

# **GUIDELINES & LICENSE AGREEMENT FOR FAIR USE of DeLCON E-RESOURCES**

## **License Agreements and Guidelines for Fair Use**

The DeLCON Consortium subscribes to 899 of electronic resources including full-text electronic resources and bibliographic databases for its member Institutions. All electronic resources available through the Consortium are governed by license agreements. The terms and conditions for using these resources are spelled out in license agreements that are signed with each publisher by the Consortium on behalf of its member Institutions.

The licenses for electronic resources impose two types of restrictions on its usage, namely

- i) Who can use these resources; and
- ii) How the resources can be used.

The first restriction defines authorized users for e-resources, which generally includes students, faculty, staff and onsite visitors of a subscribing institution. The second restriction deals with how these resources can be used. It is the responsibility of individual users to ensure that e-resources are used for personal, educational and research purposes only. Most of the agreements entered into by the Consortium and publishers specify items that users are prohibited to do. Some of them are as follows:

Systematic or programmatic downloading, retention, and printing are prohibited. For example, you cannot download entire issue of a journal or print out several copies of the same article.

Electronic distribution of content is also restricted although the specific restrictions vary from publisher to publisher. It may be permissible to forward an article to another colleague in your own institution by email, however, transmitting an article to someone outside of the institution, or to a large group of recipients, a mailing list, or an electronic bulletin board, is not allowed.

If you are teaching a class, you can print out a copy of an article from an electronic journal and include it in your course pack. However, do not make multiple copies for circulation. Copyright laws protect published material in any format so that it cannot be copied except in accordance with fair use. Providing access to material for educational purposes falls within the realm of fair use.

Please ensure that the resource is used for educational and research purposes and not for commercial purposes.

Providing electronic links on your course web pages to the Library's licensed resources is permitted but you cannot post the PDF of an article on your website. The publishers' main concern is that people outside of your campus network should not be able to access resources licensed by your institution. However, a researcher can post a pre-print of an article written by himself.

As with any kind of scholarly communication, a researcher can use phrases or quotes from other articles and cite the source of information. However, a researcher is prohibited from using large chunk of information (paras and chapters) from an article or from a chapter in a book.

### **What Happens if the License is Violated?**

Publishers track the use of their electronic resources in terms of number of downloads made by subscribing institution. Misuse, if any, is notified to the subscribing institution with details of kinds of violations and institution is expected to take action. The publisher also suspends the access to e-resource pending suitable action by subscribing institution. The access is stopped not only for journals where license agreement was violated but for all journals by the same publisher. Moreover, the access is suspended not only for the individual violator but for the entire institution.

### **Conditions of Use and Licensing Restrictions for Electronic Resources**

It is the responsibility of individual users to ensure that the use of electronic resources does not breach the terms and conditions specified in the license agreements. Licenses vary from publisher to publisher; however, the general principles are as follows:

#### **Permitted**

- Viewing, downloading, copying, printing and saving a copy of search results
- Viewing, downloading, copying, printing and saving individual articles
- Using e-resources for scholarly, educational or scientific research, teaching, private study and clinical purposes

- Sending a copy of an article to another authorized user (i.e. current faculty, students or staff)
- Posting the URL to the publisher's version of the article on a class website (publisher links will allow only authorized users access)

### **Not Permitted**

- Use of robots or intelligent agents to do systematic, bulk or automatic downloading is not permitted
- Systematic downloading or printing of entire journal issues or volumes, or large portions of other e-resources is not permitted
- Using e-resources for commercial gain is not permitted (i.e. reselling, redistributing or republishing licensed content)
- Transmitting, disseminating or otherwise making online content available to unauthorized users (i.e. sending to mailing lists or electronic bulletin boards) is not permitted
- Posting the publisher's version or PDF of an article to an open class website is not permitted (instead, post the URL to the article which will allow only authorized users access)
- Breaches of the license agreement with publishers could result in the suspension of access to the resources for the member institutions. Generic license agreements for several publishers, specifying all the terms and conditions are available on the Centre's website (License Agreements).

### **ICT Requirement for Accessing Electronic Resources**

A minimum level of hardware and software infrastructure is a pre-requisite for a user or subscribing institution desirous of subscribing e-resources so as to achieve efficient and effective interaction with subscribed resources. Basic hardware and software requirement for accessing electronic resources is given below:

#### **Minimum Hardware Requirement**

Since all e-resources subscribed by the Consortium are web-based, subscribing institutions should have full-featured and configured system with high speed Internet connectivity to get better access to e-resources.

Most publishers prefer to make their e-resources accessible on campus network of subscribing institutions on dedicated IP addresses / range of IP addresses. Subscribing institutions should have campus network (preferably fibre optics back bone) spread over their entire campus including residences and hostels so as to maximize the usage of e-resources.

Moreover, institutions subscribing to e-resources should have adequate number of PCs on the campus LAN available to faculty, researchers and students. The minimum configuration of PCs available on the campus network should be as follows:

- Windows PC with P-4 CPU @3.0 GHz (HT) or above
- 512 MB DDR 400 MHz RAM
- HDD: 40 GB
- CDROM Drive (optional)
- Monitor: 15" /17"
- Windows OS

Any UNIX workstation capable of running a graphical Web browser with Internet connection can also be used.

Laser Printer: For greyscale printing for most of the articles. Colour printer may be required to print coloured figures.

### **Internet Connectivity**

Subscribing institutions should have minimum of 528 kbps (preferably 2 Mbps) or more connectivity to Internet for improved access depending upon the total population of users.

Moreover, most publishers prefer providing access to their e-resources on IP addresses assigned to institutions by Internet Service provider. Several publishers do not even offer password-based access to their resources. As such, institutions desirous of subscribing to e-resources should have static IP address / range of IP addresses with leased line, VSAT or other available options through a standard ISP.

### **Minimum Software Requirement**

#### **Web Browser**

Most e-resourced offered through the Consortium require an Internet-enabled multimedia PC equipped with an Internet Browser like Internet Explorer or Netscape Navigator as their clients. Most digital collections are accessible without any problem with the web browsers mentioned below:

- IE: 5.x or later
- Firefox Mozilla
- Netscape: 4.79 or later (no lower)
- Opera (Java version required): 6.0 or later

#### Browser Configuration

The web browser being used to access e-resources should be enabled for:

- JavaScript/Java
- Acceptance of cookies
- Cascading Style Sheets
- Secure Sockets Layer (SSL) Security (128-bit encryption minimum)
- Most browsers are generally configured for the above-mentioned features.

#### Viewing and Printing Documents

E- resources are offered in different file formats. The client-side PCs may, therefore, require the following software packages to download format-specific deliverables from a digital collection :

- **PDF Documents:** Adobe's Acrobat Reader (5.x or later): for viewing and printing pdf documents.
- **PostScript Documents:** AFPL Ghostscript Package 8.00 or GNU Ghostscript Package 7.05 or later
- **TIFF Documents:** TIFF Viewer to view and print TIFF Images

#### Expectations from the Member Institutions

All member institutions beneficiary of consortium initiatives are expected to do the followings:

#### IP Addresses

All member institutions should provide the range of IP addresses used by your institutions. Changes in IP addresses should be intimated to the Consortium Headquarters immediately. The publishers of electronic resources enable their resources to be accessed by range of IP addresses used by your Institute. In case your Institution does not have dedicated IP addresses assigned to it, please inform the Consortium Headquarters so that the publisher can enable password-based access.

Each institution is also requested to provide name of two contact persons, one administrative contact and other technical contact.

### **ICT Infrastructure**

A minimum level of hardware and software infrastructure is a pre-requisite for a user or subscribing institution desirous of subscribing e-resources so as to achieve efficient and effective interaction with subscribed resources. Basic ICT infrastructure requirement for accessing electronic resources has already been described.

### **Drop Subscriptions to Print, CD or Web Equivalents**

The DeLCON Consortium Committee of the DeLCON Consortium has recommended gradual decrease in print resources that the member institutions are currently subscribing. All electronic content subscribed by the Consortium are print-independent, i.e. beneficiary universities are not required to maintain their print subscription to journals that are accessible online through the Consortium.

### **Meetings of the User's Group at each Institution**

With an aim to optimize usage of electronic resources made available through the Consortium, each member Institutions are required to constitute a Users Group Committee, which may be a sub-committee of the existing Library Committee. The Consortium User Groups are required to meet once in a month to review the usage and associated problems.

### **Users Convention at each Institution**

It is obligatory for each Institution to organize a Users Convention in their respective Institutions for electronic resources accessible to them through the Consortium for the benefit of their user community.

### **Feedback and Suggestions**

The initial selection of e-resources were made based on the existing subscriptions of Institutions and their need. The beneficiary members have a responsibility to improve and

enrich the Consortium with their inputs and feedback. Your suggestions and feedback may be sent to :

**DD Lal**

(DeLCON Administrator)

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