SPARC

THE SCHOLARLY PUBLISHING
& ACADEMIC RESOURCES COALITION

21 Dupont Circle NW, Suite 800
Washington, DC 20036 USA

TEL: +202 296 2296
FAX: +202 872 0884
URL: www.arl.org/sparc

December 1, 2008

The Honorable Representative Howard Berman
Chairman, Subcommittee on Courts, the Internet
and Intellectual Property
U.S. House of Representatives
Committee on the Judiciary
2221 Rayburn House Office Building
Washington DC 20515

Dear Representative Berman,

Thank you once again for the opportunity to testify before the Subcommittee on Courts, the Internet and Intellectual Property during the September 11, 2008 hearing on H.R. 6845, the "Fair Copyright in Research Works Act." Thank you, as well, for the chance to provide the following additional information on the important issue of ensuring that the public has rapid, free access to the results of the biomedical research that their tax dollars fund through the National Institutes of Health (NIH).

I particularly appreciate the opportunity to provide reference materials and supporting data to the subcommittee. Attached you will find detailed responses to each of your questions, along with supportive documentation, links to industry analyses, and reports as appropriate.

I would welcome the chance to speak with you or any Subcommittee member at any time should you wish to explore this issue further, or if I might provide any additional information for you.

Respectfully submitted,

Heather Joseph

Heather Dalterio Joseph
Executive Director, SPARC

Question 1. You suggested in your testimony that the NIH mandatory policy will have a negligible impact on publishers. Is this true for all publishers and subject matter? Are there studies or evidence that verifies this claim?

Both predictive studies and ongoing journal publishing industry practices indicate that the NIH policy has not had, nor will it have, a negative impact on journals that publish the results of the biomedical research funded by the agency. In fact, there is more evidence to suggest that the impact on journal publisher is likely to be positive.

Libraries will not cancel journal subscriptions

The chief concern expressed by some journal publishers is that the free availability of manuscripts in an online database (such as the NIH's PubMed Central) within 12 months of their appearance in a journal will lead their primary customers – academic libraries – to consider access to author manuscripts an adequate substitute for the journal and cancel paid subscriptions, causing publishers to lose revenue.

However, predictive studies, such as the 2006 report commissioned by a prominent publishing trade association (the Association of Learned and Professional Society Publishers), have examined factors that prompt libraries to cancel journal subscriptions and found this concern to be unfounded.[1] Their report confirmed that two factors, the cost of a journal subscription and demand for the title on campus, were far and away the leading factors contributing to the library's decision to keep or cancel a subscription. (The issue of cost is particularly crucial, and I provide more details in my answer to Question #3). In terms of access to an author's manuscript in a digital archive such as PubMed Central, the publisher's study concluded, "availability of content via delayed open access was not an important factor in journal cancellations."

The report also documents the circumstances that could lead to library subscription cancellations, as related to the availability of material in an archive such as PubMed Central:

> 1. First, an extremely short embargo period is necessary. 82% of librarians surveyed noted an embargo period would need to be 3 months or less before they would consider it a factor in cancellation decisions.
>
> 2. Second, the final publisher's version would need to be available. Librarians reported that the raw manuscript, or preprint, is not a substitute for the journal; only 9% saw access to an author's final manuscript, as an adequate substitute for the final manuscript.
>
> 3. Third, comprehensiveness counts; 75% of librarians indicated the archive would have to contain over 90% of a given journal's content before it became a factor in possible cancellation.

The NIH policy is specifically crafted to ensure that journal publishers' interests are protected in all of these regards: it allows for a year-long embargo period; requires only the author's final manuscript (not the final journal article) be deposited into PubMed Central; and

recognizes that nearly all journals publish much more than just research articles resulting from NIH funding (such as research funded by other sources, editorial content, reviews, and other reader value). The policy was designed and implemented to more equitably balance the benefits to all stakeholder groups, while providing the impetus to spur innovation, stimulate discovery, and accelerate progress toward finding cures and treatments for diseases.

Hundreds of biomedical research publishers currently make articles publicly available after 12 or fewer months

Perhaps even more telling than predictive studies is the fact that active practices within the biomedical journal publishing community indicate that the requirements of the NIH Public Access Policy are not a threat to their well-being.

Specifically, if the free availability of an author's final manuscript after one year truly would cause libraries to cancel subscriptions to biomedical journals and result in financial losses, then journal publishers surely would not voluntarily implement such a practice. Yet, there are hundreds of biomedical journals who do just that; they voluntarily make content freely available within 12 months of publication – and, in many cases, within even shorter periods of time.[2] Strikingly, many of these journals also go beyond what the NIH Public Access Policy requires, and make the final published article (not the author's manuscript) freely available after an embargo period.

There are several indices that give evidence to this particular trend. The SHERPA/ROMEO Project, for example, indicates that 66% of the journal publishers it surveys allow authors to post their manuscript in freely accessible repositories such as PubMed Central under varying terms.[3] The Open Access Directory has also begun a compilation of journal publishers' practices as related to compliance with the NIH Public Access Policy [4].

Journal publishers now routinely allow free access after an embargo period across a wide variety of disciplines. The journals that do so range from some of the largest, most well known (*Science, Nature*, and the *Journal of the American Medical Association*) to mid-sized journals covering more specialized topics (such as the *Journal of Ophthalmology*, the *Journal of Cell Biology*, and the *Journal of Psychiatry*). This practice has also been adopted by even more narrowly specialized niche journals, such as *Eukaryotic Cell* and *Glycobiology*.

Many of the journals that have voluntarily put 12-month embargo periods into place have not experienced any negative financial effects on their publications. To the contrary, many have seen positive effects in terms of increased visibility and usage, as well as impact. Some publishers, such as the American Society for Microbiology (publisher of 9 research journals) and the American Diabetes Association, have actually **shortened** their embargo periods (to 4 months and 3 months, respectively) because of the increased visibility and use made possible by faster and broader access.

These positive outcomes are just part of the widely anticipated economic, social, and health-related benefits of the NIH Public Access Policy. The policy was designed to take advantage of new advances in communications technology – specifically, the Internet – to create new opportunities for taxpayers and the agency to collectively leverage our $29 billion annual

investment in biomedical research conducted by the NIH. By providing enhanced access to and greater use of this research, the policy is designed to increase the efficiency of the U.S. investment in research and development by making it easier to build upon earlier findings. It expands the use and application of research results to a much wider range of users, well beyond just the core research institutions that have traditionally had access to the subscription-based literature.

Many governments seek the benefits of public access to research

Many other governments are vigorously exploring the potentially significant economic and social benefits that can be realized by ensuring better access to the results of publicly funded research. Opportunities for new business development, faster R&D growth, enhancement of national research assessment programs, and ensuring competitiveness in the global research community are all cited as factors driving the movement toward new policies.

In a 2005 *Report on Scientific Publishing*, The International Organization for Economic Cooperation and Development noted:

> "Governments would boost innovation and get a better return on their investment in publicly funded research by making research findings more widely available… And by doing so, they would maximize social returns on public investments."[5]

Additional details and economic analysis are available via a range of sources. See, for example, the recent report "*Research Communication Costs in Australia: Emerging Opportunities and Benefits*," for the Australian Department of Education, Science and Training,[6] and the European Commission's February 2007 communication on *Scientific Information in the Digital Age: Access, Dissemination and Preservation (IP/07/190).*[7]

On occasion of the European Union's *7th Research Framework Programme (FP7)*, a new project designed to guarantee public access to results of research funded under the European Research Council, The EU Commissioner for Science and Research, Janez Potonik, noted:

> "Easy and free access to the latest knowledge in strategic areas is crucial for EU research competitiveness. This open access pilot is an important step towards achieving the 'fifth freedom', the free movement of knowledge amongst Member States, researchers, industry and the public at large. Beyond, it is a fair return to the public of research that is funded by EU money."[8]

As a result of the extensive research, debate and experimentation to date in formulating public access polices, more than two dozen funder-mandated polices are now in place around the world.[9] They have been implemented by both public and private funders, with public funders far outnumbering private funders at this time. The Canadian Breast Cancer Research Alliance, Canadian Institutes for Health Research, European Research Council, Cancer Research UK, Chief Scientist Office of the Scottish Executive Health Department, Department of Health (UK), and Fund to Promote Scientific Research (Austria), Howard Hughes Medical Institute, Joint Information Systems Committee (UK), the Wellcome Trust, and the National Cancer Institute of Canada are among those who have already implemented

strong public access policies.

As part of the new EU program mentioned above, the idea of variable embargo periods for journals in different disciplines is being explored.[10] However, the EU is considering **shorter** embargo periods than the NIH policy current allows – not longer. Only embargo periods of 6 to12 months are being considered. Notably, the NIH is the **only** medical research funder with an open-access mandate, public or private, in any country, requiring an embargo longer than six months out of deference to publisher preferences.

2. *Has SPARC worked with traditional subscription-based publishers to achieve public access objectives in a way that is also consistent with their business model? Does SPARC consider efforts undertaken by publishers, such as publication of articles on HighWire Press, a comparable alternative to the NIH open access policy*?

SPARC has an extensive history of working with subscription access publishers – and specifically, with small, not-for-profit publishers – since our organization was founded eleven years ago. SPARC focuses on collaborating with other stakeholders to stimulate the emergence of new scholarly communication models that expand dissemination of scholarly research and leverage the networked digital environment to advance the conduct of scholarship.

SPARC's programs are designed to stimulate the development of increased publishing capacity in the not-for-profit sector and encourage new players to enter the market; demonstrate that new journals can successfully compete for authors and quickly establish quality; and to create a more open system of scholarly communication, which explicitly recognizes that dissemination is an essential, inseparable component of the research process.[11]

SPARC has had active partnerships with larger not-for-profit publishers (for example, the Optical Society of America, the Public Library of Science, and the American Chemical Society), but our particular area of emphasis has been on smaller, non-profit publishers. Our goal has been to work with such organizations to help them become better educated about opportunities to use networked technology to enhance the publishing process, and to more fully understand the full economic and social implications of doing so.

For example, since 2000, SPARC has worked with more than 100 small non-profit publishers – mainly scholarly society publishers – to help them move from print publishing to online publishing. The organizations that SPARC partnered with to form BioOne were those that were so small they lacked the financial resources to make the transition to online publishing on their own, and were faced with the choice of either staying in print and risk becoming irrelevant, or selling or leasing their journal to a commercial entity.[12]

With the goal of preserving their independence, and continuing to promote affordable access to these small but crucial publications, SPARC raised significant capital (nearly three quarters of a million dollars) from the academic library community to underwrite the transition costs for these societies to move to an online format, and also to establish a stable, affordable,

ongoing online presence for their journal publications.

In doing so, SPARC worked closely with the publishers to understand the financial realities under which they operate. In 2004, SPARC commissioned an economic impact study to examine the BioOne publishers' business models (including revenues and expenditures, profit, loss, and circulation information). This information was used to prepare a study that compares the operations of these publishers against industry standards to assess their business practices and examine the effect of recent trends on publishers' revenue streams and costs.[13]

The study has served as important data point against which the potential impact of policies such as the NIH Public Access Policy, are measured by SPARC. To further underscore its commitment to helping to support the not-for profit publishing community, SPARC has also published a number of business planning guides specifically designed for these publishers as they consider options for expanding the reach and utility of the articles they publish, and have distributed these for free to the community since 2001.[14]

Vendor services not an adequate substitute for NIH Public Access Policy
Like BioOne, HighWire Press provides an online platform through which journals can distribute their articles. There are, however, important distinctions between the two, and **neither** is an adequate substitute for the NIH Public Access Policy.

HighWire is an important, high-quality publishing platform that has provided a number of journals with a mechanism for electronic distribution since the mid-1990's.[15] It is, however, a fee-for-service provider, and the cost for a journal publisher to move – and maintain – their articles on HighWire's platform is significant, ongoing, and permanent. Most of the journals that SPARC works with via BioOne, for example, could not afford a presence on HighWire. Additionally, HighWire has had a practice of only working with journals it considers significant enough to merit exposure on its platform. While a perfectly legitimate business strategy, this means that there are thousands of journals that simply are not eligible for inclusion on the HighWire platform.

More importantly, with respect to the NIH Public Access Policy, while many of the journals currently using the HighWire platform have a 12-month or shorter embargo period, there is no requirement, for them to do so and therefore no guarantee that access will continue to be provided permanently. Because it is a fee-for-service provided, journals can – and do – opt to move their content, and they are free to change their access polices at any time. The NIH Policy is designed to create a complete, permanent archive of the results of the research funded by the agency. Current availability on HighWire does not ensure that this goal will be met – now or, especially, in the future.

The availability of articles via platforms such as HighWire press also does not guarantee interoperability with other publicly funded databases that can increase utility of the articles, and serve the ultimate purpose of NIH public access policy – to maximize the taxpayer investment in scientific research by enabling research and discovery. Availability on HighWire Press also does not provide the NIH with the ability to manage its research portfolio more efficiently, which is another explicitly stated goal of the NIH public access

policy.

3. You mentioned in your testimony that there has been a rapid escalation of the price of journal subscriptions. Please provide more details concerning this rise in journal pries. For instance, how much did average subscription prices rise in the last 5 years? What do you think is behind the price increases?

The long-term trend of increases in journal subscription prices is a very real – and growing – problem. Comprehensive reporting on journal subscription pricing trends for the past five years can be found in the 2008 *Library Journal's* annual *Periodical Pricing Survey*.[16] While percentage price increases differ from discipline to discipline, the average increase in journal subscription prices to academic libraries over the past 5 years has averaged between 7% and 11% – each year. During the period from 2004-2008, academic libraries saw an increase of 55% to subscription prices to journals in biology, 34% to journal subscription prices in chemistry and 49% in health sciences. ***Note: Full paper available – attached as Appendix 1- see Table 8, pages 8&9)***

This trend has not been limited to the past five years. Over the past two decades, the journal subscription pricing trend has mirrored the scenario from 2004-2008 – and, in many cases, been worse.[17] To compound the problem, academic library budgets have not been increased to keep pace with journal subscription price increases. In fact, the general trend has been towards flat budgets.[18] The result of the combination of these two trends has been yearly cuts to journal subscriptions by academic libraries.

As a representative example, the University of Washington at Pullman noted this in its recent *Libraries Journal Cancellation Project 2009*:

> "Once again we have completed the difficult but necessary task of trimming our journal subscriptions in anticipation of a steep increase in costs. The task grows more difficult each year since we are now losing access to core periodicals in some disciplines. During this time, the library materials budget has been flat; we have not received increases to cover inflation in books or journals. Journal inflation, including access to abstracting and indexing services, is running between 5% and 10% annually. We now have this year's budget figures, and again there is no money to keep offering the access we currently have. We are going to have to cancel somewhere around $600,000 of journals, approximately 15% of our remaining subscriptions."[19]

This trend shows no sign of abating. According to *Library Journal*, prices of subscription-based journals increased nine to ten percent in 2008, exacerbated by an extremely weak dollar. Given the continuing slide of the dollar, increases in 2009 are expected to approach ten percent overall. [20]

Studies show that price and demand are the largest factors driving library journal subscription cancellations.[21] These continued price increases are the primary threat to journal publishers' revenue. As the study noted, and as library statements and actions support, access to author's manuscripts via a database such as PubMed Central is **not** a factor in current library

cancelation activity.

2009 data already shows that the extremely weak and volatile U.S. economy will result in cuts to many library budgets. As a direct result, many journals will be cut – not because of the NIH policy, but because libraries simple can't afford to pay for them.

As the University of Georgia Senior Vice President for Academic Affairs and Provost noted on September 18, 2008 in a letter to faculty, staff and students:

> "Because of the downturn in the state's economy, the UGA University Libraries, like all campus units, are facing a projected 6% budget reduction. This reduction in the Libraries' budget, coupled with the rising cost of scholarly journals, likely will result in the Libraries' discontinuing some journal subscriptions… ***In recent years, the price of journals has increased more than 7% per year, making the acquisitions of scholarly journals one of the most daunting challenges that research universities face***. ."[22]

And the follow-up letter to faculty from the University of Georgia librarian underscores both the depth of the problem, and well as the accuracy of the results publisher's survey data on factors used to determine journal cancellations:

> "As the Provost advises in his memo above, the University Libraries are planning for a reduction in expenditures for journal subscriptions because of the current budget situation. Librarians have been working for several weeks preparing a list of subscriptions that might be canceled totaling $1,660,000. ***They have looked at actual use, how often a journal is cited by UGA authors, cost per use, overall cost and how each title supports research and teaching at the University***. This list represents a reduction of up to 21% of expenditures for subscriptions."[23]

These scenarios are, unfortunately, illustrative of what is happening on campuses across the U.S., and the situation will likely worsen as more libraries feel the effect of the weak economy in 2010. The NIH Public Access Policy provides an important resource to these, and scores of other, institutions who otherwise would not have full access to this crucial biomedical research.

A driving force behind this decades-long trend of significant annual price increases has been an increase in the number of journal titles published by a handful of large, multi-national commercial publishers, as they increasingly absorb titles traditionally published by independent, not-for-profit entities. These large commercial players (such as Reed Elsevier, Springer, Taylor and Francis) routinely operate with profit margins on their Science, Technology and Medical (STM) journal portfolios of between **30% and 40%** annually.[24]

This trend has proliferated, in part, because the scholarly journal market is unique in several key respects. Perhaps most notably, it is unique in that it was not **intended** to be a commercial market. Unlike authors of books or music, authors of scholarly articles do not publish their work in exchange for financial compensation. The authors of the articles – the

creators of the work – are unpaid. Authors publish their work so that it can be seen – and used – by the broadest possible constituency.

Scholarly authors must publish their work in a journal to receive increased visibility – both so that others can build on it, and so that their individual careers can be advanced. The "publish or perish" culture is still the dominant culture in the Academy. Scholars who want to advance their careers through promotion and tenure, or by receiving grants, **must** publish in scholarly journals. Thus, the supply of free content available to journal publishers is a rich, seemingly bottomless, resource.

While journal publishers have argued that they add significant value to the work created by the authors to justify this current trend of perpetual exclusive distribution and the costs to the Academy associated with it, some industry analysts disagree. For instance, Exane BNP Paribas publishing analysts have gone on record as saying:

> " In our view, the economic model of journal publishing is based on selling access to an aggregate of non-proprietary academic content. While we understand that publishers own the exclusive publishing rights of scientists work, we do not share the view that they own the intellectual property of their work." [25]

The trend of increasing subscription prices and increasing cancellations has led market analysts to examine the current journal publishing market in depth, and to note that tensions between the profit maximization models of many publishers is in direct conflict with the desire of scientists and scholars to maximize the dissemination of their research. This trend has lead to a decrease in the reach of research – a situation that does not serve the individual author's interest, the interest of the research community or the interest of the public. Industry analysts at First Boston /Credit Suisse noted in their *Sector Review: Scientific, Technical and Medical Publishing Report:*

> "[W]e would expect governments (and taxpayers) to examine the fact that they are essentially funding the same purchase three times: governments and taxpayers fund most academic research, pay the salaries of the academics who undertake the peer review process and fund the libraries that buy the output, without receiving a penny in exchange from the publishers for producing and reviewing the content....***We do not see this as sustainable in the long term***…"[26]

The NIH Public Access Policy is part of a critical, comprehensive approach to ensure that access to the results of publicly funded research can be made equitably and sustainably available to all who would benefit from accessing and using it.

(4) You discussed in your written testimony your experiences as Publishing Director of the journal Molecular Biology of the Cell. You mention that the full content of the journal is published on PubMed Central two months after publication and that as a result, revenue generated by subscriptions has increased. Can you tell me how the journal makes it revenue? Have paid subscriptions to the journal increased? Why do you think people go to the journal's website to download articles that they can get from PubMed Central? While early

publication on PMC may work for MBC, why would it work for other journals?

The journal *Molecular Biology of the Cell* (*MBC*), published by the American Society for Cell Biology (ASCB) is fairly typical of the journals that publish articles resulting from NIH-funded research. It is an 11,000-member society, publishing a monthly journal that runs to approximately 5,000 pages per year. The revenue sources for the journal are fairly typical of those of similar publications. Last year, the ASCB published a full examination of the economics of its journal program. In this report, the ASCB indicated the major revenue sources for *MBC* include:

- Subscriptions to the online journal (29%)
- Subscriptions to print journal (4%)
- Charges to authors for publication (page charges) (26%)
- Charges to authors for color figure production (35%)
- Revenue from reprints (mainly from authors) and other income (6%)[27]

MBC, like many other journals, receives a significant amount of revenue from charges to authors. As Dr. Zerhouni noted in his testimony of September 11, 2008, the NIH currently provides funds to its grantees to support these charges, even though there is no corresponding increase in accessibility to the article in exchange for these payments.

The ASCB's decision to make the *MBC* available via PubMedCentral two months after publication was a data-driven decision based on then current usage trends. After examining the usage statistics for the journal, the ASCB saw a clear trend: usage peaked in the first two months after an issue of the journal was released, and then rapidly dropped off. This suggested that the community of users valued the immediacy of the information in the journal, and would continue to pay to access it as soon as it was released. That decision was made in 1999, and libraries have continued to subscribe to the journal, bearing out the usage data and underscoring the value inherent in fast access to biomedical information.

MBC's experience is not unique. A growing number of journals are making their biomedical journal articles widely and freely available shortly after publication because they are seeing benefits to their organizations – and their journals – in doing so. (See response to Question 1). As journal content becomes more widely available, its visibility, utility, and impact increases. Journals have subsequently found that they attract a higher quality and volume of papers. It is a scenario that has resulted in a win for the advancement of science, the community, and the journal publisher.

Researchers who access articles on PubMed Central still often go back to the original journal article on the publisher's Web site. For articles that appear in PubMed Central as the author's final manuscript, a driving factor for this behavior is the reader's desire to see the final, complete article. This is the authoritative version they will ultimately use for citations. For journals such as *MBC* – which actually post the final authoritative article (and not just the author's final manuscript) in PubMed Central, the rationale behind the continued traffic to the publisher's site is likely a bit more complex. It does suggest that many readers value the **context** in which a journal article appears – the other papers in a given issue of a journal – as

significant. It also suggests that there is a level of brand recognition that journals continue to enjoy even when multiple avenues for access to content are presented to users.

(5) Articles that appear on PubMed Central are often not the final copyedited and formatted articles that appear in journals. In fact, many articles on PubMed Central have a disclaimer notice stating that they take no responsibilities for errors or omissions in the PubMed Central version. Does it concern you that articles you find on PubMed Central may not include information that is only in the version published by the journal? Is it possible that information missing from the PubMed Central version of articles could have serious negative implications for researchers and health care professionals who might rely on the PubMed Central articles?

The practice of making the un-copyedited, unformatted final author's manuscript available prior to publication in a journal is actually a widely accepted practice in the biomedical journal publishing community. The practice of making the authors' final manuscripts available via the journal's own Web site is sometimes referred to by publishers as a "Publish Ahead of Print" or a "Papers in Press" program. Such programs have been in use by biomedical journal publishers for years, and many tout it as benefit to their members and to the wider scientific community.

For example, The American Physiological Society (represented at the September 11, 2008 hearing by Dr. Martin Frank), routinely makes their un-copyedited articles available as a benefit to subscribers, and explicitly note on their Website the benefits that they see to making this version of the article available more rapidly, saying:

> "APS Articles in Press are accepted, peer-reviewed research papers published online in manuscript form ***before they are copyedited and published*** in the printed issue of the APS journal to which they were submitted. Articles in Press are published online in the PDF format automatically within a few days of acceptance, thus giving the authors and readers an instant, subscription-based access to the newest research and dramatically reducing time to publication." [28]

This sentiment is echoed by another FASEB Society, The American Society for Biochemistry and Molecular Biology (ASBMB) who note:

> "JBC Papers in Press is an ***exciting innovation in publishing***. In partnership with HighWire Press, our co-publishers of JBC Online, we have developed the capability to publish JBC papers in manuscript form on the day they are accepted for publication." [JBC is published by the FASEB society ASBMB][29]

Many publishers who routinely post the un-copyedited version of an author's manuscript put the same disclaimer on their own journal Web sites as they are now asking NIH to do in PubMed Central. In most cases, the disclaimer language reflects the small typographical or grammatical nature of the discrepancies that are likely to appear in between the author's final manuscript and the final published version. Language such as this from the *Journal of*

Biological Chemistry is representative of standard disclaimer language:

> "JBC Papers in Press are papers in manuscript form which have been accepted and published in the JBC Online but which have not been copy edited and not yet appeared in a printed issue of the Journal. Copyediting may lead to small differences between the Papers in Press version and the final version. There may also be differences in the quality of the graphics. The publication date appears below each title followed by the article's unique Digital Object Identifier (DOI)."[30]

There are also many cases, even practitioner-oriented journals such as *Diabetes Care*, where no disclaimer at all is posted. The language simply reads:

> "To make new research readily available to our subscribers, *Diabetes Care* prepublishes all accepted manuscripts as soon as possible after acceptance. These papers have undergone full peer review, but they have yet to undergo copyediting, typesetting, and proofreading. The final versions of these papers will appear in a future print and online issue of *Diabetes Care*."[31]

If there was a danger posed to the public, to researchers or to health care professionals by this practice, which has been established by and touted as beneficial by biomedical journal publishers themselves, surely the publishers would not employ such a practice.

Notes

1. "ALPSP survey of librarians on factors in journal cancellation" Mark Ware Consulting Ltd, http://www.alpsp.org/ngen_public/article.asp?id=200&did=47&aid=157&st=&oaid=-1
2. List of HighWire journals with Embargo periods noted - http://highwire.stanford.edu/lists/freeart.dtl
3. The SHERPA/ROMEO Project - Directory of journal Publisher Archiving Policies http://www.sherpa.ac.uk/romeo.php?stats=yes

4. The Open Access Director - Wiki listing Journal Publisher Policies on the NIH Public Access Policy. http://oad.simmons.edu/oadwiki/Publisher_policies_on_NIH-funded_authors
5. International Organization for Economic Cooperation and Development, *Report on Scientific Publishing*, 2005. http://www.oecd.org/document/55/0,2340,en_2649_201185_35397879_1_1_1_1,00.html

6. Houghton et al, Department of Education, Science and Training, *"Research Communication in Australia: Emerging Opportunities and Benefits,"* 2006 http://www.cfses.com/projects/Easi-OA.htm

7. European Commission's February 2007 Communication on *'Scientific information in the digital age: access, dissemination and preservation' (IP/07/190),* http://ec.europa.eu/research/science-society/index.cfm?fuseaction=public.topic&id=1660&CFID=1785073&CFTOKEN=75ed9ff

40bdb1eb2-E5624821-BDA7-8065-E27C2B99C7F6D621

8. EU Press Release – August 20, 2008
http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/1262&format=HTML&aged=0&language=EN&guiLanguage=de

9. Registry of Open Access Repository Material Archiving Policies,
http://www.eprints.org/openaccess/policysignup/

10. EU Press Release, August 20, 2008
http://europa.eu/rapid/pressReleasesAction.do?reference=IP/08/1262&format=HTML&aged=0&language=EN&guiLanguage=de

11. SPARC (About SPARC, its Mission and Programs)
http://www.arl.org/sparc/about/index.shtml

12. BioOne – http://www.bioone.org

13. portal: Libraries and the Academy, A Survey of Business Trends at BioOne Publishing Partners and Its Implications for BioOne, Volume 4, Number 4, October 2004 pp. 465-484, Carpenter, Todd A., Joseph, Heather., Waltham, Mary.
http://muse.jhu.edu/login?uri=/journals/portal_libraries_and_the_academy/v004/4.4carpenter_t.html

14. SPARC Business Planning Guides for Publishers
http://www.arl.org/sparc/publications/papers/index.shtml

15. HighWire general site - http://www.highwire.stanford.edu

16. L. C. Van Orsdel & K. Born *"Periodicals Price Survey 2008: Embracing Openness*," Library Journal, 4/15/2008
http://www.libraryjournal.com/index.asp?layout=articlePrint&articleID=CA6547086

17. M. Case, "Facts in Graphs, U.C. Berkeley Library Collections Website,"
http://www.lib.berkeley.edu/Collections/facts.html

18. M. Case, "Scholarly Communication: Crisis and Revolution,"
http://www.lib.berkeley.edu/Collections/crisis.html

19. WSU Pullman Libraries Journal Cancellation Project Title Summary Calendar 2009,
http://www.wsulibs.wsu.edu/collections/CancelCover.html

20. L. C. Van Orsdel & K. Born *"Periodicals Price Survey 2008: Embracing Openness*," Library Journal, 4/15/2008
http://www.libraryjournal.com/index.asp?layout=articlePrint&articleID=CA6547086

21. "ALPSP survey of librarians on factors in journal cancellation" Mark Ware Consulting Ltd, http://www.alpsp.org/ngen_public/article.asp?id=200&did=47&aid=157&st=&oaid=-1

22. University of Georgia Libraries, Journals Cancelation FAQ, 2009 http://journals.galib.uga.edu/

23. University of Georgia Libraries, Journal Cancellation FAQ, 2009 http://journals.galib.uga.edu

24. Exane BNP Paribas Equity Research Report – Media, Sami Kassab et al, June 1, 2007 http://www.exanebnpparibas-equities.com

25. Exane BNP Paribas Equity Research Report - Media, Sami Kassab et al, June 1, 2007 http://www.exanebnpparibas-equities.com

26. First Boston *Sector Review: Scientific, Technical and Medical Publishing. April 6, 2004.*

27. S. Schmid, G. Ward & M. Leder, "*MBC and the Economics of Scientific Publishing*," ASCB Newsletter, January 2007, http://www.ascb.org/index.php?option=com_content&task=view&id=195&Itemid=283

28. American Physiological Society, Articles in Press blurb http://www.the-aps.org/publications/articles_in_press.htm

29. *Journal of Biological Chemistry*, Papers in Press blurb http://www.jbc.org/pips/index.dtl

30. *Journal of Biological Chemistry*, Papers in Press blurb http://www.jbc.org/pips/index.dtl

31. *Diabetes Care* Publish Ahead of Print blurb http://care.diabetesjournals.org/papbyrecent.shtml