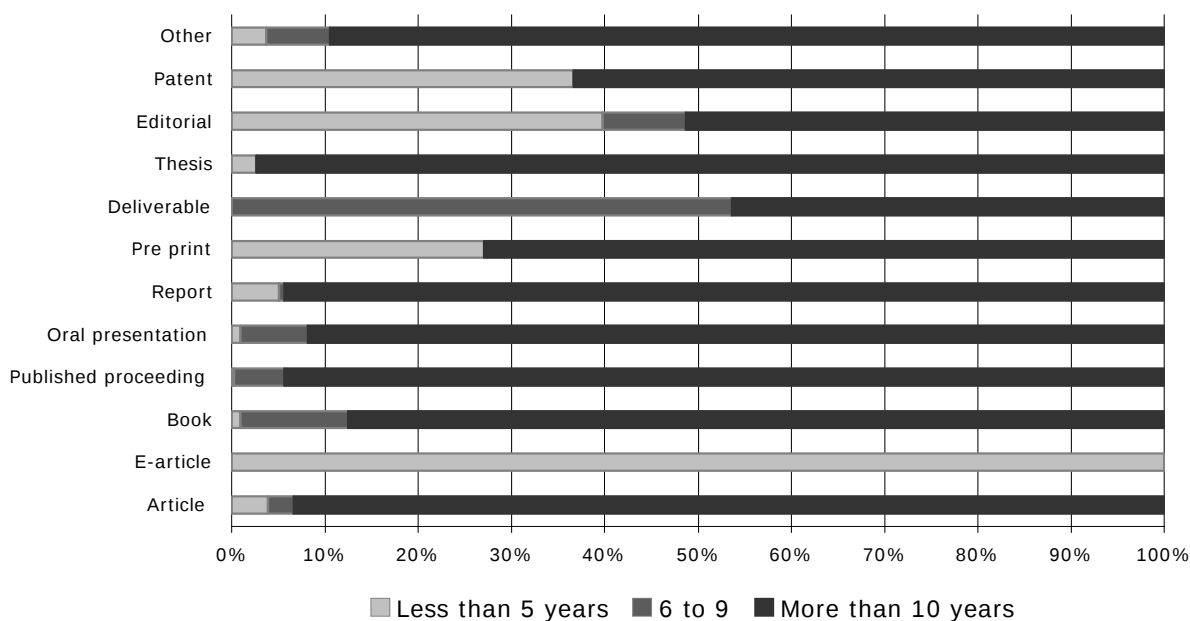
Year of publication of the deposited materials provides us with important indications about the choices made by research units to populate their local repositories. This information may highlight if the repository mainly contains current research outputs or, at the opposite, tends to deposit dated scientific production. Therefore respondents were asked to estimate time range and their relative number for each deposited document type (less than 5 years, from 6 to 9 years, more than 10 years). Answering was a time consuming activity, which was however fulfilled by the majority of the respondents; 14 valid answers out of 18 for the research units that have already developed their own repository, and 8 out of 14 for those which are developing it.

Fig. 5 - Distribution of documents deposited by period of publication in IRs and in IRs under construction



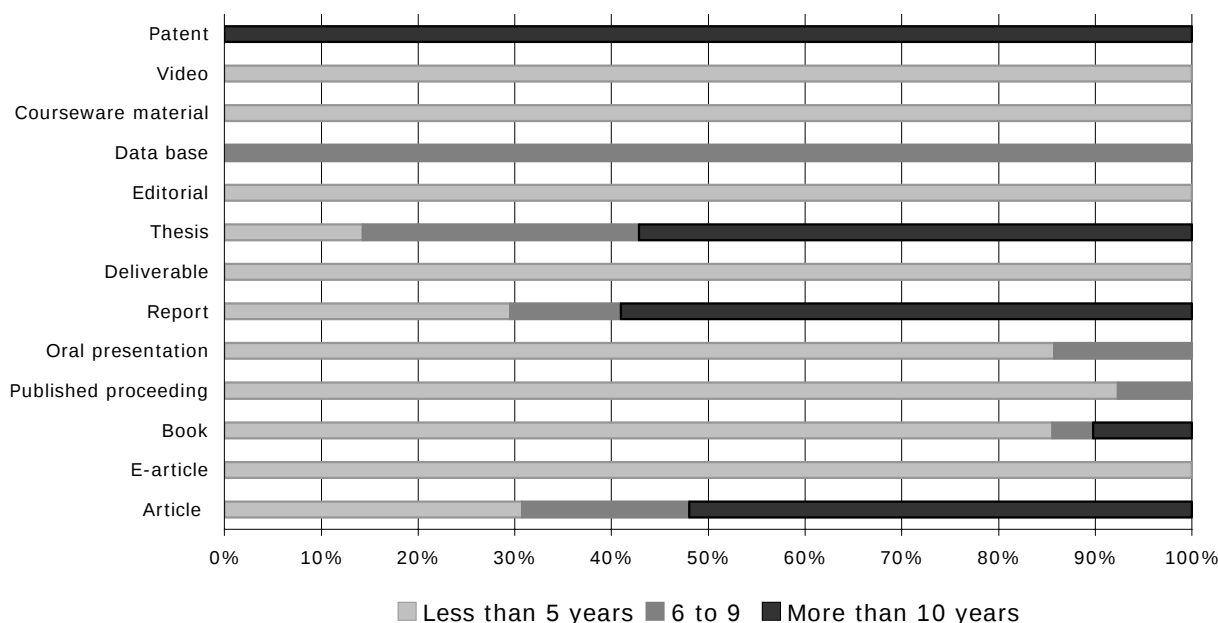
Figure 5 shows the comparison between distribution of documents deposited by period of publication in the already developed repositories and in those under construction. In the former there is a concentration of documents (91%) published more than 10 years ago, while repositories under construction contain documents with publication years more equally distributed. However in these repositories there is a higher tendency to deposit documents that have been published in a time span of 5 years (47% less than 5 years, 13,3% from 6 to 9 years, 39,3% more than 10 years).

Fig. 6 - Distribution of document types by period of publication in already developed IR (n=14)



If we analyse the distribution by document type (fig. 6) we find that in the case of already developed repositories the percentage of documents older than 10 years diminished only for deliverables (46,4%), editorials (51,3%), patents (63,6%) and preprints (72,9%). The only exception is given by a younger type of publication, e-articles, published in a time range of 5 years.

Fig. 7. Distribution of document types by period of publication in IR under construction (IR=8)



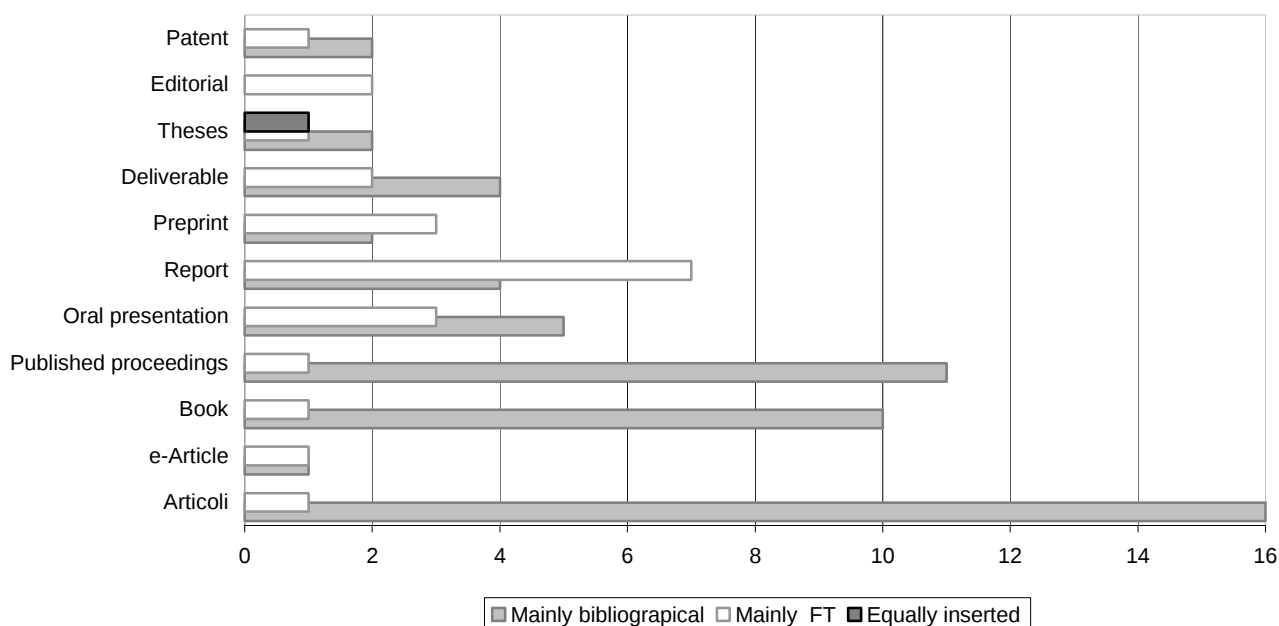
Concerning repositories under development (fig. 7) the tendency to insert documents published in the last 5 years is less evident only for technical reports (59%), theses (57%) and journal articles (52%). *New born* deposited digital objects such as e-articles, video and courseware material are on the contrary published in a time span of 5 years along with more traditional types of documents.

We might think that the difference in the period of publication of the documents deposited in already developed repositories and in those under construction may depend not only on the *youth* of the repository but also on other factors. For instance already *functioning* repositories may have developed additional functionalities to input pre-catalogued documents from digital libraries or other external systems and/or established archival digitalisation procedures to include particular types of documents and/or documents not violating copyright in their repositories [Bell, 2005]. Other surveys too [Davis, 2007] have had similar results. This constitutes an advantage being an additional service provided by the repository and also represents a positive attitude towards the preservation issues of IRs. However, an exclusively archival use of dated textual materials might make IRs less attractive as an innovative channel of scholarly communication. Of course, this tendency may shift over time making it necessary to monitor repository information contents in order to ascertain their mission and evolution.

4.6. Forms of access

In the next question respondents were asked to estimate for each document type what percentage is deposited providing its bibliographic description and/or linking it to its full text. The availability of full texts constitutes a value added requisite that strengthens the OA vocation of IRs, maximising research access and impact. However this implies a common effort as well as a cultural change for both institutions, which should encourage authors' self-archiving in IRs, as well as authors who should recognise the benefits of making their publications freely available.

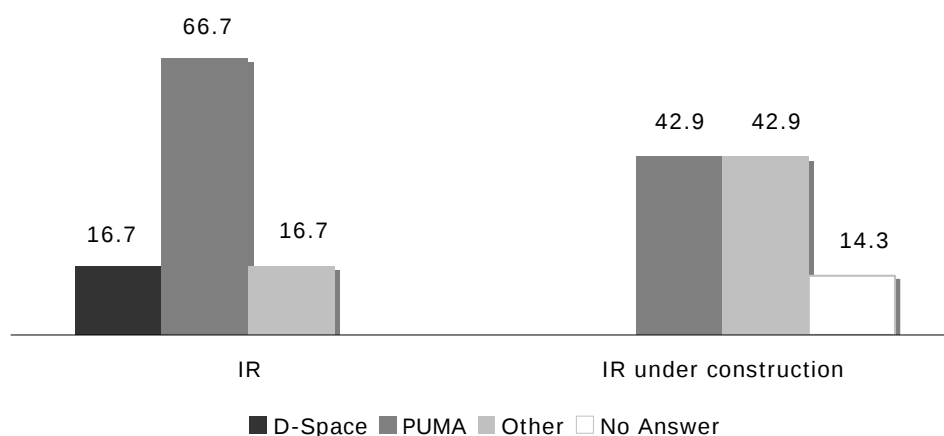
**Fig. 8 – Distribution of documents types by access form in local repositories
(n =17)**



CNR research units' repositories contain mainly the metadata of the documents deposited (fig. 8) and this is predominant especially for journal articles, books and published proceedings. Only GL documents such as technical reports and preprints are predominantly available in full-text. The only exception is represented by the full text of editorials, which are often freely available in full text in the electronic version of published journals. This result is not surprising given the voluntary basis of the developed repositories. Moreover, this result is similar to the data reported in the DRIVER survey where 68% of the textual records contain metadata only, while 32% contain full text [van der Graaf, 2008].

4.7. Repository software packages

Fig. 9 - Software used in developed repositories and in those under constructions



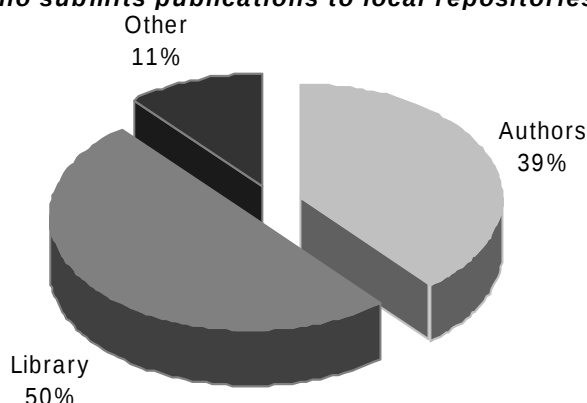
Respondents were asked to indicate from a predefined list which software package has been used to develop their own repositories. The result of this question would give important technological requirements for the development of a future CNR common infrastructure that should integrate already developed repositories and/or provide technical guidelines to make them interoperable.

The software package most commonly used is PUMA (66,7% in already developed repositories and 42,9% in repositories under construction) (fig. 9). PUMA [Biagioni, 2007] is software developed by the Institute of Information Science and Technology of CNR in Pisa that combines functionalities connected with digital libraries and IR also

providing some additional services, which are very useful for the management of the scientific production. For instance it enables automatic data transfer of the institute's scientific production collected for the CNR Annual report into a central system that annually gathers the comprehensive scientific production for evaluation aims. Only few institutes use open source software such DSpace (16,7% of established /already developed repositories), while the tendency also in repositories under construction is to have locally developed software packages.

4.8 Document depositing

**Fig. 10. Distribution of respondents to the questions:
"Who submits publications to local repositories?"**



To ascertain how the submission process is carried out, respondents were asked to indicate who generally deposits the scientific production (fig. 10). Documents are most frequently submitted by libraries (50%), while a meaningful 40% of authors directly deposit their publications. Considering that authors' submission is often regarded as one of the main concerns in populating IRs, this can be considered an encouraging result.

5. Availability and Management of CNR scientific production

The second part of the questionnaire intended to verify whether research units' scientific production is ever managed and made available in other forms. In our opinion, the acquisition of this information, generally not considered by other surveys, corresponds to our aims; not only providing an inventory study of CNR local repositories but also identifying resources that could be exploited and integrated in order to set up a future CNR IR.

In the first question of the second part of the questionnaire, the respondents were asked whether the research unit's scientific production is ever catalogued. Considering that the library catalogue represents another important way of diffusing the internal scientific production, especially if it is a digital catalogue available on web, this would mean under an IR perspective that documents are already available in a standard bibliographic form whose metadata could be easily transferred to an IR. Moreover this would also indicate that between authors and librarians there is long-standing collaboration for the diffusion of scientific contents.

**Fig. 11. Distribution of respondents to the question:
"Is the Institute's scientific production catalogued?"**

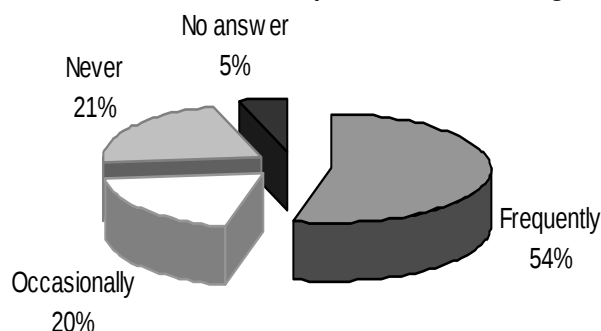
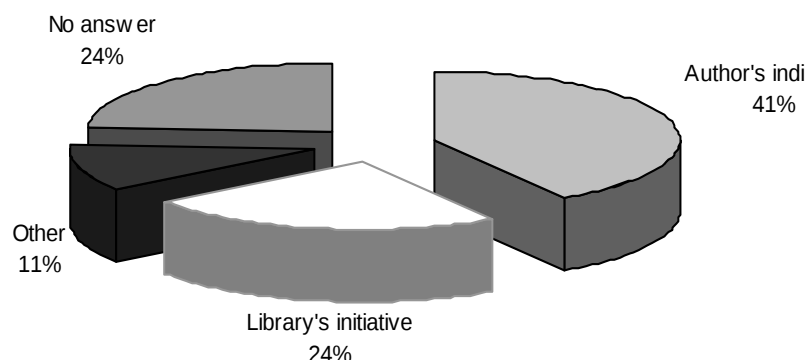


Fig. 12. Distribution of respondents to the question
“The initiative of cataloguing the scientific publications is undertaken by...”

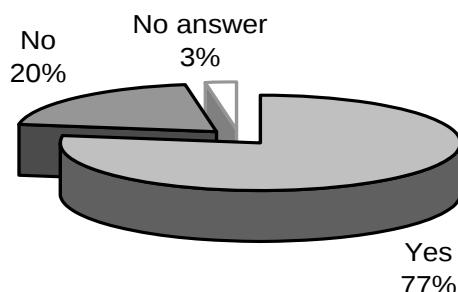


The answers were encouraging (fig. 11); of the 160 respondents 54% declares that the institute's scientific production is often catalogued, 20% affirms that the cataloguing is done sometimes, while 21% never catalogues the institute's scientific production.

In the next correlated question respondents were asked to indicate who takes the initiative of cataloguing the research unit's scientific production. The results of the answers confirmed a positive attitude towards the propensity of making the scientific production available (fig 12).

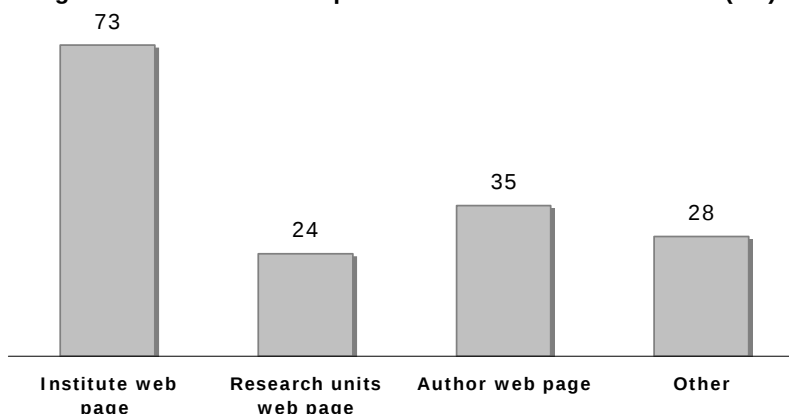
41% of respondents affirms that authors provide the library with the information about their publications, 24% declares that the library takes the initiative to catalogue the institute's scientific production.

Fig 13. Distribution of respondents to the question:
“Is the Institute's scientific production freely available in other types of digital archives?”



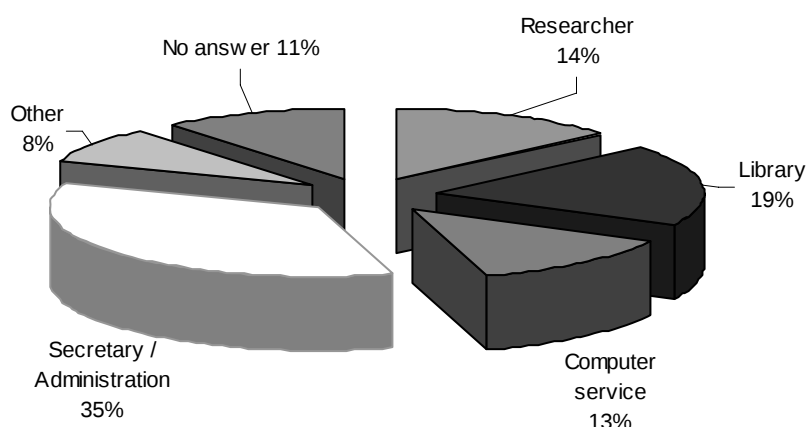
To ascertain if research units make use of other forms of web communication to distribute the internal scientific production, the respondents were asked whether the research unit's scientific production was freely available in other types of digital archive. A previous survey dating back to the 90' [Luzi, 1997], when the Internet was becoming an important and widespread scientific communication channel, showed that CNR research units made large use of the web for the diffusion of their research projects as well as of their scientific production. The results of this question confirm this attitude. 77% of respondents (fig. 13) affirm that they do make their scientific production freely available and this strengthens our hypothesis that despite a limited number of repositories, CNR research units are used to provide access to their publications.

Fig. 14. CNR scientific production available on web (%)



In the next question respondents were asked to indicate in which part of the homepage the research unit's scientific production was available. The majority (73,4%) affirmed that this information is contained in the Institute website, in the author's web page (35%) or in the websites dedicated to the description of research activities (24%). Interestingly, the respondents who gave their own free answers (28%) indicated library catalogues and CNR Annual report. (see below).

Fig. 15. Distribution of respondents to the question: "Who submits data on the scientific production to CNR Annual report?"



Every year each research unit has to send a description of the current research activities together with a list of research results to the CNR central administration. The bibliographic description of CNR publications is available in Internet and contains CNR scientific production since 2002. Although we cannot consider it an IR, this database could be used as a starting point to develop a CNR comprehensive IR.

To analyse who takes part in this procedure (fig. 15), the respondents were asked to indicate the personnel profile and/or services involved in the submission of data about the yearly scientific production. 30% of respondents answered that this activity is carried out by the Secretary or by the local Administration, more than 18% indicates the Library, more than 13% indicates the researchers themselves and 13% the computer service. The involvement of different actors makes it necessary to foresee coordinating efforts to take advantage of the acquired competences that should be reoriented to link the Annual report to a future IR.

Conclusions

The results of the survey confirm that at CNR there is a mature environment for the development of an IR. In fact, despite a limited number of OAI compliant repositories developed under the autonomous initiative of some CNR research units, there is a general propensity to make scientific outputs freely available through various web accessible forms.

Libraries play an important role, both within already developed repositories and in the insertion of the institute's scientific production into digital catalogues and/or in the collection and data input to the CNR Annual report. Moreover, the enlargement of the librarian supporter group, which represented one of the achievements of this survey, demonstrates a growing interest in OA issues. This can envisage their active role in

supporting the establishment of a future CNR IR, contributing to the formulation of guidelines for quality and metadata control of the collections to be deposited, integrating local repositories with digital libraries or other external systems, as well as promoting self-submission in their scientific community. Moreover, they can become an important stakeholder that can advocate an official CNR position on OA.

Concerning the other important stakeholder represented by authors, the survey has shown that a meaningful percentage of them self-archives the data on their publications to local repositories, prompts the library to catalogue their scientific outputs, makes them available in personal web pages, and submits them to the central administration for evaluation aims. The CNR Annual report that annually collects CNR scientific outputs can be considered a very important motivational factor not only for authors to deposit their publications, but also as first building block for a future CNR IR. Many research institutions with similar organisation models have build their IRs upon the modernization of their Annual reports [Beier, 2004; Ponsati, 2008] and/or have promoted the same workflow pattern to populate both archives and integrate their data.

However main efforts for the development of a future CNR IR should be focused on the availability of the full text as well as on the integration of already existing information resources and systems. This is not an easy task; it requires planning and design activities, which should take a CNR multidisciplinary nature as well as its complex organisation network of autonomous research units into account foreseeing the participation of the main stakeholders in the process of production, management and dissemination of CNR scientific production.

Bibliography

- Allard Suzie, Mack Thura R., Feltner-Reichert Melanie (2005). "The Librarian's Role in Institutional Repositories: A Content Analysis of the Literature," *Reference Services Review* 33, no. 3): 327.
- Beier Gerhard, Velden Theresa (2004), The eDoc-Server Project: Building an Institutional Repository for the Max Planck Society, HEP Libraries Webzine, 9.
- Bell. S., Fried Foster N., Gibbons S. (2005) Reference librarians and the success of institutional repositories. *Reference services review* 33 (3): 283-290.
- Berlin Declaration (2003), The original Berlin Declaration is located at <http://www.zim.mpg.de/openaccess-berlin/berlindeclaration.html>.
- Biagioni Stefania, Carlesi Carlo, Romano Giuseppe A., Giannini Silvia, Maggi Roberta (2007), PUMA & MetaPub: Open Access to Italian CNR repositories in the Perspective of the European Digital Repository Infrastructure, In: 9th International conference on Grey Literature: Grey foundations in information landscape, Atwerp 10-11 Dec. 2007.
- Crow, R. (2002). The Case for Institutional Repositories: A SPARC Position Paper, *ARL Bimonthly Report*, no. 223.
- Davis Philip M., Connolly Matthew J.L. (2007), Institutional Repositories. Evaluating the reasons for non-use of Cornell University's installation of DSpace, *D-Lib Magazine*, v. 13 (3/4).
- De Castro P, Poltronieri E. (2007), Defining a policy for the institutional repository of the Istituto Superiore di Sanità. *Rapporti ISTISAN* 07(12).
- Guédon Jean-Claude (2002), Open Access Archives: from Scientific Plutocracy to the Republic of Science, In: 68th IFLA Council and General Conference August 18-24, 2002, available at <http://www.ifla.org/IV/ifla68/papers/guedon.pdf>
- Harnard Stevan (2005), Fast-forward on the Green Road to Open Access: The case against mixing up green and gold, *Ariadne*, 42, available at <http://www.ariadne.ac.uk/issue42/harnard/intro.html>
- Hunter Philip, Day Michael (2005), "Institutional repositories, aggregator services and collection development", available at: <http://www.rdn.ac.uk/projects/eprints-uk/docs/studies/coll-development/coll-development.pdf>
- Luzi Daniela (1997), "The Internet as a new distribution channel of scientific Grey Literature: The case of Italian WWW servers", *Publishing Research Quarterly*, 13 (2), 1997.
- Lynch Clifford A. (2003). Institutional Repositories: essential infrastructure for scholarship in the digital age. *ARL Bimonthly Report*, no. 226.
- Lynch Clifford A. (2005). Institutional Repository deployment in the United States as of early 2005. *D-Lib Magazine*, v. 11 (9).
- Lynch Clifford A., Lippincott Joan K., (2005), "Institutional Repositories Deployment in the United States as of early 2005", *D-Lib Magazine*, 11 (9), <http://www.dlib.org/dlib/september05/09lynch.html>.
- Ponsati A., De Castro P. (2008). Repository increases visibility. *Research information*. Spanish National Research Council (CSIC). Available at: http://www.researchinformation.info/features/feature.php?feature_id=183.
- Rieh Soo Young, Markey Kare, Jean Beth St., Yake Elizabeth, Kim Ji Hyun (2007), Census of Institutional Repositories in the US. A comparison across institutions at different stages of IR development. *D-Lib Magazine*, v. 13 (11/12).
- ROAR (Registry of Open Access Repositories), <http://roar.eprints.org>. (last visited December 2008)
- Suber Peter (2008), Open Access News. News from the open access movement, <http://www.earlham.edu/~peters/fos/fosblog.html>
- van der Graaf Maurits, van Eijndhoven Kwame (2008), The European Repository Landscape, Amsterdam University Press.
- van Westrienen Gerard, Lynch A. Clifford (2005). "Academic Institutional Repositories. Deployment Status in 13 Nations as of Mid 2005", *D-Lib Magazine*, 11 (9), <http://www.dlib.org/dlib/september05/westrienen/09westrienen.html>.
- Zuber Peter A (2008). A study of Institutional Repository holdings by academic discipline. *D-Lib Magazine*, v. 14 (11/12).

OpenSIGLE, Home to GreyNet's Research Community and its Grey Literature Collections: Initial Results and a Project Proposal *

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Abstract

For the past 16 years, GreyNet has sought to serve researchers and authors in the field of grey literature. To further this end, GreyNet has signed on to the OpenSIGLE repository and in so doing seeks to preserve and make openly available research results originating in the International Conference Series on Grey Literature. GreyNet together with colleagues at INIST-CNRS have designed the format for a metadata record, which encompasses standardized PDF attachments of the authors' conference preprints, PowerPoint presentations, abstracts and biographical notes. In April 2008, the first test batch containing records from the Eighth International Conference on Grey Literature (GL8, 2006) was uploaded. A few minor problems that were encountered and have since been successfully resolved. These metadata records and their corresponding attachments are now available for search and retrieval in OpenSIGLE. Subsequent record entries followed with GL7 (2005) down to GL6 (2004) and GL5 (2003). By December 2008, conference records over the past five years including those from GL9 (2007) will be available in the OpenSIGLE Repository. For this phase of the project, a budget of 2000 Euro was appropriated to cover the costs of formatting, conversion, and technical editing of the 100 plus metadata records and 300 accompanying PDF attachments. Records from the earlier four conferences in the GL Series (1993-1999) will require additional image scanning as well as permission from Emerald (the former MCB University Press). Should this be granted not only would the total number of GreyNet records in OpenSIGLE be nearly doubled but GreyNet's collection would then be comprehensive.

Method of Approach

If OpenSIGLE is indeed the best home for GreyNet, then some measure of empirical results should be able to confirm it. Results that would demonstrate benefits for both the GreyNet Collection as well as OpenSIGLE. For it is here, where the crossroads of more than 25 years of bibliographic information on grey literature intersects with 15 years of research on grey literature. The analysis of usage statistics and local metrics can draw on the standards and definitions of the COUNTER project for journals and databases but must take into account that little has been published so far on usage statistics of documents deposited in open archives, that standards, recommendations and empirical evidence are still missing, and that the software for the export of statistics need to be improved. Approach, methodology and preliminary usage data will be presented with special attention to comparative data when available from INIST and GreyNet websites, and to the potential and real impact of PR campaigns and referencing on usage. This may also lead to the evaluation of the role and impact of OpenSIGLE and GreyNet's Collection on the development and functioning of the international GreyNet community and the creation of community-related tools and functionality (web 2.0). If GreyNet is to factor into the design of the 'Grey Grid' for information society, then not only it's place in serving researchers and educators in the field of grey literature must be re/evaluated but also it's place in serving practitioners in the field. Such a study would help bring this home.

PART ONE

SIGLE to OpenSIGLE in Five Seconds

SIGLE (System for Information on Grey Literature in Europe) was a unique multidisciplinary database dedicated to grey literature. Up to 15 European partners participated in SIGLE, mostly national libraries or important research libraries. Created in 1980 and produced from 1984 onwards by EAGLE (European Association for Grey Literature Exploitation), the database was last available through STN International and on CD-ROM via Silverplatter/Ovid, until it became dormant in 2005. INIST then decided to make the data publicly available on an open access platform. Details of the migration from

* First published in the GL10 Conference Proceedings, February 2009

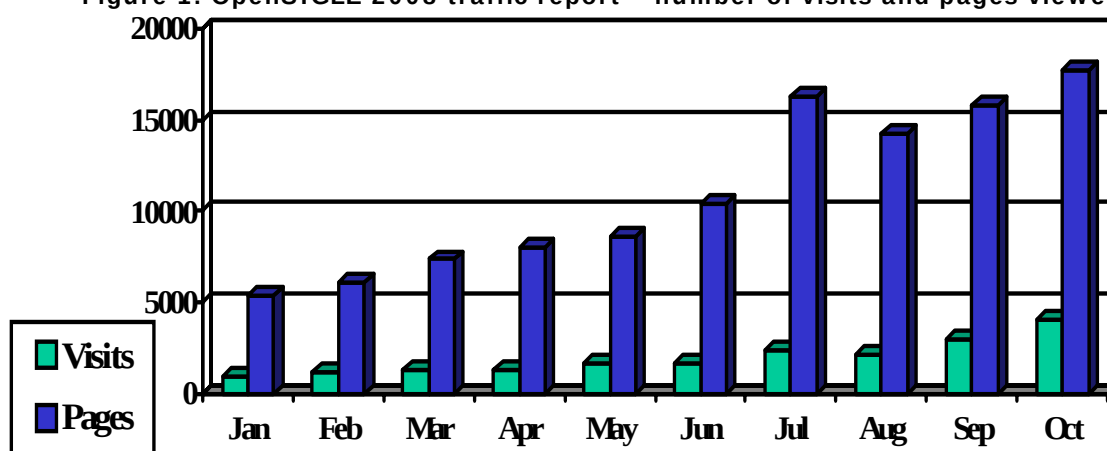
SIGLE to OpenSIGLE have been presented at the GL8 Conference held in December 2006 (Schöpfel 2007)¹. The OpenSIGLE website went live in December 2007. This paper further discusses two aspects of OpenSIGLE: (1) usage statistics covering one year of access to the repository and (2) a cooperative agreement with GreyNet, the Grey Literature Network Service.

OpenSIGLE Traffic Report

Our usage analysis is based on data obtained through *phpMyVisites*, an open source software for website statistics that works with a javascript image call. Only completely uploaded pages are counted and robots are excluded. Other statistics based on server logs might however provide higher numbers. The following data provides only a part of the information that can be obtained through *phpMyVisites*.

The first figure shows that the number of visits as well as the number of pages have increased steadily since the opening of the website in 2007. The peak in July is due to a press campaign in the middle of the French holidays. The result is both surprising and rewarding since visits usually go down during the summer months.

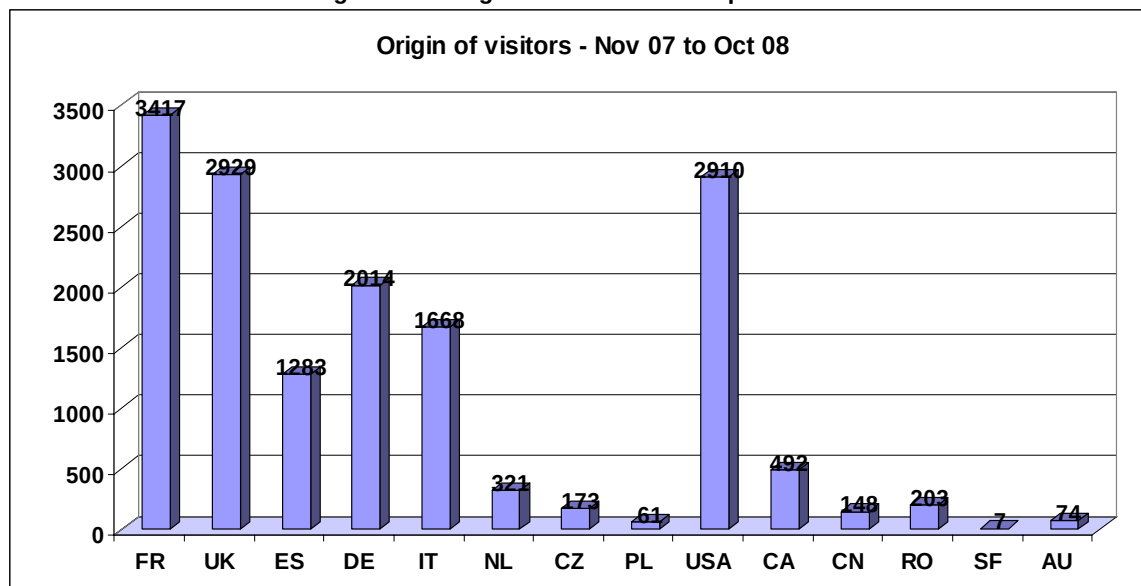
Figure 1: OpenSIGLE 2008 traffic report – number of visits and pages viewed



Geographic Origin of Visitors

Our software allows us to monitor the origin of the visitors for the top ten countries each month. For countries at the end of the list the global number may be higher, but they are not counted if they are in position 11 and below. The sum of 12 months worth of data shows France in the lead, closely followed by the United Kingdom and the United States. A second group is formed by Germany, Italy and Spain. We clearly see that OpenSIGLE users come not only the former EAGLE countries, but also from the United States, Canada, and since recently China. France took the lead from June 2008 onwards, before then UK users were in front.

Figure 2: Origin of visitors to OpenSIGLE



Usage and Feedback

Compared to other INIST websites and e-resources, statistics show that between 16% to 19% of our users are from North America. OpenSIGLE is in third place among users from this continent preceded by the English version of INIST's institutional website (<http://international.inist.fr>) and IndicaSciences - an INIST product dedicated to research evaluation and indicators (<http://indicasciences.inist.fr>). INIST websites geared to a French speaking audience receive about 7% of the visits from North America.

The analysis of web links as well as other feedback reveal that OpenSIGLE is fairly often used in the biomedical and public health sectors. At present, statistics don't allow us to go into further detail regarding scientific domains.

During the course of 2008, we received several requests from former users of the STN or the WebSpis SIGLE database pertaining to complex search strategies. These requests required us to look into the limits of the Jakarta Lucene search engine implemented with DSpace, especially with regard to the length of the search query. We discovered that Lucene allows more possibilities than mentioned in the help provided by DSpace. Besides inquiries involving search strategies, other users were interested in the download and export features of OpenSIGLE.

One critical view of OpenSIGLE found on a blog, slates the absence of links to the full text of documents (<http://healthinformaticist.wordpress.com/2008/08/28/does-opensigle-exist-for-its-own-sake/>). This of course is understandable given the fact that it was one of the very reasons why the SIGLE database was discontinued.

Promotional Activities

Before the official announcement of the launch of OpenSIGLE, we presented the project at a DSpace user group meeting and exchanged experiences with other users (Grésillaud, October 2007)². Shortly afterwards, and as a result of that meeting, we received visitors from Spain and Italy. And in December 2007, attention was also focussed on OpenSIGLE during GL9, the Ninth International Conference on Grey Literature in Antwerp, Belgium.

In May 2008, a short presentation for the French public was given at I-expo (IT conference and exhibit) in Paris. And in July, INIST sent a press release to national and international lists and agencies (i.e. Information World Review and Research Information). This no doubt resulted in the abovementioned peak of visits in the middle of summer. Simultaneously a brief message was placed both on the French and international homepages of INIST. Since "news items" are less frequent during summer months, the message about OpenSIGLE remained for a longer period of time on these WebPages.

Today OpenSIGLE is indexed by Google and Google Scholar and included in the bookmarks of national libraries and research institutes. Following the creation of the WorldWideScience Alliance in June 2008, in which INIST is a partner, we proposed to integrate into the WorldWideScience portal and this was realized in September 2008. Our web statistics for October show that WWS.org³ is the forth partner site for visitors accessing OpenSIGLE through a website and GreyNet.org⁴ follows closely behind. Overall, these different promotional activities appear to have had a positive impact on the use and branding of OpenSIGLE.

Future Developments

Before discussing further the cooperation between OpenSIGLE and GreyNet, let me conclude this first part of our paper with an outlook to 2009 and beyond.

The work of designing and redesigning Websites is never finished - just as with other information products and services. OpenSIGLE can be further developed in any number of directions. One of which will be the new look planned for 2009. Other directions that we are looking into include:

1. Uploading the French data from 2005 onwards and thus closing the gap between the SIGLE and OpenSIGLE records
2. Integrating links to the full text whenever it exists
3. Inclusion of the Dutch SIGLE records
4. Inclusion of current records from other countries
5. Integrating OpenSIGLE into other networks and portals
6. Etcetera

PART TWO

GreyNet, On the Background and Forefront

In the first part of this paper, we encountered a quarter of a century history and development in warp tempo. In this second part, I would like to address the relationship between GreyNet and the former EAGLE Association including its SIGLE database and then move to a conscious positioning of GreyNet in the newfound OpenSIGLE Repository with INIST as Service Provider.

In 1992, EAGLE agreed to act as main sponsor for the launch of the First International Conference on Grey Literature, which was held in the Amsterdam RAI. GreyNet was at that time a newly established network service – driven on two fronts: (1) to promote the field of grey literature and the work of organizations involved in this branch of information the world over, and (2) to stimulate research on grey literature and make the results available both in print and digital (electronic) formats. EAGLE participated as sponsor and/or program committee member in the first five Conferences in the GL-Series.

In early 2005 GreyNet was invited as an observer to the final EAGLE Board meeting at FIZ Karlsruhe, where the Association formally voted to be dissolved. It was at that same meeting that the initial draft of an OpenSIGLE proposal was presented by Dr. Joachim Schöpfel⁵, who was the last in line of EAGLE Presidents.

In the two ensuing years (2005-2007), INIST worked unilaterally on OpenSIGLE, which could then be described as a caretaker repository. In the autumn of 2007, once OpenSIGLE had become operational, GreyNet met with colleagues at INIST to hammer out an agreement that on the one hand would make GreyNet OAI-compliant and on the other hand would expand INIST's role in OpenSIGLE from solely a caretaker to an external service provider. And to this end, GreyNet's conference based collections would provide an example of OpenSIGLE's potential for other data providers in the grey literature community.

The GreyNet Community in 2008

As of December 2008, the last five years of research issuing from the GL Conference Series has been uploaded in the OpenSIGLE Repository. The bilateral contact between INIST as service provider and GreyNet as data provider was successful in customizing a metadata record for the enriched publication of conference preprints and the subsequent migration of GreyNet's collections to an open access environment. The bilateral agreement likewise holds for future conferences in the GL-Series, continuing with GL10 records onward. Retrospective input of the initial four conferences in the GL-Series (1993-1999) would however make GreyNet's collections comprehensive in OpenSIGLE. And to this end, contact has been undertaken with the Emerald Group Publishing Limited – the former MCB University Press – which still holds copyright on this material.

The initial reaction from the grey literature community to GreyNet's alliance with OpenSIGLE has been positive, however due to the brief timeframe in which GreyNet's collections are actually available in the OpenSIGLE Repository, it is yet too early to provide you with any substantial user statistics. While GreyNet has been receiving monthly reports from INIST generated via OpenSIGLE, GreyNet is looking at ways to compile use and user statistics as well as other feedback via its own channels. In this way, early down the road, there would be separate data issuing from INIST as service provider and GreyNet as data provider, which might allow us to draw comparisons and provide grounds for decisions in the future. In September of this year, an OpenSIGLE webpage was added to the GreyNet website with hyperlinks to its conference collections. From September to November visits to this webpage have been a little over hundred per month; however, now that GreyNet's current collections are all available in OpenSIGLE, what was a sub-page on the GreyNet website will in January 2009 become a main page - visible and clickable from GreyNet's homepage. This will no doubt create more traffic to the OpenSIGLE Repository; and at the same time allow for the addition of its own sub-pages for content, promotional, and instructive purposes.

GreyNet's Potential for OpenSIGLE

The Grey Literature Network Service feels that it has still more to offer OpenSIGLE than its collections of conference based research. Going back to 1992, when GreyNet was first launched, one of its primary goals mentioned earlier in this paper was to promote the field of grey literature and the work of organizations involved in this branch of information. To this end - what EAGLE was to SIGLE, GreyNet could be to OpenSIGLE and more. GreyNet operates internationally and maintains a full-time

established network service specializing in grey literature with information products and resources both in print and electronic formats. GreyNet has for the past six years (2003-2008) often times together with colleagues from France and The Netherlands carried out research projects involving citation analysis, questionnaires and surveys, interviews, as well as standard review of literature.

GreyNet has incorporated its own results from these small scale projects with the results from research carried out by other of the 250 authors/researchers in the GL-Conference Series in order to develop an academic curriculum for students of Library and Information Science (LIS). This course curriculum was first offered for 3 hours of college credit via the distance education program at the University of New Orleans (UNO) in the Fall 2007 semester⁶. After an evaluation and revisions, it will once again be offered in the Spring 2009 semester. GreyNet seeks to expose other LIS Colleges and Schools to curriculum opportunities in grey literature. And, at this very conference we have ten masters students from the University of Amsterdam, who will be using results from the GL10 published research in the completion of their own assignments linked to course credit.

Over the past 16 years (1992-2008), GreyNet has developed channels for promotional outreach as well as a publishing arm. These could no doubt serve and support future developments in the OpenSIGLE Repository.

Further Considerations and Concluding Remarks

Over the past year, in the course of migrating GreyNet's collections to the OpenSIGLE Repository, a number of issues arose and give way to serious consideration, such as:

- Streamlining the SIGLE Classification Scheme for the OpenSIGLE Repository
- Customizing metadata templates for various grey literature document types
- Plus links to datasets and software underlying the results of published research
- Networking with former EAGLE members and new stakeholders in Grey Literature
- Proving a crosswalk to subject based and institutional grey literature resources and collections
- Etcetera

What began unilaterally with the vision and determination of INIST-CNRS and what has recently been expanded in bilateral cooperation with GreyNet has yet even greater potential for the global grey literature community. GreyNet together with INIST-CNRS are committed to drafting a project proposal. This proposal will explore the capacity required for the OpenSIGLE Repository to further develop in multi-lateral and international cooperation in the support of European research infrastructures committed to open access of their grey literature collections and resources.

References

¹ Schöpfel, J., C. Stock, and N. Henrot (2007), From SIGLE to OpenSIGLE and beyond: An in-depth look at Resource Migration in the European Context. – In: The Grey Journal : An International journal on Grey Literature, vol. 3, no 1, Spring 2007. - ISSN 1574-1796

² Grésillaud, S., and C. Stock (October, 2007), DSpace at INIST-CNRS: one platform, different usages and resulting specific needs/problems. Paper presented at DSpace User Group Meeting 2007, Food and Agriculture Organization of the United Nations, Rome, Italy. Available at <http://www.aepic.it/conf/viewabstract.php?id=208&cf=11>

³ WorldWideScience.org, the global science gateway <http://worldwidescience.org/>

⁴ GreyNet, Grey Literature Network Service <http://www.greynet.org/>

⁵ Schöpfel, J. (2006), MetaGrey Europe, A Proposal in the Aftermath of EAGLE-SIGLE. – In: GL7 Conference Proceedings, pp. 34-39. – ISBN 90-77484-06-X

⁶ Farace, D.J., J. Frantzen, J. Schöpfel and C. Stock (2008), Grey Literature: A Pilot Course constructed and implemented via Distance Education. – In: The Grey Journal : An International journal on Grey Literature, vol. 4, no 1, Spring 2008. - ISSN 1574-1796

On the News Front

REPORT ON GL10 AND FUTURE ENDEAVORS : RAISING AWARENESS OF GREY LITERATURE AMONG DISCIPLINES

Yongtao Lin and Marcus Vaska
(Canada)

Authors' note:

In December 2008, we presented our paper entitled "Information Literacy and Librarians' Experiences with Teaching Grey Literature to Medical Students and Healthcare Practitioners" at the Tenth International Conference on Grey Literature (GL10) in Amsterdam. This report discusses our experiences at GL10, a subsequent presentation given to the Library and Cultural Resources (LCR) Council at the University of Calgary detailing our involvement and role at GL10, and future projects surrounding grey literature that we plan on implementing in 2009.

Presentation at GL10, Amsterdam, December 8, 2008

We have often stressed the need for grey literature during our own teaching sessions at the University of Calgary Health Sciences Library and Tom Baker Cancer Centre Knowledge Centre. Attending GL10 emphasized once again the goal and necessity of improving the findability of this elusive material. A plethora of presentations discussing collection development, digital repository pursuits, legal and copyright dilemmas, as well as the continuous pursuit of open access sources to increase grey literature accessibility, fit in well with GL10's universal theme of *Designing the Grey Grid for Information Society*. Information is constantly changing; the overload and/or loss of information, as well as the capability of accessing required material on demand are factors confronting professionals, practitioners and other users on a daily basis, becoming more and more pertinent as information embraces the digital age.

What made GL 10 a successful international conference was that it truly enabled researchers, educators, and librarians from a wide variety of disciplines to gather together and share new and unique methods of searching for the grey literature. Along with the plenary presentations, the GL10 poster sessions introduced a wealth of new technological pursuits to making retrieving grey literature more user-friendly, and we wish to focus on three key sources that we feel can make an immediate impact on searching endeavors, especially for our own users, medical students and healthcare providers. WorldwideScience.org, a global science gateway connecting to national and international scientific databases and portals, contains numerous participating countries around the world, including Canada. Its primary goal is to accelerate scientific discovery and progress by providing one-stop searching of global science sources. OpenSIGLE, the System for Information on Grey Literature in Europe, is an open source initiative akin to the University of Calgary's D-Space. A digital repository of reports, dissertations, conference papers produced by members of the European Community, OpenSIGLE covers science and technology, economics, and the humanities.

Working in the health sciences sector, we were especially intrigued by WebISTAD, a portal for the international scientist, created by the International Science and Technology Affairs Directorate (ISTAD), and the Council of Scientific and Industrial Research (CSIR), both of which are based in New Delhi, India. WebISTAD contains links to electronic newsletters, training programs, information on fellowships, and so on, encompassing a broad specter within the scientific realm.

GL10 was without a doubt an excellent and rewarding learning opportunity for us; we made personal contact with numerous participants during the Conference, sharing thoughts and ideas of grey literature's role in pedagogy.

Presentation to LCR Council, University of Calgary, January 23, 2009

The report we prepared to The University of Calgary LCR Council on January 23, 2009 captured, albeit briefly, a spectrum of working with *shades of grey*. By introducing the concept of grey literature, and providing a teaching method that we believe can be adapted to virtually any discipline, we attempted to capture and hold the interest of all attendees.

Before we launched into GL10 itself, we included a brief anecdote of our collaborative venture with teaching grey literature, from our first session to a team of cancer researchers in May 2008, to our invitation to participate at this international venue. Our conviction in the role of grey literature as a teaching tool for inquiry-based learning that allows the learner to shape his/her own research path beyond the classroom setting took flight, and we were able to relate our renderings with fellow librarians and researchers worldwide to our colleagues at our home institution.

Based on discussions following the conclusion of our LCR presentation, we were pleased to learn that many of our fellow librarians already had some experience dealing with various types of grey literature, including theses and dissertations, conference proceedings, newsletters, reports, government documents, even informal communication in both print and electronic formats. Our colleagues almost unanimously seemed to nod their heads in agreement when we recounted some of the earlier skepticism cited in the literature surrounding the field of grey literature, with some laying claim that since it had not been published through the regular channels, it was not deemed to be scholarly. Along with our own experiences, we strongly support the notion that grey literature is produced by experts in the field and “services scholars and lay readers alike with research summaries, facts, statistics, and other data that offer a more comprehensive view of the topic of interest” (Outten, 2008).

While GL10 was not marketed as a librarian conference, it was interesting to note that ten library institutions were represented. We were definitely not alone in the role of information professionals making grey literature more accessible and available to researchers and other end users through numerous efforts from both organizational and individual perspectives.

Grey Literature: Future Plans & Projects

Grey literature is indeed multidisciplinary; despite first being implemented in the health sciences sector (Carder, 2001), problem-based learning can undoubtedly be used across subject areas. We are currently planning a Grey Literature Speakers Series, consisting of six to eight sessions to be held this year. While the sessions will center on a specific theme/topic approach to grey literature (i.e. social sciences, arts, humanities, health sciences, education, business, law, etc), they will be intertwined into our main focus of raising grey literature awareness. Some of these classes will be introductory in nature, introducing the concept of grey literature, its history, and why it has gained increasing importance over the past decade. Other lessons will utilize the expertise of liaison librarians across the University of Calgary library system, who will discuss their own experiences with grey literature in their subject liaison role. These speaker series can almost be thought of as a bonding exercise, strengthening the channels of communication across all library personnel.

Our next endeavor with grey literature lies in a presentation we plan to make during the University of Calgary's annual Faculty Technology Days, a three-day event highlighting the relationship between teaching, learning, and technology. With the ever-increasing presence of mobile computing and other technological gadgets used by clients both in the library and off-campus, we would like to centre our discussion around the impact and role that technology has played and continues to play when it comes to the grey literature.

As the door to the world of grey literatures continues to widen within our libraries at the University of Calgary, we look forward to engaging our colleagues at a broader level, namely internationally, to see the value of uncovering the otherwise unrecoverable beyond the usual channels. .

References

- Carter, L., P. Willingham, D. Bibb (2001), Case-based problem-based learning: Information literacy for the real world. – In: Research Strategies, 18 2001, pp. 181-190. ISSN 0734-3310
- Outen, C. (2008), Gray Literature. – In: California State University Long Beach: University Library Subject Guides. http://www.csulb.edu/library/subj/gray_literature/

GL11

Library of Congress
Washington D.C., USA
14-15 December 2009

ELEVENTH INTERNATIONAL CONFERENCE ON GREY LITERATURE

Join the Federal Library and Information Center Committee (FLICC) of the Library of Congress in Washington, DC as host for GL11, December 14 and 15, 2009.

FLICC is an organization of U.S. federal agencies dedicated to cooperation and concerted action within the community of federal libraries and information centers. FLICC and FEDLINK, FLICC's purchasing, training and resource-sharing consortium, achieve better utilization of federal information resources and facilities through promotion of common services, coordination and sharing of available resources and professional development. FLICC is also a forum for discussion of federal library and information policies, programs, and procedures to help inform the Congress, federal agencies, and others concerned with libraries and information centers.

For the latest news on GL11 or FLICC/FEDLINK, visit our Web site at <http://www.loc.gov/flicc>.



Eleventh International Conference on Grey Literature

<https://tgi.org/10.26069/greynet-2026-000.600-tgi>



The Grey Mosaic
Piecing It All Together

Announcement

Over the past 15 years, Grey Literature has developed from a millennium movement to a well defined field in information studies. This process has been considerably influenced and shaped by results of research issuing from the International Conference Series on Grey Literature. The Eleventh Conference in this series will endeavor to piece together traditional features inherent to grey literature with more recent elements both technology and policy driven. In any field of science and technology, information and knowledge aggregated in research must be made available beyond the limits of any one specific information community, and as such, should be openly accessible to net citizens. This principle related to grey literature, requires that its uses and applications in diverse subject areas benefit information society as a whole. Furthermore, net citizens must acquire a sense of safeguard and security that the grey resources on which they come to rely have passed some level of corporate governance. In piecing the various components and facets of grey literature together, GL11 hopes to depict a virtual image of the Grey Mosaic.

Conference Themes:

- Impact of Grey Literature on Net Citizens
- Corporate Governance of Grey Literature
- Uses and Applications of Subject based Grey Literature
- Grey Literature Repositories Revisited
- Open Access to Grey Resources

More on GL11

In order to keep conference delegates, authors, and other information professionals informed on the progress of the Eleventh International Conference on Grey Literature, a bimonthly newsletter will be issued by the Program and Conference Bureau. If you would like to receive a copy of this publication, visit the conference site or email us today.

GL11 Program and Conference Bureau

TextRelease

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Eleventh International Conference on Grey Literature

<https://tgi.org/10.26069/greynet-2026-000.600-tgi>



The Grey Mosaic
Piecing It All Together

Call for Papers

To: Authors, Publishers, Librarians, Editors, Researchers, Policy Makers, Information Managers, Brokers and Vendors, Information Specialists, Information Professionals, Journalists, and Academia

GUIDELINES FOR THE SUBMISSION OF ABSTRACTS

Participants who seek to present a paper at GL11 are invited to submit an English abstract between 300-400 words. The abstract should deal with the problem/goal, the research method/procedure, an indication of costs related to the project, as well as the anticipated results of the research. The abstract should likewise include the title of the proposed paper, names of the author(s), and full address information. Abstracts are the only tangible source that allows the Program Committee to guarantee content and balance in the conference program and sessions. Every effort should be made to reflect the content of your work in the abstract submitted. Abstracts not in compliance with guidelines will be returned to the author for revision.

TITLE OF YOUR PAPER:

ADDRESS INFORMATION:

A uthor Name(s)	T elephone
O rganization(s)	F ax
A ddress/P.O. Box	E mail
P ostal code - City - Country	U RL

INDICATE THE THEME MOST SUITED TO YOUR ABSTRACT:

- ☐ Impact of Grey Literature on Net Citizens
- ☐ Corporate Governance of Grey Literature
- ☐ Uses and Applications of Subject based Grey Literature
- ☐ Grey Literature Repositories Revisited
- ☐ Open Access to Grey Resources

DUE DATE AND FORMAT OF SUBMISSION

The abstract must be emailed on or before **April 15, 2009** in MS Word. The author will receive written verification upon its receipt.

FURTHER PROCEDURE

Shortly after the Program Committee meets in May, those who submitted abstracts will receive notification of their place on the GL11 Conference Program. This notice will be accompanied by further guidelines for the submission of the full-text papers and PowerPoint presentations. Authors will then have 30 days to complete their Conference Registration. For further details, see the GL11 Conference Registration Form.

GL11 Program and Conference Bureau

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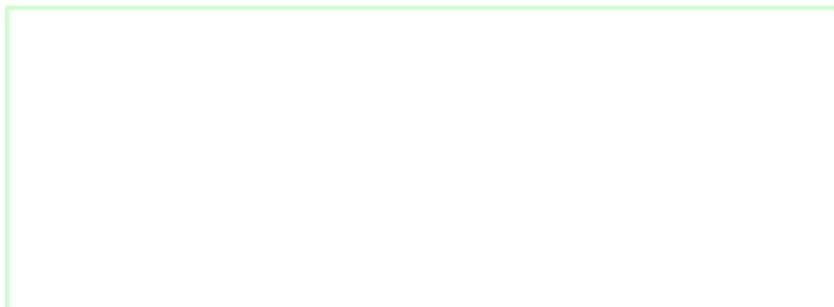
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