

The Situation in the Sphere of Consortia and Licensing of Information Sources in the Czech Republic

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The term „consortium“ is not used in the Czech system of law – the legal basis for forming open associations for this purpose is the Civil Code (Act 40/1996 Coll. as amended by the Act 159/1999 Coll.), the Association Contract § 829 and others, which says in the section (1): „*A number of bodies can associate in order to jointly achieve an agreed objective*“. In this case, the law does not specify the structure of an association nor the form of its organisation and management; it only defines the property interrelationships among the associate members. Activities of associations defined according to this law needn't deal only with formation of licensed accesses to information sources, which means associating of legal bodies – libraries - for a closely determined purpose, but the scope of their activity can be broader in the sense of a professional association.

The primary reason for founding „consortia“ (open associations) of information services in the Czech Republic seems to be the possibility of obtaining access to extensive and highly expensive information sources under more convenient conditions than if each of the participating institutions had to organise this access separately. Considering the prices, to purchase, resp. hire such sources individually would be out of the question for the absolute majority of existing consortia members. Another reason is the need for solving certain concrete problems of the information practice that applies to a larger number of libraries and information services. Treatment of those problems exceeds the potential of individual institutions and is ineffective and complicated.

Licensing the access to information sources within special purpose association of information services is a relatively recent innovation in the Czech republic practice. It has started at the end of the nineties (except for the *CrossFire* and *Chemical Abstracts* system users). Therefore, there has not been created any methodology of selecting „suitable“ members for forming a consortium nor for selection of partners, information source producers yet.

Our selection practice is purely pragmatic. More or less, it comes from the work experience with specific types of information sources and from the situation of institutions involved (for example, establishing academic consortia of the Czech universities in order to obtain sources like *Current Contents Connect*, *CrossFirePlusReaction*, *MathSci* and others). An impulse for setting up a consortium can also come from outside of the information sphere - a typical example of such a broad project is *EIFL Direct*, a programme providing access to full text databases of foreign scientific periodicals, that started thanks to the initiative of the Open Society Institute in Budapest. In this case, the selection was not carried out by any association of the Czech libraries, but by the Open Society Institute, where the consortium consists of 39 countries of the Central and Eastern Europe. Their registration to the system is free of charge.

The practice of „consortia“ formation is relatively diverse. It ranges from legally defined and structured associations, multinational consortia participants to rather informal associations utilising the producers' willingness to enter into a partial agreement with individual members of the „association“ (basically, we can speak of an area multilicense).

It seems that the prospective most widespread type of association – consortium – of libraries or information services in the Czech Republic will be a legal body based on defined legal ground, probably on the aforementioned regulations of the Civil Code. The most usual reason for foundation will be the necessity to provide access to large and financially demanding information sources, mainly electronic and full text (although, of course, there will exist important exceptions). The approach of the public sphere will probably differ from that of the academic sphere. The first one will be concerned mainly with institutes with a large area licence (or multilicense) designed for a practically unlimited number of participants while the second one with specialized information sources intended for a narrower circle of participants. In the public sphere, there will be associations that are already existing and operating in the form of pilot projects today or launching their activity. Here are some examples:

- *EIFL-Direct* Project facilitating access to full text databases of foreign scientific periodicals EBSCO; its co-ordinator is the National Library of the Czech Republic,
- consortium of *TAMTAM* database users of the Anopress information agency providing access to full texts of the majority of newspapers published in the Czech Republic and other knowledge databases,

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- starting projects *Web of Science* making accessible the database of bibliographic entries of articles from scientific journals, co-ordinated mainly by the Library of the Academy of Sciences of the Czech Republic,
- *Science Direct*, bringing full online texts of scientific journals from the production of the Elsevier publishing house,
- *OCLC (= Online Computer Library Center) FirstSearch Service* making available full texts of the *OCLC Base Package with Full Text*, co-ordinated by the National Library of the Czech Republic.

In the academic sphere, we can mention the following projects:

- *CrossFire Beilstein*, co-ordinated by the Institute of Chemical Technology, Prague,
- group licence *El Compendex, Inspec, Metadex, Iconda* (The Czech Technical University in Prague),
- *MathSci* (Charles University, Prague),
- *ProQuest* and *PCI Web* (Charles University, Prague),
- *Acta Sanctorum* (The Academy of Sciences of the Czech Republic, Prague),
- *BIOSIS* (Palacký University, Olomouc) and many more...

The crucial obstacle for functioning of these associations, apart from their factual content, is the organisation and financial resource guarantee. Current activities of the prestigious consortia dealing with the licensing of information sources are being subsidised from the sources of the Ministry of Education, Youth and Sports four-year programme *Information sources for research and development* (in case of the *EIFL-Direct* Project indirectly supported by the Open Society Institute). In future, however, it will be probably necessary to find a solution of financing these projects from own resources of the individual participating institutions - which might actually become the basic obstacle in their further development.

Czech libraries and information services have little experience with the work in consortia dealing with the information sources access licensing. It is true to say that all projects are in the experimental and testing phase, that is, at the very beginning.

Conditions in which some of the largest consortia are presently working – especially financial conditions – are for the time being „soft“ (e.g. the currently largest OSI project *EIFL-Direct* offers truly grand-scale conditions):

- unlimited number of programme participants within the state
- unlimited number of users of the participating institutions
- unlimited number of simultaneously working users
- user service through telephone and e-mail
- library staff training
- grant-aided price remains the same for 3 years

Valid conclusions from the reactions of libraries will be possible to deduce approximately in three years; and if funding of the consortium licensing contracts from the sources of the Ministry of Education, Youth and Sports and other contract conditions are finished and libraries are forced to pay the access on their own. Another issue is the reaction of the actual users: the Dutch experience shows that users are not ready for transformation to this type of service yet. The response of Czech users has not been very hectic either. The gained experience is minimal and its character is not extensive enough to make a concrete conclusion or generalisation, let alone a recommendation. It is for certain that there should be an intensive information and advertising campaign preceding the introduction of the aforementioned services. It should be oriented not only at the users, but also at the library and information service staff. Moreover, it should be preceded by a specific marketing research, the results of which should considerably affect the form and terms of the agreed licenses. A necessary additional expense of the licensing contracts is a systematic training of the library staff and users.

Concrete findings are available from the practice of following consortia:

EIFL Direct Project (Electronic Information for Libraries Direct)

The EIFL Direct project is a joint project between the Open Society Institute (OSI) and EBSCO Publishing. It provides access to full text databases of foreign scientific periodicals and fully conforms to the contemporary trends of fast and high-quality information administration using modern information technologies via Internet. The project is intended for 39 countries in the Central and Eastern Europe and developing countries in Africa. Foreign scientific press describes it as the world biggest information consortium. The advantage of the full-area license lies in the fact that any library (local, municipal, school, museum, Civil Service, scientific...) can facilitate equally first-rate

services and therefore, all readers and users are provided with democratic access to information. Cost saving should show itself in requirements for the international interlibrary loan services. What is further important is the acquisition aspect (a large number of periodicals available) and the aspect of information literacy of both librarians and readers. On the date 20.12.2000, 199 Czech libraries have been registered in the EIFL project.

Readers' and users' response has been definitely positive. Especially students get orientated very fast in search processing and require no training.

Before the grant of the Ministry of Education, Youth and Sports ends, it will be necessary to look for new financial resources that would enable the continuation of the project with the full-area license; or a narrower consortium sharing the financing could be developed.

Elsevier Science

Elsevier Science is facilitating access to full online texts of electronic journals from the production of Elsevier Science. Their printed versions are being subscribed by members of two consortia – VPK (State Technical Library and 8 other institutions) and SUWECO (27 participants). By means of the Science Direct service, all members of both consortia are provided with „cross access” to all ordered titles of the Elsevier Science, resp. their electronic versions (the total of 393 titles). In case of VKP consortium, the multilicense costs are mostly covered from the grant of the Ministry of Education, Youth and Sports programme *Information sources for research and development* (= identified as „LI”).

Access to the source is provided for members of both consortia – the total of 36 institutions. Multilicense was made available at the beginning of November 2000. The experience up to now can be evaluated very positively. Science Direct trained representatives from both consortia. Access to individual titles/articles can be considered problem-free; slight technical difficulties (e.g. during printing of articles downloaded in PDF format) are being removed by the producer. Also reactions of users have been mostly affirmative. There are certain concerns with the control of TA downloading (= limited access to full texts of those Elsevier Science titles that are not being subscribed by the consortia – so called „Transaction Allowances”). If the TA free quota estimated for the individual institutions is exceeded, each transaction that follows costs almost 30 NLG per article. This problem is treated either technically (TA downloading limitation, resp. blockage), or by assignment of a TA administrator who monitors the TA utilisation during the year.

Springer

Springer provides nation-wide consortium access to full texts of online journals from the production of the Springer publishing house. Consortium members are provided with unlimited access to approx. 450 online journals that are made available through the LINK service (including old volumes). The contract does not comprise access to additional serial publications (e.g. editions), nor can be used for needs of the Interlibrary Loan Services. In consistence with the LI programme setting, the license is restricted to non-profit organisations working in science and research area, libraries, research institutes, the Academy of Sciences of the Czech Republic institutes and universities. 39 institutions had applied and obtained access till the end of the year 2000, other institutions applied at the beginning of the year 2001. The number of participants is unlimited. The registration of participants is conducted by the State Technical Library. Multilicense costs are entirely covered by the LI project grant.

Access to the source is provided for all consortia members – the total of 44 institutions so far. Enrolment and registration of parties interested in the consortium membership took place in September 2000. Multilicense was made accessible at the beginning of October 2000, although negotiations were still taking place at the time (the LINK service was free of charge in the period from October till December 2000). The experience up to now has been very good. Access to individual titles can be considered problem-free. Users have reacted positively, too.

The State Technical Library is planning further publicity of the multilicense use possibilities in 2001 and hopes that other institutions will be interested. In accordance with participants' needs, it also organises training for working with LINK.

BIOSIS Consortium

BIOSIS consortium databases are accessible to users from the Czech universities and the Academy of Sciences of the Czech Republic through the Prague private company Albertina Icome. Nine institutions are involved so far and because of a great demand, six other institutions are expected to join in the near future. Thereby, practically all universities dealing directly or indirectly with biological branches will be covered.

Databases are operated on the ERL server, which is placed at Albertina Icome Prague. Albertina Icome Prague is also the bearer of the „SilverLinker” technology of the SilverPlatter Company for this region. This technology facilitates direct access to full text database of documents, which are made accessible to relevant institutions (subscription, printed version bonus etc.). In-

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stallation proceeded without problems; authorized access is determined by the range of the Internet Protocol addresses.

Practical response to existence of this service is very affirmative; users are content. In the next phase, publicity should be improved, because not all institutions are using the database to the extent expected for their size.

MathSci

A five-member consortium from the academic environment has been formed in order to use the MathSci database. The process of drawing up the Association Contract was time-consuming: lawyers' standpoints differed greatly (and only approx. the sixth version succeeded).

At present, the association owns the MathSci 1940-1992 archive and a license for eight simultaneous accesses and five institutions to the MathSci 1993+ database. The database is updated half-yearly.

Partner of the multilicense purchase and acquisition was the Info Technology Supply Company – ing. Bohumir Suk, which is the official distributor of the SilverPlatter products in the Czech Republic. Acquisition of the multilicense and enabling the database access to all association members proceeded smoothly and without technical problems.

Reception among the association members has been clearly positive. The user interface is agreeable. Computer literacy of the end users is of a high profile so that no global training was needed. Only specific search problems were dealt with, and always in co-operation with the given information sites of participating institutions.

MathSci database is an essential mathematical information source and a necessary tool for scientific and pedagogical work in the field. Increasing interest has been noted from the physicists and informatics experts, who use mathematics as an indispensable apparatus.

The grant is concluded for the period of four years, that is till 2003. In the course of these years, the state financial contribution (Ministry of Education, Youth and Sports) will decrease while contributions of individual participating institutions increase. With regard to the importance of this information source, associated participants will try to continue in the project even after the grant termination.

Conclusion of Basic Findings from the Practice of Academic Institutions

Concrete advantages and benefits:

- acquisition of sources otherwise inaccessible

- providing access for small institutions
- possibility of obtaining better prices per institution
- more effective use of central financial sources
- more effective and cheaper operation
- problem-solving, difficult to be influenced by the individual institutions
- stimulation for further co-operation between libraries and information centres

Problems:

- insufficient mutual information service
- non-existence of organisational platform for co-ordination of present activities and preparation of new ones
- integration of already acquired information sources and their interconnection with book catalogues, collective catalogue etc.
- long-term perspective - state assistance politics in this field
- [financial sources]
- more systematic preparing of users and creating feedback for better evaluation and use of expensive information sources

Considering all facts mentioned in this article as well as the anticipated activities, the situation in access to modern information sources in the Czech Republic might be viewed as moderately optimistic. If all projects accepted for financing are implemented, our possibilities will be comparable with the possibilities of libraries and information services in developed countries. However, it is important to point at the fact that implementation of consortium plans is not a simple process and is usually accompanied with complicated and lengthy negotiations. The main problem is extremely fast development of information technologies with all related factors that bring both providers and libraries into situations where they are forced to adopt rather important decisions with practical absence of long-term experience. Development of information technologies as such is not the only problem, though. Economic concerns are always considered the most important. For instance, during five years of shared access to CrossFireplusReaction system, the system provider as well as the Beilstein database have changed their proprietor twice. Even if the changes have not affected the overall provider's politics in principle, such

property transfers bring an element of uncertainty into the negotiations, where a promptly decisive private subject stands against an inevitably less flexible system of the public purse distribution.

The conclusion of long-term contracts seems advantageous for it means certain stability. However, it is not always true. If a provider accepts the long-term agreement, he usually sets up more cautious conditions than if he had to keep in pace with the progress and competition. For example, he wants to guarantee the price increase several years in advance, although further development and competition might force him to accept lower or even negative increase.

In spite of the variability in approaches to consortium plan negotiations among providers, certain trends can be identified. Above all, we can encounter two basic approaches of financial requirement proposals for academic consortia. Producers either accept the conception of prices derived from the number of simultaneously working users, or they are categorically against it. (Negotiation based on the number of simultaneously operating accesses is profitable in the academic sphere, because it enables price reduction by selection of only few accesses. For certain sources, it is actually possible to work only with one access; and e.g. four simultaneously working users represent well acceptable compromise even in case of the generally used Chemical Abstract database. Some producers therefore refuse the pressure for price reduction caused by the fact that a university can manage with a limited number of accesses and they are willing to negotiate only about so called „unlimited“ version.)

Moreover, it is important to take into consideration the fact that producers do not regard consortium plans as charitable activity, but as pure business that should secure the permanent rise of volume turnover. Also, in areas of engineering, natural science, medicine and other attractive subjects, the main customer of information source providers is the industry – and the academic sphere has to either adjust itself or accept a number of restrictions while using those sources. Although some of the producers talk about the possibility of consortium foundation, their proposals are practically unacceptable for the time being.

REFERENCES

Bartošek, Miroslav Šilhánek Jaroslav: Akademická konsorcia na elektronické informacní zdroje: historie a přehled současných aktivit. <http://www.lib.cas.cz/www/Se%e8_Web/Akademická%20konsorcia%20na%20elektronické%20informacní%20zdroje.htm>.

Celkový přehled návrhu projektu doporučených k financování z účelových prostředků státního rozpočtu zadavatelí Radou programu „Informační zdroje pro výzkum (LI)“. <<http://www.msmt.cz/cp1250/skupina3/Veda/DomPr/programy/LI00doporuc.htm>>.

EIFL Direct. <<http://www.nkp.cz/start/knihcin/periodika/eifl/eifl.htm>>.

Geleijnse, Hans: Licencing Principles, Consortia and Practical Experiences [RP] [Zásady poskytování autorských práv, konsorcia a praktické zkušenosti] / Hans Geleijnse. In: LIBER Quart. - 9, c. 3 (1999), s. 402-412.

INTERNATIONAL [International Consortium of Aleph Users ICAU] [RN]: [The Statutes]: 6th Annual Meeting [výroční zasedání]. Praha (CZ), 18.09.1995 - 19.09.1995. In: ICAU News. - Prague: National Library of Czech Republic, 1996. - s. 154.

Kadlecová, Ivana: Web of Science v České republice. <http://bibis.lib.cas.cz/www/Se%e8_Web/Web%20of%20Science%20v%20Ceské%20republice.htm>.

Kašparová, Jaroslava: Konsorcium evropských vědeckých knihoven a staré tisky [RP]: Printing and Publishing in Europe and America 1450-1830. Problems of Quantification [konference]. Brusel (BE), 04.11.1999 - 04.11.1999. org Consortium of European Research Libraries / Jaroslava Kašparová. In: Národní knihovna: Knihovnická revue. - Roc. 11, c. 1 (2000), s. 22-25.

Konsorcium uživatelů databanky TAM TAM informační agentury ANOPRESS s.r.o. <http://www.nkp.cz/o_knihovnach/konsorcia/skip/TamTam.htm>.

Kozel, Jan: Anopress, spol. s r.o. [RN]: Knihovny současnosti [konference]. Sec u Chrudimí (CZ), 14.09.1999 - 16.09.1999. org Sdružení knihoven CR, Brno / Jan Kozel. In: Knihovny současnosti '99. - Brno: Sdružení knihoven, 1999. - s. 153-154.

Nová, Hana: EIFL Direct [RP]: Electronic Information For Library Direct / Hana Nová. In: Bulletin plus. - c. 2 (2000), s. 15.

Nová, Hana: Elektronické informační zdroje [RP] / Hana Nová. In: Národní knihovna: Knihovnická revue. - Roc. 11, c. 2-3 (2000), s. 117.

Nová, Hana: Zapojení Národní knihovny CR do projektu programu „Informační zdroje pro výzkum a vývoj“ [ELEKTRONICKÝ ZDROJ]: Infos 2000 [mezinárodní informatické sympóziu]. Stará Lesná (SK), 03.04.2000 - 06.04.2000. Spolek slovenských knihovníků, Bratislava / Hana Nová. Ibid: INFOS 2000/ Zost. Alojz

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Androvic, Eva Nedorostová.- Bratislava: centrum VTI SR, 2000.- 326 s. In: Informace na dlani. - Praha: Albertina icome Praha, 2000. - 1CD-ROM.

Savory, Richard: Nová událost: konzorcium BIOSIS v České republice [RP]: Inforum 2000 [konference]. Praha (CZ), 23.05.2000 - 25.05.2000. organizátor Albertina icome Praha, Praha / Richard Savory. <<http://193.85.188.203/inarchive/inforum2000/prednasky/novaudalostk.htm>>. - Ibid: Informace na dlani (elektronický zdroj).- Praha: Albertina icome Praha, 2000.- 1 CD-ROM. In: Inforum 2000: Sborník. - Praha: Albertina icome Praha, 2000.

Simandlová, Libuše: Konsorcium evropských vědeckých knihoven - CERL a Hand Press Book databáze [RN]: Problematika historických a vzácných knižních fondů Cech, Moravy a Slezska. Olomouc (CZ), 08.10.1996 - 09.10.1996. org. Sdružení knihoven CR, Brno. Státní vědecká knihovna, Olomouc / Libuše Simandlová. In: Problematika historických a vzácných knižních fondů Cech, Moravy a Slezska: Sborník z 6. odborné konference Olomouc, 8-9. října 1996. - Brno: Sdružení knihoven České republiky, 1997. - s. 118-124.

STANOVISKO. Stanovisko ECUP k poctivým zvyklostem v licencování elektronických zdrojů [RP]. In: Národní knihovna: Knihovnická revue. - Roc. 10, (1999), s. 291.

Šilhánek, Jaroslav - Zetková, Ludmila: Konsorcium českých vysokých škol pro společné sdílení rozsáhlé báze dat chemických struktur [RN]: Inforum [konference]. Praha (CZ), 18.05.1999 - 20.05.1999. org Albertina icome Praha, Praha. SKIP / Jaroslav Šilhánek, Ludmila Zetková. In: Inforum: sborník [online]. - [Praha]: Albertina icome Praha, 1999. <<http://www.inforum.cz/inforum99/prednasky/silhanek-beilstein.htm>>.

ZÁKON č.40/1964 Sb., ve znění z.č.159/1999 Sb. Občanský zákoník ze dne 26. února 1964. <<http://pravo.pinknet.cz/obcanske/czeoz.txt>>.