License Records

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Populating the ERM License Records djc

Type of agreement: Terms of Use djc

Definition

- Guidelines or terms of use are posted on a website
- No signed license
- Could be click on an agreement or not to gain access

Resource Record djc

- Licensed = T – Terms of Use.
- Resource Type = Electronic journal, Electronic journal collection (when titles are purchased as a collection and not picked individually), Database

License Record djc

Fixed field defaults used in template:

- Confidential = n (no)
- Auto Renew – leave black
- Status = None
- Type = Click thru
- Breach Cure = 30
- Perpetual Access Rights = unknown
- Archiving Rights = unknown
- Warranty = unknown
- Disability Compliance = Unknown
- Indemnification = unknown
- Law & Revue = unknown
- Official archive = unknown
- User confide = unknown
- Concurrent users = 9999 (if unlimited access)

Do not populate variable fields

- Licensee
- Licensor
- Negotiator
- Remote access

Do populate variable fields

- License location (from eRes folder)
- Authentication method
- Site Definition
- Authorized Users
- Terms of Use (User)
  - If copyright law mentions (CONTU, etc), list Fair Use clause (add target="_new" to html before closing bracket to open new window)
  - Print limited
  - Download limited
  - Scholarly sharing – only if stated in the license
  - Any uses and or copies of this Journal in whole or in part must include the customary bibliographic citation, including author attribution, date, article title, name of online journal, and the URL for the journal and MUST include a copy of the copyright notice.
- Terms of Use (Staff)
  - No commercial use if stated in ILL rights and restrictions
  - When ILL rights are permitted, use Ariel ILL unless restrictions on method of delivery are stated
- License note
  - When all of the fixed and variable fields have been completed, add a license note such as "7/30/2008: License record complete. rja"

**Type of agreement: Open Access**

**Definition**
- No signed license
- Articles freely available on the internet

**Resource Record djc**

- Licensed = p = Public domain
- Resource Type = Electronic journal, Electronic journal collection (when titles are purchased as a collection and not picked individually), Database

**License Record djc**

Fixed field defaults used in template:

- Confidential = unknown
- Auto Renew = Null
- Status = Null
- Type = Null
- Breach Cure = 0
- Perpetual Access Rights = Null
- Archiving Rights = Null
- Warranty = Null
- Disability Compliance = Null
- Indemnification = Null
- Law & Revue = Null
- Official archive = Null
- User confide = Null
- Concurrent users = 9999 (if unlimited access)

Do not populate variable fields

- Licensee
- Licensor
- Negotiator
- Authentication method
- Authorized users

Do populate variable fields

- Site Definition - Unrestricted
- Perpetual access = Yes; Add a Perpetual access note "This is open access and there is no guarantee this will be accessible in perpetuity.
- Archival rights = No
- Official archive = Electronic
- Terms of Use (Patron)= <a href="http://publishing.wsu.edu/copyright/fair_use/" target="_new"> Fair use applies</a>
If copyright law mentions (CONTU, etc), list Fair Use clause (add target="_new" to html before closing bracket to open new window)

Terms of use (Staff) Open access material. Availability may vary without notice. Archival format: Electronic

- License note
  - When all of the fixed and variable fields have been completed, add a license note such as "7/30/2008: License record complete. rja"

**Type of agreement: Signed License**

**Definition**

- License agreements, contracts or terms that are signed by one or both parties

**Resource Record djc**

- Licensed = l– Terms of Use.
- Resource Type = Electronic journal, Electronic journal collection (when titles are purchased as a collection and not picked individually), Database

**License Record djc**

Fixed field defaults used in template:

- Confidential = unknown
- Auto Renew = Yes
- Status = Active
- Type = Site license
- Changes to Contract = unknown
- Perpetual Access Rights = unknown
- Archiving Rights = unknown
- Warranty = unknown
- Disability Compliance = Unknown
- Indemnification = unknown
- Law & Revue = silent
- Suppression = Normal display
- Official archive = unknown
- User confidentiality = unknown
- Breach Cure = 30
- Concurrent users = 9999 (if unlimited access)

Populate these fixed fields
• Licensee Sign Date = Date WSU authorized officer signed the contract
• Licensor Sign Date = Date publisher or other party signed the contract
• Contract Start Date = Date contract is in effect; may be the same or different than the subscription period
• Contract End Date = Only enter if contract is for a specific term

Do populate variable fields

• Site Definition
• IP address
• License location (from eRes folder)
• Licensee- Location or office of person who negotiated the license; WSU Pullman or GWLA
• Licensor - Name and company (John Smith, Nature publishing)
• Negotiator - Use drop down menu; name on most recent signed license
• Authentication method - Default to EZProxy; IP Range
• Authorized Users - Default to Faculty, staff, undergraduates, graduate students, walk-ins
• Terms of Use (User)
  o If copyright law mentions (CONTU, etc), list Fair Use clause (add target="_new" to html before closing bracket to open new window)
  o Print limited
  o Download limited
  o Scholarly sharing – only if stated in the license
  o Any uses and or copies of this Journal in whole or in part must include the customary bibliographic citation, including author attribution, date, article title, name of online journal, and the URL for the journal and MUST include a copy of the copyright notice.
• Terms of Use (Staff)
  o No commercial use if stated in ILL rights and restrictions
  o When ILL rights are permitted, use Ariel ILL unless restrictions on method of delivery are stated
• License note
  o When all of the fixed and variable fields have been completed, add a license note such as "7/30/2008: License record complete. rja"

Procedures for locating license archival rights djc

Materials:

• List of ResourceID and Resource Names
• License Record Codes and Definitions
• Editing the license record

Goal of the project: To take information on archival rights from the license files and make them available to library staff and library users.
Objectives: To complete the following fields in the ERM record as appropriate.

- Perpetual Access Rights
- Archiving Right
- Official Archive
- License Notes
- Perpetual Access Notes
- Archiving format

Procedures

1. Locate a license for the resource listed on the spreadsheet of Resource Records
   - The license is on file in Serials and Electronic Resources files. Communications about the resources and the licenses are interfiled. Located the most recent license (pink label).
   - Sign out the license and bring to your work area.
   - Pull 5 licenses at a time

1. Open the license and look for the terms and archival information. Populate the license record using the "Editing the license record instructions".
2. Meet with supervisor. Review the license record together.
3. Return the files to Serials and E-Resources, file the folders and sign them back in.

Table of ERM License Record Codes and Definitions for WSU djc

Diane Carroll, Head Collections and Acquisitions

<table>
<thead>
<tr>
<th>License Record Fields</th>
<th>Code</th>
<th>Definition</th>
<th>Default Values and instructions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fixed Length Fields</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Confidential</td>
<td></td>
<td>Does contract require confidentiality?</td>
<td>p = Price Only; c = All Confidential; a = All but Stats; o = Other, n = No; s = Silent; u=Unknown</td>
</tr>
<tr>
<td>Auto Renew</td>
<td></td>
<td>Does signed license automatically renew when subscription renewed?</td>
<td>y = Yes; n = No; s = Silent; u = Unknown</td>
</tr>
<tr>
<td>Status</td>
<td></td>
<td>Status of licensing process</td>
<td>a = Active; n = Negotiation; e = Expired; r = Replaced; u = Unknown</td>
</tr>
<tr>
<td>Field</td>
<td>Description</td>
<td>Options</td>
<td></td>
</tr>
<tr>
<td>----------------------------</td>
<td>------------------------------------------------------------------------------</td>
<td>----------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Type</td>
<td>Type of license; use x for terms of use on the web but no signed license</td>
<td>s = Site license; c = Consortium; x = Clickthru/web; y = Shrinkwrap; m = Creative Comm; u = Unknown; - None</td>
<td></td>
</tr>
<tr>
<td>Perpetual Access</td>
<td>The right to permanently access the licensed materials online paid for during the period of the license agreement.</td>
<td>y = YES; n = NO; u = Unknown (have not researched yet)</td>
<td></td>
</tr>
<tr>
<td>Archiving Right</td>
<td>The right to permanently retain an electronic copy of the license materials. If available in LOCKSS put yes even though we do not have LOCKSS at this time. Add LOCKSS to Archiving Format. When &quot;yes&quot; is entered, add an Archiving Format variable field.</td>
<td>n = No; y = YES; u = Unknown (have not researched yet)</td>
<td></td>
</tr>
<tr>
<td>Warranty</td>
<td>Does the publisher warrant against copyright infringement?</td>
<td>y = Yes; n = No; u = Unknown</td>
<td></td>
</tr>
<tr>
<td>Disability Compliance</td>
<td>Is there a clause addressing ADA requirements?</td>
<td>n = No; y = Yes; s = Silent; Unknown</td>
<td></td>
</tr>
<tr>
<td>Indemnification</td>
<td>Is there a clause describing indemnification of either party?</td>
<td>p = Provider; w = By WSU; m = Mutual; u = Unknown; s = Silent</td>
<td></td>
</tr>
<tr>
<td>Law &amp; Venue</td>
<td>Governing law for signed licenses</td>
<td>w = Washington; n = U.S.; s = Silent; o = Other see note</td>
<td></td>
</tr>
<tr>
<td>User Confidentiality</td>
<td>Is there a clause assuring confidentiality of information on individual users?</td>
<td>n = No; y = YES; s = Silent; u = Unknown</td>
<td></td>
</tr>
<tr>
<td>Suppression</td>
<td>Should information from this record display? Note: which fields to display - and to who is controlled by other settings?</td>
<td>minus (-) = Display Normal; n = No Display</td>
<td></td>
</tr>
<tr>
<td>Official Archive</td>
<td>What is the format of the official archive? Official = copy that needs preservation</td>
<td>p = print; e = electronic (The electronic format will be detailed in the variable field calls archiving format.)</td>
<td></td>
</tr>
<tr>
<td>Title Changes</td>
<td>Do you have a cancellation clause?</td>
<td>b = Cancel/Xchange; n = None Allowed; e = Exchange; d = Must Keep Dups; o = Other See Note;</td>
<td></td>
</tr>
<tr>
<td>Feature</td>
<td>Description</td>
<td>Codes</td>
<td></td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------</td>
<td></td>
</tr>
<tr>
<td><strong>Termination Procedure</strong></td>
<td>Are the termination terms included in the license?</td>
<td>y = Yes; n = No; u = Unknown</td>
<td></td>
</tr>
<tr>
<td><strong>Changes to Contract</strong></td>
<td>Do you want to make a change in the license at the next renewal?</td>
<td>y = Yes; n = No; u = Unknown</td>
<td></td>
</tr>
<tr>
<td><strong>Concurrent Users</strong></td>
<td>Number of simultaneous users allowed</td>
<td>Use 9999 for unlimited users. Could ask Helpdesk to display the word unlimited if we decide to display in OPAC</td>
<td></td>
</tr>
<tr>
<td><strong>Breach Cure Period</strong></td>
<td>Days to cure breach</td>
<td>Number</td>
<td></td>
</tr>
<tr>
<td><strong>Licensee Sign Date</strong></td>
<td>Date of the most current signed document (license, amendment or addendum). When more than one signed document is available on eRes, add an explanation to the License Note.</td>
<td>Add date</td>
<td></td>
</tr>
<tr>
<td><strong>Licensor Sign Date</strong></td>
<td>Date signed</td>
<td>Add date</td>
<td></td>
</tr>
<tr>
<td><strong>Contract Start Date</strong></td>
<td>May be different from subscription period</td>
<td>Add date</td>
<td></td>
</tr>
<tr>
<td><strong>Contract End Date</strong></td>
<td>May be different from subscription period</td>
<td>Add date</td>
<td></td>
</tr>
<tr>
<td><strong>Expiration Date</strong></td>
<td>We need a definition here.</td>
<td>Add date</td>
<td></td>
</tr>
<tr>
<td><strong>Variable Length Fields</strong></td>
<td></td>
<td>WSU Energy; WSU ICN; WSU Pullman; WSU Spokane; WSU TriCities; WSU Vancouver; BCR; GWLA; Orbis-Cascade; SOLINET; UW-WSU; WSCLP</td>
<td></td>
</tr>
<tr>
<td><strong>Licensee</strong></td>
<td>Licensing office/officer responsible for WSU side negotiations</td>
<td>Licensing office/officer responsible for WSU side negotiations</td>
<td></td>
</tr>
<tr>
<td><strong>Licensor</strong></td>
<td>Licensing office/officer responsible for publisher permanent signature copy of license</td>
<td>Licensing office/officer responsible for publisher permanent signature copy of license</td>
<td></td>
</tr>
<tr>
<td><strong>Negotiator</strong></td>
<td>Licensing office/officer responsible for library</td>
<td>Joel Cummings; Diane</td>
<td></td>
</tr>
<tr>
<td>License Location</td>
<td>y</td>
<td>Link to license or terms of use on eRes.</td>
<td></td>
</tr>
<tr>
<td>License Notes</td>
<td>n</td>
<td>Records of contract-specific information obtained via email, phone, fax, etc.</td>
<td></td>
</tr>
<tr>
<td>Authentication Method</td>
<td>a</td>
<td>Technical means by which provider makes resource available to authorized users</td>
<td></td>
</tr>
<tr>
<td>Site Definition</td>
<td>f</td>
<td>Specific geographically-allowed sites. Labeled &quot;Available at&quot; on OPAC display. This field will display in the public OPAC so no initials or notes should be added to this field.</td>
<td></td>
</tr>
<tr>
<td>Pooled Users</td>
<td>p</td>
<td>We need a definition here.</td>
<td></td>
</tr>
<tr>
<td>Authorized Users</td>
<td>u</td>
<td>Specific groups of authorized users; Faculty, staff, undergraduates, graduate students, walk-ins,</td>
<td></td>
</tr>
<tr>
<td><strong>IP addresses</strong></td>
<td><strong>b</strong></td>
<td><strong>Activated IP addresses</strong></td>
<td></td>
</tr>
<tr>
<td>------------------</td>
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<td>---------------------------</td>
<td></td>
</tr>
<tr>
<td><strong>Terms of Use</strong></td>
<td><strong>t</strong></td>
<td><strong>Common uses permitted for patrons. Labeled &quot;Terms of Use&quot; on OPAC display</strong></td>
<td></td>
</tr>
</tbody>
</table>

For username/password activation where no IPs are required. Insert note and change the Resource Record Administration field to Username/Password if needed.

Date: list IP addresses that have been activated by WSU staff or the publishers. initials

Date: No IPs required, username/password. initials

Download limited portions

Print limited portions

Share for scholarly purposes

No Commercial Uses

No Republishing including Web

<a href="http://publishing.wsu.edu/copyright/fair_use/" target="_new">Fair use applies</a>
<table>
<thead>
<tr>
<th>Term of Use</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Notes</strong> (Patron)</td>
</tr>
<tr>
<td><strong>Terms of Use (Staff)</strong></td>
</tr>
<tr>
<td><strong>1. List all permissions granted and denied.</strong></td>
</tr>
<tr>
<td><strong>2. Add &quot;Fair Use&quot; clause to Terms of Use Patron when the copyright law/CONTU is referenced in the license/Terms of Use</strong></td>
</tr>
<tr>
<td><strong>3. Use the phrase &quot;Use of electronic copy of ILL unknown&quot; when ILL, photocopy rights not addressed. Copyright laws for print will be used as guidelines for fair use.</strong></td>
</tr>
<tr>
<td><strong>Terms of Use Notes (Staff)</strong></td>
</tr>
<tr>
<td><strong>Res. Mgt. Tickler</strong></td>
</tr>
<tr>
<td>Field</td>
</tr>
<tr>
<td>-----------------------</td>
</tr>
<tr>
<td>Tickler Log</td>
</tr>
<tr>
<td>Perpetual Access Notes</td>
</tr>
<tr>
<td>Archiving Format</td>
</tr>
<tr>
<td>Archival Notes</td>
</tr>
<tr>
<td>Notice Requirements</td>
</tr>
</tbody>
</table>