TDM-CLAUSES IN THE AGREEMENTS OF THE CONSORTIUM OF SWISS ACADEMIC LIBRARIES
Starting point

- Since 2014 Text and Data Mining is part of the discussions and negotiations of the consortium
- More and more publishers require clauses
- The consortium worked out a model clause for TDM in 2014
“Authorized Users are permitted to engage in Text and Data Mining (TDM) meaning: downloading, extracting and indexing information automatically from the Licensed Materials. Where required, TDM includes mounting, loading and integrating the results on a server used for the Licensee’s and/or its Member Sites’ text-mining system and evaluate and interpret the TDM output for access and use by Authorized Users. The Licensee and its Member Sites shall ensure compliance with Licensee’s obligations of this Agreement, including but not limited to security and technical access requirements.”
Agreements and TDM-clauses

- Licence agreements with 55 publishers
  - 48 publishers: agreements without TDM-clauses
  - 5 publishers: agreements with TDM-clauses
  - 2 publishers allow TDM after consultation
Current situation within the consortium

- Until now the consortium did not sign the special TDM-agreements from Elsevier and Springer
  - Conditions do not meet needs of libraries and/or researchers
- Why sign a separate agreement?
  - Several separate agreements → OA, TDM...
TDM: a lot of questions and discussions

- Why do publishers require clauses and even special agreements?
- Publishers want to restrict TDM
  - Unless libraries are willing to pay
- TDM and Open Access?
- TDM and legal aspects?
- Are libraries in touch with TDM-users/researchers?
- More and more in discussion within the library community

Insecurity

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