



EUROPEAN COMMISSION  
RESEARCH DIRECTORATE-GENERAL

Directorate J - Energy (Euratom)  
Fusion association agreements

Brussels, 20 November 2009  
RTD J.4/YC D(2009) 580032

**Mr. Florin Spineanu**  
Plasma and Fusion Laboratory  
Institute of Atomic Physics  
407, Atomistilor Str P.O.Box MG-3  
RO – 077125 MAGURELE  
BUCHAREST

**Subject: Status of agreements with Publishers**

Dear Mr. Spineanu, *dear Florin,*

I would like to update you on the progress we have made in our negotiations with the publishers in preparation for an open discussion at the next EFDA SC. As you know from our last communication we currently have agreements with four publishers. In addition to this we now have confirmation that IAEA will conclude the same agreement that we have with IOP. For Elsevier we will continue our negotiations into the spring of next year.

In our last communication to you we also requested that, when ever possible, you use one of these agreements or, on submission of the article, present the publisher with the draft IOP agreement or the JET agreement modified accordingly. In general it has been observed that publishers with whom we have not made contact, accept one or other of these agreements as has recently been the case with AIP. I kindly request that you continue in this direction and inform us of all publishers that have agreed to our conditions.

As you know, from the start of our discussions with the publishers we have had a strong stance on the retention of the Copyright and the protection of the rights of the authors. We have also promoted, in line with the new open access policy of the Community, an open access policy with the intention to deposit all Euratom supported fusion publications in the new IPR data base that will be situated on an F4E open access server. This data base will be operational during the summer of 2010. In addition to this we have also negotiated the possibility to upload articles on the ITER web site which is in line with our obligation to the ITER agreement. It should also be noted that the ITER agreement also stipulates that ITER must retain copyright of its publications. We have thus aligned our policy with the ITER Organisation who has also promoted the same policy with the other ITER members.

In the negotiations with the publishers JET has been able to retain copyright with all publishers with the exception of the American Physical Society. In our negotiations with

APS we have also been unable to secure copyright for the authors. Close examination of the APS transfer of Copyright agreement shows that all the conditions that we request, such as up loading the authors version incorporating the peer review comments onto the F4E and ITER websites, are made available in the transfer of copyright agreement. There is however a restriction imposed on the re-use of the article and of, course copyright must be transferred.

For discussion at the next EFDA SC I would like to make the following proposal concerning APS:

- Considering that it would be preferred to have an equal status with all publishers and maximise the right of the authors we should maintain our principle of retaining copyright with no exception after the end of 2010.
- During the period up to the end of 2010, in order to allow researchers a sufficient adaptation period:
  - i) papers under the category of CoA may be submitted and copyright transferred to APS by using the Publisher's standard copyright transfer form. I would kindly ask you, again whenever possible, that you consider using other publishers and in case this is not possible then of course you could publish with APS.
  - ii) papers under EFDA and JET activities may be submitted (for the JET publications through the normal JET channel) and copyright transferred to APS on a case by case basis in agreement respectively with EFDA Leader or Associate Leader for JET.
- In addition, if the issue of copyright transfer to APS has still not been resolved by then, the principle of Gold Access, in line with the Commission pilot open access initiative, could be applied to APS, with the author or employer retaining copyright and thus all other rights. Beyond 2010, the Commission will ensure that publication costs are eligible under baseline support within the Contract of Association.

Attached you will find an updated list of all the publishers that have concluded agreements. I look forward to our further discussions and a successful, from the fusion programme perspective, conclusion to our interactions with the fusion science and technology publishers.

Yours sincerely,



Yvan Capouet