

PublisherInfo		
PublisherName	:	BioMed Central
PublisherLocation	:	London
PublisherImprintName	:	BioMed Central

## Open access law introduced

ArticleInfo		
ArticleID	:	4802
ArticleDOI	:	10.1186/gb-spotlight-20030627-01
ArticleCitationID	:	spotlight-20030627-01
ArticleSequenceNumber	:	154
ArticleCategory	:	Research news
ArticleFirstPage	:	1
ArticleLastPage	:	3
ArticleHistory	:	RegistrationDate : 2003-6-27 OnlineDate : 2003-6-27
ArticleCopyright	:	BioMed Central Ltd2003
ArticleGrants	:	
ArticleContext	:	130594411

Catherine Zandonella

Email: [catzan@nasw.org](mailto:catzan@nasw.org)

---

The debate over open access to scientific literature intensified this week with the introduction of federal legislation designed to curb publishers' control over scientific publishing. The bill, introduced in the US House of Representatives yesterday (June 26) by [Rep. Martin Sabo](#) (D-Minn.), is one part of a larger campaign, launched by the open-access [Public Library of Science](#) (PLOS), to raise a national debate on the issue of access to scientific literature.

As part of the campaign, the PLOS this week began running a 30-second [television ad](#) designed to introduce the topic to the lay public. The ads will run during popular prime-time shows, such as "The Simpsons."

Rep. Sabo drafted and introduced the bill after the PLOS approached him and explained that while federal tax dollars support research, access to the results is limited to scientists whose libraries can afford high subscription fees and to those lay people lucky enough to live near a public institutional library.

"Most people are shocked when they find out they cannot access the results of studies that their tax dollars paid for," said Sabo's legislative assistant Lisa Tomlinson, who was involved in writing the bill.

The proposed legislation, called the Public Access to Science Act, would prohibit copyright protection for any works stemming from substantially federally funded research. If enacted into law, the bill could radically change how scientific journals [do business](#), since most journals currently require authors to transfer copyright to the journal as a condition of publication.

The bill would amend an existing passage in copyright law to add federal grantees to a provision that bars federal employees from copyright on their publications. The bill does not state what percentage of the research must be supported by federal dollars to trigger the no-copyright rule. "We wanted to leave that to the discretion of the federal agencies," said Tomlinson.

Without copyright, journals would still be able to publish articles much as they do now, but they would not be able to control the distribution or republishing of the articles. Publishers say they need copyright in order to control a publication's quality. "Errors creep in as a paper is repeatedly copied and circulated," said Peter Farnham, public affairs officer for the [American Society for Biochemistry and Molecular Biology](#), which publishes the *Journal of Biological Chemistry*. The *JBC*'s content already is freely available, he noted.

Advocates of open access say that publishers should not own the copyright because the amount of work that the journal does—procuring peer review, editing, and laying out the article on the page—does not justify ownership.

"Their [the publisher's] contribution to the finished product pales in comparison to contributions from scientists and the general public," said [Michael Eisen](#), cofounder of PLOS and a geneticist at Lawrence Berkeley National Laboratory and the University of California, Berkeley.

Bringing the public into the open-access debate is a natural next step for PLoS, Eisen said. PLoS [plans to launch](#) its first open-access, peer-reviewed journal this October, and each paper will be accompanied by a plain-English summary.

The television ads, which began running on June 23 in San Francisco, Washington, and Boston, show a man who flies to work, rather than drives. The voice-over implies that the open access to journals made the technology possible.

## References

1. Martin Olav Sabo, [<http://www.house.gov/sabo/>]
2. Public Library of Science, [<http://www.plos.org>]
3. Public Library of Science TV spot, [<http://www.plos.org/support/playvideo.html>]
4. Zandonella C: UC to launch open-access journals, *Genome Biology*, June 16, 2003., [[http://genomebiology.com/researchnews/default.asp?arx\\_id=gb-spotlight-20030616-02](http://genomebiology.com/researchnews/default.asp?arx_id=gb-spotlight-20030616-02)]
5. American Society for Biochemistry and Molecular Biology, [<http://www.asbmb.org>]
6. Michael Eisen, [<http://rana.lbl.gov/>]
7. Mason B: New open-access journals, *The Scientist*, December 20, 2002., [<http://www.the-scientist.com/news/20021220/06/>]