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Licensing Experiences in the Netherlands

Hans Geleijnse

SUMMARY. The licensing strategy of university libraries in the Netherlands is closely connected with university policies to develop document servers and to make research publications available on the Web. National agreements have been made with major publishers, such as Elsevier Science and Kluwer Academic, to provide access to a wide range of scientific information and to experiment with new ways of providing information and new business models. [Article copies available for a fee from The Haworth Document Delivery Service: 1-800-HAWORTH. E-mail address: <getinfo@haworthpressinc.com> Website: <<http://www.HaworthPress.com>> © 2001 by The Haworth Press, Inc. All rights reserved.]

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In the world of libraries, publishers and scholarly information the Netherlands plays an important role due to a set of unique circumstances, which includes:

- thirteen universities, supported by a well-developed national library and IT infrastructure;

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- a pro-active national library: de Koninklijke Bibliotheek in The Hague;
- a library automation company, Pica, created by a number of Dutch University Libraries, which has expanded to other European countries and was recently acquired by OCLC;
- the two largest publishers in the world: Elsevier Science and Kluwer;
- one of the largest subscription agents: Swets Blackwell.

Although this context has provided opportunities for co-operation and new initiatives in the area of digital library development, it has also been a theatre of discussion and discrepancies among the various players. Some years ago, Dutch libraries took a firm stand against the intended merger of Elsevier and Kluwer. Press releases from the Dutch libraries criticizing the continuous price increases of scholarly journals and announcing massive cancellations if this development would continue initiated a lively debate in Dutch newspapers and magazines (<http://www.uba.uva.nl/en/projects/journals-pricing-ukb/policy.html>).

As the librarian at Tilburg University in 1993, I negotiated the first site license agreement with Elsevier Science for all Elsevier journals to which the university subscribed. This was a significant step in the development of the digital library at Tilburg, although in retrospect, we were ignorant about many licensing aspects and not well focused on issues such as digital archiving and use in perpetuity. Many more bilateral agreements followed, and similar developments were initiated at many other institutions.

In spite of these bilateral agreements and much positive experience with the use of electronic information, it has been very difficult to arrive at national license agreements in the Netherlands due to the following issues:

- the discrepancy between the license agreements offered by the publishers and the "Licensing Principles" developed by Dutch and German libraries and launched in October 1997 (<http://cwis.kub.nl/~dbi/english/license/licprinc.htm>)
- the continuous price increases of printed journals, at outrageous percentages of between 12% and 20%, and the significant surcharge publishers wanted to add for electronic access
- the difficulties libraries faced in agreeing on terms, conditions, and strategy

- the problems librarians faced in institutions where important collections were managed and financed by the academic departments.

In spite of these differences, representatives of the Dutch universities and the Dutch publishers managed to solve most disagreements on licensing issues in 1998 and to allow experiments with electronic document delivery based on electronic journals.

In Spring 1999, the UKB, the umbrella body for all Dutch university libraries, de Koninklijke Bibliotheek and the library of the Koninklijke Academie van Wetenschappen, observed that while various publishers' licensing conditions had improved, the key issues related to pricing still applied.

The joint Dutch libraries concluded that they would have to continue a very rigorous cancellation policy if the current "journals crisis" were to continue. They also decided to have more fundamental discussions with the major STM publishers on the changing environment and the challenges of Internet publishing.

The libraries appointed a small negotiating team that developed a policy paper and started high-level discussions with eight publishers.

It was stressed that all Dutch universities were or soon would be engaged in supporting electronic publishing by their own researchers and in the development of document servers and open archives. These initiatives would stimulate fast, cheap and convenient access to the scientific output of the universities and facilitate scientific communication.

This development created the need to reconsider current business models in the relationship between universities, libraries and publishers. Publishers were long accustomed to dealing with universities and libraries as their customers and as consumers of "their information." The development of university-based document servers underscored the position of the universities as suppliers of information. The universities emphasized that they would be prepared to pay a reasonable price for any real value the publishers might add to the electronic information that was or would become available on the Internet. An important first result of this approach was an agreement between the Dutch universities and Elsevier Science, signed in June 2000.

The press release announcing this development stressed that

in addition to the provision of Elsevier's scientific information, the purpose of the agreement is to work together to experiment with ways of providing scientific information through the use of information and communication technology. Universities are develop-

ing document servers on which scientists can make their working papers available. This may lead to changes in the distribution and business models that form the basis of scientific publishing. Experimenting with such changes also forms part of the agreement. It was agreed that the members of the UKB will, for a period of five years, have access to the full text of all Elsevier Science primary publications. (<http://www.kub.nl/~dbi/english/license/es-ukb-p.htm>)

Under this arrangement, the universities agreed to pay annually (for five years) a fixed low percentage for continued print subscription plus electronic access to all Elsevier titles. The percentage is in addition to the costs of the subscription package in the base year 2000.

In May 2001 a similar agreement was made with Kluwer Academic, and agreements with other publishers are also expected.

As a result of these agreements,

- all journals of the two most important publishers will become available in electronic form for all university students, professors and researchers, which will contribute to a better user service and to a better visibility for these journals.
- the price increases have been put under control. It is obvious that publishers cannot continue with double digit price increases if they would like to stay in business.
- the agreements create a stable situation in the relationship between libraries and publishers for five years which is very important in this transitional phase, allowing both parties to move toward new models and a new relationship.

However, an obvious consequence of a five-year agreement is that a part of the university budgets has been fixed and must be reserved to pay these major publishers.

This approach can only be justified if it is embedded in a broader library, or rather, university strategy.

LIBRARY STRATEGY AND CO-OPERATION WITH PUBLISHERS AND AGENTS

Perhaps even more important than the licensing agreements is the development of joint projects to explore new distribution and business models. The starting point for the Dutch university libraries is the need to serve new innovative ways of teaching, learning and research, making full use of new information technologies. All university libraries are

currently engaged in the support of electronic publishing by researchers and students, and all are committed to the creation of document servers and open archives.

The libraries believe that currently many established journals are still needed for instruction and research—but not at any price. A key question is whether the experienced publishers can play a role in the selection, validation, certification and dissemination process in the future.

In general, all Dutch universities are determined to make their output available electronically, but are still prepared to pay publishers for added value.

Current experiments with respect to changes in the distribution and business models will clarify the path to pursue in the future. Two university based projects are relevant in this respect. The Roquade project—co-ordinated by the University of Delft, the University of Utrecht and the Royal Academy of Sciences—involves creating an infrastructure for organising, co-ordinating, supporting and facilitating the digital publishing process for individual authors as well as for structured editorial boards. Additionally, Roquade will also work together with learned societies and scientific publishers who seek to improve the process of scientific communication (<http://www.roquade.nl>).

The ARNO project—initiated by Tilburg University, the University of Twente and the University of Amsterdam—aims to develop and implement university document servers to make available the scientific output of the participating institutions. The infrastructure that will be developed should offer a good basis for the organisation of peer review, practised by scientists independently or outsourced to existing publishers. Key is that the scientific output from the universities needs to connect seamlessly to the digital learning environments (<http://www.uba.uva.nl/en/projects.arno>). There will be a close co-operation between these two projects.

UNIVERSITY STRATEGY WITH RESPECT TO PUBLISHING

The Dutch university libraries understand that their strategic plans should be embedded seamlessly in the university strategy with respect to publishing, quality control of research output, creation of learning environments. Librarians have stimulated the discussion, facilitated the access to information and electronic publishing by researchers, but the key to the future of scholarly publishing is in the hands of the authors and their employers.

The experiences in the Netherlands over the last few years have identified the following elements as critical to a successful university strategy with respect to electronic information and publishing:

1. core journals should be made available electronically through fair license agreements with publishers. The move to "electronic only" should be made as soon as practicable. Guarantees of digital archiving and preservation are imperative for decisions to cancel the print version, and some large national libraries, such as the Koninklijke Bibliotheek of the Netherlands, are currently demonstrating a strong commitment to address this issue by building up digital archives of electronic journals, theses and other electronic resources;
2. unreasonable price increases should be made public, faculty informed, and the cancellation of subscriptions stimulated if there is no proper balance between quality, relevance, use, and price;
3. support electronic publishing by university researchers and encourage the development of distributed document servers and open archives;
4. facilitate discussions on copyright and copyright transfer within the academic institution;
5. intensify international co-operation among universities with respect to these issues;
6. explore new ways of co-operation between universities, libraries, publishers and agents and continue to experiment with new business models.

University leaders are now committed to fostering new university strategies with respect to publishing and information provision. This is an important development, but the implication may be that future strategic decisions will no longer be taken by librarians, but by university leaders. Librarians will continue to take new joint international initiatives in the area of publishing and should see that they provide the university leaders with relevant information for high level strategic decisions.

FUTURE DEVELOPMENTS

Universities and libraries in the Netherlands have developed a rather balanced policy with respect to the changes in the area of scholarly sci-

entific communication. New ways are being explored to improve the easy access to research publications and teaching materials that have been produced by public funding without eliminating the value that can be added by responsible publishers. It will be a great challenge to develop new business models and to determine whether there still will be a role for the current players. Experiments in the Netherlands will be important to monitor in this regard.