

About this guide




This guide summarizes what you should know about your rights as an author in order to make your work available for sharing and reuse by you and others.

There are many ways in which you may wish to share your work, for example through institutional repositories, personal websites, with colleagues or students, or through adaptation and reuse in a new research product.

Unfortunately, many publishers' agreements ask authors to transfer copyright to them at the time of publication, thereby restricting future use of the work.

This is a very short introduction to this topic. **Don't forget that your institution's Scholarly Communication Librarian or Copyright Office may be available to help you throughout this process.**

This guide offers you things to consider...

-  Before you submit your manuscript to a journal or book publisher
-  During the submission and review process, and
-  After publication.

But first, copyright is...

...the exclusive legal right to produce, reproduce, publish or perform an original written, artistic, dramatic or musical work (adapted from Canadian Intellectual Property Office).

Copyright belongs to the author and co-authors from the time of creation, unless and until those rights are transferred to someone else. (In some cases, employers may own copyright in employees' works. However, in many Canadian universities, collective agreements stipulate that authors retain rights to works of teaching, research and scholarship; check your employment contract or collective agreement as well as your institution's policies and regulations.)

Before you submit your manuscript

1

Select your publication venue carefully.

Innovations in digital publishing and a movement towards open access have resulted in a proliferation of new publications which may lack an established reputation.

Always assess the quality and rigour of a publication before submitting. Publishing in – or simply submitting to – a disreputable journal or with the wrong book publisher can have a damaging effect on your reputation.

Useful resources:

- [Think. Check. Submit](#)
- [How to Assess a Journal](#) (CARL)

2

Review funder and institutional policies.

Are you required to make your research openly accessible? Be aware of any policies or requirements that may impact the rights you need to retain in your publishing agreement, and make sure that the publisher is aware of these requirements.

Useful resources:

- [Tri-Agency Policy on Open Access to Publications](#)
- [Tri-Agency Statement of Principles on Digital Data Management](#)
- [SHERPA/Juliet](#) (database of research funder policies)

3

Identify rights you want to retain.

You will likely want to re-use and build on your works. For example, you may want to:

- use the research in your teaching,
- copy the work for students or colleagues,
- deposit the work in a subject repository (e.g. [arXiv](#)) or an institutional repository (see [list of Canadian repositories](#)),
- re-use portions in subsequent works, or
- post a copy of the work on a research group, departmental or personal website.

These activities are all governed by copyright, and can therefore be restricted by the terms of your publishing agreement. Look for a sample publishing agreement on your preferred journal's website, or contact the editor to find out which rights are included as part of the standard author agreement.

4

Additional considerations:

Does your work include content created by others, such as figures, images, or maps? You may need those rightsholders' permission to include them (your institution's copyright office may be able to help with this process).

If you are publishing your research data, be aware of copyright as well as privacy implications related to this data. If possible, consider openly licensing your data so others can easily use it.

Useful resources:

- [Portage Research Data Management Primer](#)

During submission and review

1

Understand the terms of your agreement

Read and understand your publishing agreement before you sign!

If you work at a post-secondary institution, a scholarly communications librarian or copyright office may be able to help.

2

Negotiate to retain your rights if necessary

Publishers do not require all rights to publish your work – publishing doesn't have to be “all or nothing.” Many publishers now let authors retain copyright, but ask for an exclusive license for a specific period (e.g. 12 months).

You can negotiate to retain certain rights by:

- amending the terms in your agreement by crossing out, adding, or rewriting sections – or attaching the [Canadian Author Addendum](#) to your agreement, providing legal language for the retention of your rights. (See the [CARL Guide to using the Canadian Author Addendum](#).)
- specifically mentioning any policies or mandates that require certain rights,
- communicating your rationale clearly,
- being positive, clear and persuasive.

Note: co-authors must be consulted before signing agreements.

After publication

1

Retain a copy of your publishing agreement

If you don't have a copy, consult SHERPA/RoMEO as per section 3 below.

2

Reclaim your rights

If you did not do so prior to publication, you can seek permission from your publisher to share previously-published works in a subject or institutional repository. Consider having the publisher revert the rights to you.

Useful resource:

- [Rights Reversion](#) (Author's Alliance)

3

Share your work as widely as permitted

Many publishers allow you to self-archive your **submitted manuscript** (a.k.a. "pre-print") or **accepted manuscript** (a.k.a. "post-print": the final text after peer review and revision), often after an embargo period, in a subject or institutional repository.

Including your work in a repository ensures ongoing access for students, collaborators and the global research community.

Useful resource:

- [SHERPA/RoMEO](#) (database of journal/publisher self-archiving policies)

Learn more about author rights

Consult your institution's library to find scholarly publishing and copyright experts.

Useful resources:

- Authors Alliance's *Managing Authors' Rights*
<https://www.authorsalliance.org/our-issues/managing-rights/>
- Authors Alliance's *Publication Contracts*
<https://www.authorsalliance.org/resources/publication-contracts/>
- Authors Alliance's *Rights Reversion*
<https://www.authorsalliance.org/resources/rights-reversion-portal/>
- Canadian Intellectual Property Office's *A Guide to Copyright*
https://www.ic.gc.ca/eic/site/cipointernet-internetopic.nsf/eng/h_wr02281.html
- Think. Check. Submit.
<https://thinkchecksubmit.org/>
- CARL guide to using the Canadian Author Addendum
http://www.carl-abrc.ca/wp-content/uploads/2019/05/CARL_Guide_Cdn_addendum_EN_2019.pdf
- SHERPA/RoMEO Publisher copyright policies & self-archiving
<http://www.sherpa.ac.uk/romeo/index.php>