



RIGHTS REVERSION: OPENING CLASSIC WORKS TO NEW GLOBAL AUDIENCES

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We are grateful to Anita Walz, Assistant Director of Open Education and Scholarly Communication Librarian at Virginia Tech, for sharing the following rights reversion and open access success story. Anita worked with the authors of an out-of-print textbook to make a digitized version available online under a Creative Commons license for a new generation of students—not only at Virginia Tech but around the world. This

guest post is published under a

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"I want to assign this book as required reading for my graduate class. However, there are 125 students and I can't find enough copies for students to access, borrow, or purchase. You're a librarian. Can you help?" Librarians often field such inquiries. Depending on the situation, such inquiries may lead to nuances of copyright, ebook acquisition, a search for substitute titles, assertion of fair use and exploration of more ideal scenarios: open access works and open educational resources. Sometimes such inquiries lead us outside of libraries to fact-find with authors and publishers on behalf of library users. The example of *Veterinary Epidemiology: Principles and Methods* is one such case.

In 2015 and 2016 I worked on my first rights reversion digitization project, inspired in part by the Authors Alliance's

publication *Understanding Rights Reversion: When, Why & How to Regain Copyright and Make Your Book More Available*. Of course, I didn't know that it was a rights reversion scenario when I first started. A new faculty member had approached me with a copyright quandary: She wanted to use an out-of-print seminal work from 1987 for her class of 125 students. The six copies owned by the library and the several used copies available for sale would not be nearly enough. A thorough check indicated that a digital version was not available for purchase. We also explored working with the Copyright Clearance Center, but the cost was exorbitant. Wanting to honor the professor's selection of this particular text, my colleagues and I aided her in conducting an informed fair-use analysis and the library displayed selected chapters one-chapter-at-a-time via the library's secure eReserve system. With the book obviously out of print, and wondering who owned the rights, I contacted the book's authors in September 2015.

Dear Dr. Martin,

Warm greetings from the University Libraries at Virginia Tech! I am contacting you regarding your book: Veterinary Epidemiology: Principles and Methods, which was published by Iowa State Press in 1987.

As you may know, the book is currently out of print. Since it is still under copyright (now owned by Wiley-Blackwell which acquired Iowa State Press in 2000) it is difficult to assign to student to read. One of our Virginia Tech faculty (copied on this message), would like to use your book in her course but is finding it difficult to either find enough copies for her students to buy or too expensive for the libraries to buy copyright permission via the Copyright Clearance Center to legally digitize the full text of the book for all students. (Our library owns five copies, but that is not enough.)

*Since the book is no longer in print, **would you be willing to exercise your rights as the author and request the copyright back from the publisher, and then either license it with a Creative Commons license and share it in such a way as would allow free access to the contents, contribute it to the public domain, or grant us permission to archive and redistribute a digital version of the book free of charge through our institutional repository, VTechWorks?** Any of these would be a great help to our and to other students. **Would you kindly let me know if this interests you, and let me know if you need further assistance?***

Figure 1: Initial request to the authors

I also sent them contact information for the press (Iowa State Press, acquired by Wiley) and information about the “Understanding Rights Reversion” webinar by the Authors Alliance.

I wasn’t sure what to expect. To my surprise I heard back from the author within two hours. Dr. Martin wrote, “I will do my best to support your wishes...gratis.” It then took nine months of occasional check-ins to obtain confirmation of written and verbal contact with the publisher. Finally Dr. Martin wrote back

to me in early May 2016, indicating that Wiley seemed willing to revert the ownership to the authors.

His email to Wiley a few days later was also productive. He identified the book, publication date, and name of the original publisher, indicated that the market for the book fell away after a period of success and that the book was now out of print. He indicated that he and his co-authors are interested in regaining the copyrights for the book but did not have a copy of the original agreement.

Ten days later in response, the letter from Wiley read: "According to our records the rights to this title have already been reverted to the authors. Unfortunately this is the only information we have and there does not seem to be any further documentation available." **The copyright had already reverted to the authors, but no one knew this**, not the original publisher nor the authors. Not surprisingly, even the

Copyright Registry (which I later searched), showed the original publisher, Iowa State University Press, as the rights owner.

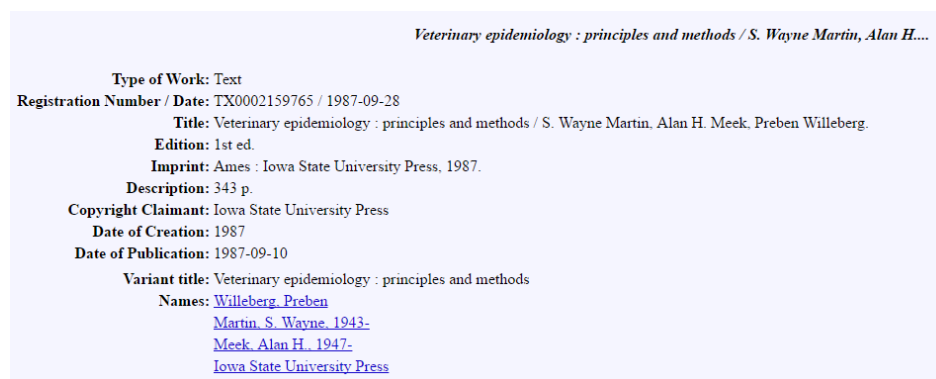


Figure 2: Entry from the Copyright Public Catalog Records online

Permission to Digitize, License, and Release

Pursuant to my original request, the authors together agreed to grant Virginia Tech permission to digitize and host the book in our institutional open access repository, VTechWorks.

After discussing at length various Creative Commons licenses, the authors agreed that they always wanted to be attributed,

that they did not want to invite commercial use by others, and that they weren't sure about granting permission to create derivatives. They asked the faculty member who wanted to use the book for her class if making changes was desirable. (I had hoped that the authors would be amenable to allowing derivatives — so that we could look forward to the possibility of easier development of specialized titles such as *Vet Epi for the Tropics* or *Equine Vet Epi* and other such titles — but they were not, at least not at that point.) They settled on a Creative Commons Attribution-NonCommercial-NoDerivatives (CC BY-NC-ND) license with the additional allowance of translation and reformatting. They were specifically concerned that allowing derivatives would obscure their contributions, original concepts, examples, and wording ... and if someone were qualified to make changes, why wouldn't they just write their own book?

As difficult as it was for me as an open education librarian to sunset (without further negotiation) the possibility of

specialized versions created with these already excellent “bones,” I realize that the idea of customizing a text (with permission and indications of changes made) is a new idea for most faculty and that most faculty, especially pre-tenure faculty, lack rewards for doing such work, even if it is very beneficial for students at Virginia Tech and beyond. It is still my responsibility to respect copyright holder directives.

After developing a cover sheet to describe the provenance of the book, the license, and with a link back to the main site, we digitized and released *Veterinary Epidemiology: Principles and Methods* via VTechWorks in October 2016. The book is available as a complete PDF, in chapter level files (zipped into one file), and in individual chapter-level files. Since its release, the overall book has been downloaded over 103,000 times from sites all around the world, and the twelve chapter-level files have been downloaded between 600-16,000 times each.

Veterinary Epidemiology: Principles and Methods



Veterinary Epidemiology: Principles and Methods was published in 1987 by Iowa State University Press, Ames IA. Rights for this work have been reverted to the authors by the original publisher. The authors have chosen to license this work with a Creative Commons Attribution-NonCommercial-NoDerivs 4.0 International license. (See: <https://creativecommons.org/licenses/by-nc-nd/4.0/>) For any reuse or distribution, you

The screenshot displays a file download page on VTechWorks. On the left, a list of files with their sizes and download counts is shown. On the right, a table of contents for the book 'Veterinary Epidemiology' is visible, organized into four main sections: Basic principles, Studying disease in animal populations, Animal health economics, and Applied epidemiology.

File Name	Size	Downloads
Vet_Epidem_Full_Textbook.pdf	44.39Mb	103363
Vet_Epidem_Full_Text_with_Chapters.zip	107.5Mb	701
Vet_Epidem_Chapter_1.pdf	4.415Mb	2559
Vet_Epidem_Chapter_2.pdf	4.945Mb	16763
Vet_Epidem_Chapter_3.pdf	5.500Mb	6145
Vet_Epidem_Chapter_4.pdf	8.986Mb	3091
Vet_Epidem_Chapter_5.pdf	5.507Mb	1370

TABLE OF CONTENTS	
I / Basic principles	
1.	Epidemiologic concepts
2.	Sampling methods
3.	Measurement of disease frequency and production
II / Studying disease in animal populations	
4.	Descriptive epidemiology
5.	Disease causation
6.	Surveys and analytic observational studies
7.	Design of field trials
8.	Theoretical epidemiology: systems analysis and modeling.
III / Animal health economics	
9.	Animal health economics
IV / Applied epidemiology	

Figure 3: Screenshot from VTechWorks' Veterinary Epidemiology: Principles and Methods (Sept 2019)

Reflections and Next Steps

For projects like this, especially first projects, there is both reason for celebration and space for improvement. The authors are very happy that their work is being read again and

by a worldwide audience. The professor with the original request is delighted that she can provide no cost legal access to the text to her many students. And the University Libraries is delighted to fulfill the University's land-grant mission of sharing information.

Regarding room for improvement, *Vet Epi for the Tropics* is still a dream! Pending sufficient time I would like to open conversations with these and other authors regarding the potential of leveraging rights reversion in partnership with licenses which allow adaptation (such as Creative Commons licenses that allow derivatives) to bring more copyright-restricted and/or paywalled content into the arena where it could be reused in educational settings.

And finally, I'd like to explore practices for updating ownership records with the U.S. Copyright Office through Recordation of Transfers as a best practice for publishers and authors in situations where rights are reverted to authors. (*Veterinary Epidemiology* is still listed in the U.S. Copyright registration database as the property of the original publisher.) For further information, see: Recordation of Transfers and Other

Rights Reversion: Opening Classic Works to New Global Audiences | Authors Alliance
information, see. [Recording of Transfers and Other Documents](#), U.S. Copyright Office Circular No. 12
<https://www.copyright.gov/circs/circ12.pdf> and Authors Alliance's [information on updating Copyright Office records](#) with new ownership information after a reversion of rights.

Anita Walz (@arwalz on Twitter) is the Assistant Director of Open Education and Scholarly Communication Librarian at Virginia Tech. She works with students, staff, faculty, and administrators on a local, state, and national level to inspire selection, adaptation, and creation of learning resources which are adaptable and more accessible to students. Her work experience includes over 15 years in international, government, and academic libraries. Her research interests include economics of higher education, library involvement in open educational resource initiatives, library publishing, and effective teaching practices for college-age and adult learners.

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