

Primer on the Rights Retention Strategy

Stephen J Eglen*

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Abstract

The rights retention strategy (RRS) is a new tool to help academic authors retain rights over their manuscripts. This will allow you to freely share your author accepted manuscript at any time. The RRS is simple and elegant; authors need follow only two steps. (1) Add the following text, e.g. to the cover page, or acknowledgements, to your manuscript before submission to a journal: “A CC BY or equivalent licence is applied to the AAM arising from this submission.” (2) Once your article is accepted for publication, you can deposit your version of the manuscript in a public repository. This strategy has been developed by cOAlition-S, but can be used by all authors, irrespective of funding. Here I describe pros and cons of this approach, but recommend its adoption by scholars as a way to retain ownership of their own content.

Abbreviations: AAM: Author Accepted Manuscript; CC BY: Creative Commons Attribution Licence; RRS: Rights Retention Strategy; VOR: Version Of Record.

This is written by researchers, for researchers, very much work-in-progress during 2021. Comments welcome. See <https://github.com/sje30/rrs> for sources.

Introduction

Congratulations! Your paper has just been accepted for publication in a journal. Your excitement may soon fade however when it turns to the thorny issue of complying with open access policies. Your funders may readily pay the article processing charge (APC) if you have chosen a fully open access journal. Or you may have chosen a diamond OA venue where there is no APC. But what if you have chosen to publish in a subscription journal with an option to publish open access (sometimes called ‘hybrid’)? If your funder is a member of cOAlition S, they will not pay for the APC, and it is likely that your institution won’t either; how can you make your article open access without recourse to funds for paying the APC?

One thing you might wish to do is to freely share the version of the manuscript that the journal has accepted, the so-called “author accepted manuscript”. This version is *your* manuscript, taking on board comments during the review process (editors and reviewers, who are typically your colleagues). Many journals, however, demand that you should not share your own AAM until an embargo period (often 6–24 months) has passed. These first few months are often vital for the visibility of your papers.

*University of Cambridge, sje30@cam.ac.uk, <https://doi.org/10.5281/zenodo.4641752>

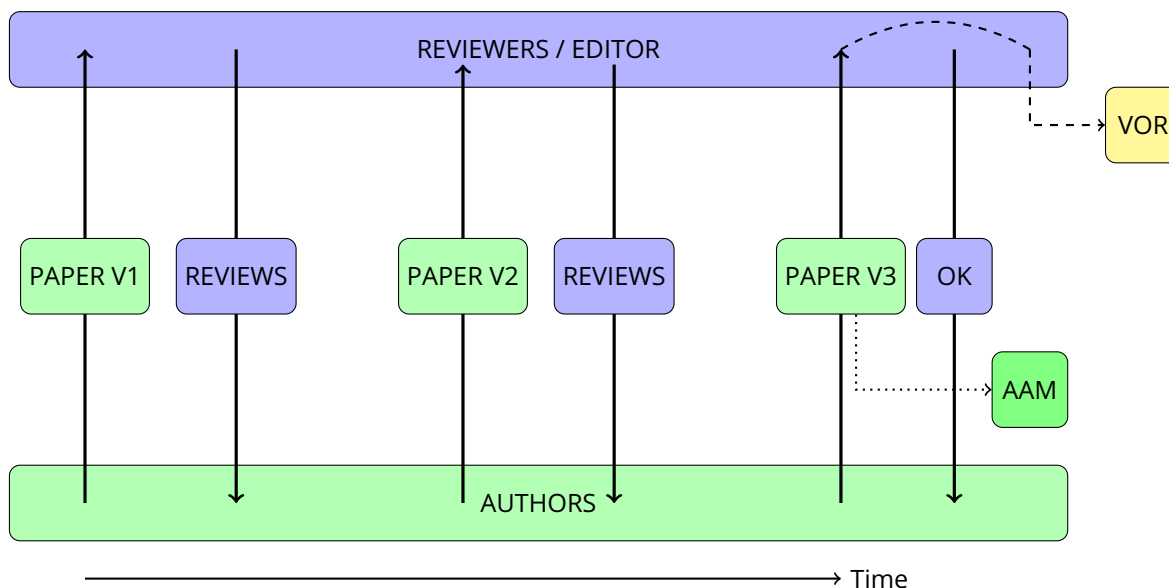


Figure 1: Typical life cycle of a manuscript. Time goes from left-to-right in this diagram. Authors (bottom) send their first paper (V1) to the editor (top) and receive reviews in return. After two rounds of revisions, the editor deems the paper acceptable (“OK”). When the paper is accepted, the latest version (3) automatically becomes the author accepted manuscript (AAM) which can be freely shared. Some time later, the publisher updates V3 to produce the version of record (VOR).

Once a journal has finished turning your manuscript into the final article by suitable typesetting and reformatting, the ‘version of record’ (VOR) is born (Figure 1). Hence your paper usually exists in two different formats: the AAM and the VOR. Sharing AAMs provides an equitable approach to open access for your research, as no APC is required. Furthermore, the AAM can be made freely available as soon as the editor tells you your work will be accepted by the journal. The VOR often takes weeks/months to appear, often behind a paywall, after an editor has agreed that your paper has been accepted.

So, how can you legally share your AAM immediately upon publication? There are several approaches to this, of which the latest is the “Rights Retention Strategy” (RRS), developed by cOAlition S. In this primer, I describe what the RRS is and its pros and cons. I have written this because current advice seems conditioned on the principle that your work has been supported by a funder that is part of cOAlition S. However the RRS statement is a tool that ALL authors can use, irrespective of funding.

What is the RRS?

The RRS is a means for authors to retain sufficient rights in their own work to be able to use their own work as they choose. As shown in the abstract of this primer, the RRS is the following sentence that you add prominently to the cover page or acknowledgements before submitting it to a journal:

A CC BY or equivalent licence is applied to the AAM arising from this submission.

(Authors funded by the Wellcome Trust should use a [two sentence version](#) that ensures their grant number is also listed appropriately. This magic sentence alerts the editor at the start of the submission process of your intention to share your AAM under a CC BY licence (a permissive copyright licence). Using it upon submission gives you the right to freely share the AAM that will result from your initial submission. The

journal can either accept your manuscript (with its magic text) for consideration for publication, or decline it. No publishers have so far indicated that they will routinely decline manuscripts that include the text.

It might seem pragmatic to routinely adopt this text in our manuscripts. Even if you plan to send the manuscript to a publisher that does not ask you to sign away your rights, it sets a good example to others in the community. Although the RRS is fairly new, examples of the RRS are already in the literature. Here are three found by Ross Mounce: [1](#), [2](#), [3](#).

What are the advantages for an author?

If the RRS statement is adopted, it offers a way to publish in hybrid journals and make the work immediately open access without paying an APC. It signals to the publishing community that authors are keen to keep sufficient intellectual rights to use their own work. Much is made by publishers of the “hallowed status” of the VOR. e.g. it is referred to as “[the foundation of the scientific record](#)”. The RRS provides a way by which the author can make their manuscript open access, and the publisher can then later publish a “bells-and-whistles” version of your work, with their own branding and formatting.

What are the disadvantages?

It is simply too early to tell if this RRS will have any impact in scholarly communication. The journal *Science* is currently trialling a [pilot program](#) where it will accept manuscripts using the RRS from authors if (and only if) they are funded by plan-S funders (M Phelan, personal communication). The only subscription-based publishers that seem to endorse the RRS are the *Royal Society* and the *Microbiology society* (<https://www.coalition-s.org/rights-retention-strategy>). Many traditional publishers have signed a letter [objecting to the RRS](#). Their fundamental objection is that they are the only trusted guardians of the publishing record, and that they need to protect their business. Several concerns have been raised already by funders and commentators:

1. Your paper might be desk-rejected, i.e. rejected by editorial team rather than going out for peer review.
2. You might have your paper accepted in principle, only to find that the publisher demands some embargo on publication of the AAM as a condition of publishing the paper. However, since that request for embargo comes after you have claimed a CC BY licence, your CC BY licence takes legal precedence over any restriction the publisher tries to place on your AAM. *You are free to do with the AAM as you please.*
3. You might be asked to pay an APC up-front before the paper is sent out to review.
4. The editorial team might redirect your article from one journal to a different journal that requires an APC.

It can be assumed that problems 3 and 4 have already occurred given the publication of guidance from Wellcome in March 2021 <https://wellcome.org/press-release/publishing-hybrid-open-access-journals>.

So although you should be able to use the RRS to freely share your AAM, you may meet resistance from publishers, and journals may refuse to accept your work for review. If this happens, I am truly sorry, but your only recourse would be to inform the community and hope that visibility of their actions will cause

publishers to remove their objections. Those funded by cOAlition S funders should also inform their funders who are monitoring publishers' reactions carefully.

Related approaches

This idea of preserving author rights during publication is not new; several other routes are available to particular communities, starting with US universities (<https://bit.ly/goodoa>). Legislation has also been used, e.g. in France and Belgium, to allow researchers to share their own work, although typically only after an embargo. What does seem to be new with the RRS is that the publisher is alerted at the time of initial submission about the intention to use the RRS.

Will it help authors?

Scholarly communications seems like an epic game of chess played out over decades. Just as funders think there is some solution, publishers respond with moves that were unintended. For example, the rise of hybrid publications, and escalating APCs came in response to the [Finch report from the UK government](#). I doubt the RRS is the silver bullet, but if nothing else it is a useful tool to raise awareness of scholarly communications and in particular the ability of authors to retain rights to use their own works as they choose. Even if you are a well-funded researcher that can afford high APCs, the current system excludes many researchers, particularly from regions such as [Latin America](#) that cannot afford high APCs.

It may be that the RRS is a tool that may disappear after a few years, if publishers accept that authors hold the rights to their AAM. In this sense, the RRS would have been a success, even if no longer required, as it brought about the necessary change. However, experience has shown us that publishers are capable of responding to strong moves with equally strong moves, and what "unintended consequences" there may be of adopting the RRS. However, given how messed up scholarly communications appears both inside and outside of the academic bubble, I doubt it will make matters worse for us as academics.

In a nutshell, if traditional publishers see the RRS as a threat to their continued existence, then this at least promotes discussion. I would rather see more equitable OA practices, such as overlay and [diamond OA journals](#). I would urge every academic to start using the RRS in their manuscripts, and would encourage our academic institutions to endorse this strategy.

Further reading

The [cOAlition S website](#) has further material describing the RRS in detail. Lisa Hinchliffe has written a [blog post](#) on this topic. [LIBER](#) is proposing a model law to ensure zero embargos for self-archiving for adoption in EU member states.

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