

The Case for Amending Copyright for Sustainable Universal Open Access

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G20 CSAR meet | Enabling universal access to scientific knowledge ‘a million-dollar question’, says Principal Scientific Adviser Ajay Kumar Sood

Prof Ajay Kumar Sood speaks on the need to "enable immediate and universal access to publicly-funded scholarly scientific knowledge to communities"

Written by [Sohini Ghosh](#)

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 **The Indian EXPRESS**
JOURNALISM OF COURAGE

Costs of scientific journals
have reached unsustainable
level – The future of
subscriptions in jeopardy

21.8.2023



FinELib

FinELib is a consortium of Finnish universities, research institutions and public libraries. Its mission is to secure and improve the availability of electronic resources. The consortium office operates at the National Library of Finland.

1998

What then of the open access dream?

2023

DREAM ACHIEVED

We now have a **consensus** among libraries, funders, researchers, societies, and publishers on the value of open access.

DREAM DEFERRED

After more than two decades and one pandemic, the open access we have is...

- At a **snail's pace** with no sense of immediacy
- **Piecemeal** with no plan for universality
- And with unchecked **price increases**.

Costs of sci
have reached
level – T
subscriptions

NEED

The open access we need is...

- Immediate, universal and sustainable open access

...as that alone maximizes the benefits to research and humankind into the future.

need to "enable immediate and universal access to publicly-funded communities"

STATE

We are not achieving **immediate**, **universal**, and **sustainable** open access with...

- Funder-based policies and laws (not universal)
- R&P deals (neither immediate, universal nor sustainable)
- Diamond OA (alas, not universal)

CAUSE

The reasons we are not achieving **immediate**, **universal**, and **sustainable** open access are...

- Copyright props up monopoly-priced subscriptions
- Copyright does not treat OA as a public good
- Thus, publishers drag their heels and raise prices

REMEDY

Why turn to **copyright** to achieve immediate, universal, and sustainable open access?

- Intended to promote learning and author benefits
- Served by international treaties and agencies
- Had digital-era updates for every field but research

STEPS

How can we **change the law** for immediate, universal, and sustainable open access?

- Recognize that (OA) consensus changes law
- Use proven legal remedies for market failure
- Ensure incentives for all stakeholders

MEANS

What does copyright for immediate, universal, and sustainable open access **look like**?

- Statutory licensing (as per music since 1909)
- Fees set by courts involving all parties
- Applies solely to research publications

WORK

How could **statutory licensing** for immediate, universal, and sustainable open access work?

- Publishers provide immediate open access
- Institutional users and funders pay set fees
- Operates internationally via trade agreements

TAKEAWAY

- Copyright reform for science is long overdue, but it will take considerable effort
- The academic community is best positioned to reform copyright in the public interest
- It can bring about **immediate, universal, and sustainable** open access to research.



Copyright's Broken Promise

HOW TO RESTORE THE LAW'S ABILITY
TO PROMOTE THE PROGRESS OF SCIENCE

John Willinsky

Open access copies
of this 2023 book are
available at the MIT
Press website