

ACM Author Rights and Publishing Policy

ACM PUBLISHING POLICY COVERING COPYRIGHT TRANSFER AND PUBLISHING LICENSE AGREEMENTS, AND PERMISSIONS

Version 8 Revised 4/2/13

(Version 7 , 10/5/11)

(Version 6 , 1/27/11)

(Version 5 , 3/31/09)

(Version 4 , 11/1/02)

(Version 3 , 11/15/98)

(Version 2 , 11/15/95)

(Version 1 , 12/1/94)

© 1994, 1995, 1998, 2002, 2009, 2011, 2013 by ACM, Inc. Permission to copy and distribute this document is hereby granted provided that this notice is retained on all copies, that copies are not altered, and that ACM is credited when the material is used to form other copyright policies.

TABLE OF CONTENTS

- 1. Introduction
 - 1.1 Background
 - 1.2 Rationale
- 2. Copyrighted and Licensed Works
 - 2.1 Requirement for Copyright or License
 - 2.2 Publication Notices
 - 2.3 Permissions
 - 2.4 Definitive Version of Records and Revisions
 - 2.5 Permanent Rights held by original Owners/Authors
 - 2.6 Fixity of Works
 - 2.7 Solicited Works
 - 2.8 Edited Collections
 - 2.9 Coverage
- 3. ACM Permissions Policy

- 3.1 Objectives of this Policy
- 3.2 General Permissions Policy
- 3.3 Permission for Educational Uses of Copyrighted Material
- 3.4 Permission for Commerical Republication
- 3.5 Fees
- 3.6 Access to Copyrighted and Licensed Works
- 3.7 Links
- 3.8 Distributions from non-ACM Servers
- 3.9 Production of Digitized Copies

4. Processes

1. INTRODUCTION

For a condensed description of ACM publishing policies and author rights, see the ACM Author Rights center.

1.1 Background

ACM began moving its publication operations from paper-only to electronic distribution from a structured database in 1994. With the initial ACM Interim Copyright Policy in 1994, ACM aligned itself with author and reader practices in the world-wide Internet, and became the first scientific publisher to adopt copyright policies for cyberspace.

Since 1994, ACM's copyright and permission policies have been widely used as a model by other publishers in adapting their own policies to the ever-changing realities of electronic dissemination. ACM regularly reviews its policies as technology and practices evolve.

With this latest 2013 update of ACM's Policy, we are incorporating a new ACM Publishing License Agreement as an alternate, equivalent way for authors to grant publication rights to ACM as well as modifying the Copyright Transfer Agreement. We are also introducing a Hybrid Open Access model. With payment of an upfront fee to guarantee permanent free online access to the work in the ACM Digital Library, authors may choose among three options for managing their rights in the work. They may choose to have ACM manage their rights for them by assigning copyright or granting an equivalent license, or they may manage their rights themselves with ACM's non-exclusive permission to publish license.

This document supersedes all previous statements of ACM copyright and Permissions policies. Permission is granted to other publishers to adapt this policy for your use with acknowledgement to ACM.

1.2 Rationale

The goal of ACM's publications program is to deliver quality content and services at the lowest prices consistent with a vibrant and fiscally healthy organization. ACM aims to serve readers' and authors' interests by publishing high-quality original works, maintaining the integrity of these works, defending authors' rights in them against plagiarism, providing a stable means of linking to them, promoting the dissemination of these

works to the widest possible readership in contemporary media, and preserving access to them indefinitely despite changes in technology. ACM embraces a not-for-profit business model that aims to assure sustainable revenue for the continued operation and enhancement of the ACM Publications Program and the ACM Digital Library while making ACM publications available to a wide audience.

ACM publishing uses a process of selection, editorial refinement, production, distribution and access, promotion, indexing, interlinking, functional enhancement, user support, and preservation that requires the coordinated efforts of all participants in the knowledge chain, together with their support structures, and costs a significant amount of money. Most of these costs exist regardless of whether content is published in print or electronically. In order to derive sufficient revenue to support the ACM publishing process and contribute to the Association, ACM charges fees for access to most of its publications.

When readers access ACM works through the ACM Digital Library, print subscription, or other licensed distribution mechanism, they can be assured that they are accessing the definitive Version of Record of a work rather than an early draft or a later unreviewed version. They can be further assured that the version they are accessing will be permanently available.

Authors hold permanent rights to post author-prepared versions of their accepted, peer-reviewed work covered by ACM copyright or license. Authors should include the appropriate copyright or license statement in these works, as well as a reference to the definitive Version of Record in the ACM Digital Library. By including the reference and its DOI pointer to the ACM Digital Library, they alert readers to the availability of the definitive Version of Record in its permanent archive. ACM desires that users of ACM published works in electronic form access those works through ACM, and not through alternative services which have not been authorized by ACM to redistribute the works.

In exchange for the venue, the visibility, and services ACM provides in publishing their work, authors grant ACM rights to their work, which include the exclusive rights to sell subscriptions and access licenses to it. ACM's bargain with authors and readers is reflected in this policy document, in the Rights and Responsibilities in ACM Publishing, and in the care invested in making quality works readily accessible through reasonable pricing and tools that facilitate research uses. In the spirit of this bargain, ACM asks authors and readers alike to support ACM's publishing program by abiding by ACM's publishing and permissions policies. ACM achieves a balance among divergent goals; its use of certain exclusive publication rights within its publishing program serves the public good by enabling the creation, widespread dissemination, visibility, and impact of quality works in various formats and media.

2. COPYRIGHTED AND LICENSED WORKS

2.1 Requirement for Copyright or License

ACM requires authors to assign publication rights to ACM as a condition of publishing the work. ACM relies on either an assignment of copyright with permanent rights reserved to the author, or an equivalent grant of a license. ACM treats the rights granted as the basic means of obtaining certain exclusive publication rights; to create and deliver the Digital Library; to further disseminate works by acting as a single source for blanket republication requests, such as aggregated collections or translations, and the delivery of the material to the requesting party; to protect works from plagiarism and any other unauthorized uses; and to sustain and develop its publishing program by selling subscriptions or charging for access to its collections.

ACM requires that authors have the authority to grant rights by copyright or license agreements, or that they

obtain the necessary authorization to execute the grant of rights. Such grant applies to any medium used by ACM for publication. Both the ACM Copyright Transfer and the ACM Publishing License Agreement leave important rights with the original owner.

Authors should incorporate the appropriate ACM copyright or License notice and ACM citation of the publication into copies they personally maintain on non-ACM servers.

The author's grant of rights applies only to the work as a whole, and not to any embedded objects owned by third parties. An author who embeds an object, such as an art image that is copyrighted by a third party, must obtain that party's permission to include the object, with the understanding that the entire work may be distributed as a unit in any medium. The requirement to obtain third-party permission does not apply if the author embeds only a link to the copyright holder's object.

Authors who wish to embed a component of another ACM-copyrighted or licensed work, e.g., an excerpt, a table, or a figure, must obtain an explicit permission (there is no fee) from ACM.

2.2 Publication Notices

The proper publication notice should be displayed on the first page or initial screen of a display of works published by ACM, whether those works are published in print or in a digital medium. Other than government works, one of three standard notices are assigned to a work depending on the type of paper and author choices. A non-exclusive permission to publish license is used for certain types of work, typically newsletter articles or very short pieces that may be developed later into regular articles. The non-exclusive permission to publish license is also available for authors who choose to pay an upfront free access fee. The three notices are:

- "Copyright {YEAR} ACM"
- "Copyright {YEAR} held by Owner/Author. Publication Rights Licensed to ACM"
- "Copyright {YEAR} held by Owner/Author"

The Publication Notice is typically preceded or followed by the following Permissions Statement that informs readers of free uses they may make without requesting permission and directing them to the appropriate place to request permission for other types of re-use:

Permission to make digital or hard copies of part or all of this work for personal or classroom use is granted without fee provided that copies are not made or distributed for profit or commercial advantage and that copies bear this notice and the full citation on the first page. Copyrights for components of this work owned by others than ACM must be honored. Abstracting with credit is permitted. To copy otherwise, to republish, to post on servers, or to redistribute to lists, requires prior specific permission and/or a fee. Request permissions from permissions@acm.org or Publications Dept., ACM, Inc., fax +1 (212) 869-0481.

For nonexclusive licenses, the penultimate sentence of the Permissions Statement is deleted and the last sentence is altered as follows:

To copy otherwise, to republish, to post on servers, or to redistribute to lists, contact the Owner/Author.

2.3 Permissions

ACM publications staff will monitor requests for permission not handled by ACM's automated permissions system which is accessed via the ACM Digital Library. Persons granted permission to copy an ACM published work should display the appropriate Publication Notice followed by: **"Included here by permission."** Refer to §3 ACM Permissions Policy for specific permissions and types of use.

As a matter of professional courtesy, the lead author of any ACM copyrighted or licensed work should be consulted in weighing requests from third parties for permission to republish.

2.4 Definitive Versions of Record and Revisions

ACM will create and maintain a definitive Version of Record of ACM-published works. ACM maintains bibliographic-reference Web pages for all works published in its Digital Library. These pages, free and open to the world, contain the work's bibliographic citation, abstract, indexing data, reviews, and links to the definitive Version of Record. The DOI (Digital Object Identifier) is the proper link to a work in the Digital Library.

Authors may revise their ACM-copyrighted work published under the ACM Copyright or License. If the new work is substantially developed, i.e., it contains at least 25% new substantive material, it is considered a new derivative work or *Major Revision. The owner/author controls all rights in the new work and may do as she wishes with it. The author should incorporate a citation to the previous work. For example:

"This work is based on an earlier work: TITLE, in PUBLICATION, {VOL#, ISS#, (DATE)} © ACM, {YEAR}. <http://dx.doi.org/10.1145/{number}>"

If the work is a *Minor Revision, the copyright or exclusive publishing license remains with ACM and the Owner should use best efforts to display the ACM citation,

"© {Owner/Author | ACM} {YEAR}. This is a minor revision of the work published in PUBLICATION, {VOL#, ISS#, (DATE)} <http://dx.doi.org/10.1145/{number}>"

The appropriate notice should appear both within the document and in the metadata associated with the document.

Authors may post these revisions on their Home Pages and their employer's internal server if the employer owned the work prior to publication by ACM.

*To distinguish between a new derivative work and a minor revision, ACM uses, respectively, a rule of greater than or less than 25% changed. Obviously, word counts are not an absolute measure. The author is in the best position to judge when a work is merely revised or offers a significant new contribution.

2.5 Permanent Rights held by original Owners/Authors

The original Owner/Author permanently holds these rights:

- All other proprietary rights not granted to ACM, including patent or trademark rights.
- Reuse of any portion of the Work, without fee, in any future works written or edited *by the Author***, including books, lectures and presentations in any and all media.
- Create a "Major Revision" which is *not* subject to any rights in the original that have been granted to ACM
- Post the Accepted Version of the Work on (1) the Author's home page, (2) the Owner's institutional repository, or (3) any repository legally mandated by an agency funding the research on which the Work is based.
- Post an "Author-Izer" link enabling free downloads of the Version of Record in the ACM Digital Library on (1) the Author's home page or (2) the Owner's institutional repository;
- Prior to commencement of the ACM peer review process, post the version of the Work as submitted to ACM ("Submitted Version") to non-peer reviewed servers;
- Make distributions of the final published Version of Record internally to the Owner's employees, if applicable;
- Bundle the Work in any of Owner's software distributions; and
- Use any Auxiliary Material independent from the Work.

Additionally, authors who choose the ACM Publishing License Agreement, hold all other rights not granted to ACM in the License including the ownership of the copyright of the work.

Authors or their employers may retain copyright to embedded images (e.g., figures) with independent artistic value. Authors must grant permission for ACM to use the image in the context of the article in current and future formats. Such images must be declared at the time of article copyright transfer or grant of license, and declaration of copyright must be included within the image or the caption.

Re-use of third-party material contained in ACM published works always requires the consent of the copyright holder, as ACM's copyright or license does not cover third-party material.

In connection with any use by the Owner of the Definitive Version of Record, Owner should include the ACM citation and ACM Digital Object Identifier.

In connection with any use by the Owner of the Submitted Version (if accepted) or the Accepted Version or a Minor Revision, Owner shall use best efforts to display the ACM citation, along with a statement substantially similar to the following:

"© {Owner/Author | ACM} {Year}. This is the author's version of the work. It is posted here for your personal use. Not for redistribution. The definitive Version of Record was published in {Source Publication}, <http://dx.doi.org/10.1145/{number}>."

****Requests made on behalf of others, i.e., for contributions to the work of other authors or other editors, may require payment of the fee.**

2.6 Fixity of Works

ACM does not alter works once published. There are times, however, when it is appropriate to publish a revised or corrected version of a work; doing so requires the approval of the responsible editor.

2.7 Solicited Works

From time to time, ACM solicits works for publication. Examples are columns, invited works, award lectures, and keynote speeches. ACM asks authors of such works not to distribute copies or post these works on their Home Pages until ACM has published them. Authors who wish to circulate before publication should get permission from ACM. ACM considers lectures and speeches to be published at the time they are given.

2.8 Edited Collections

Edited collections such as conference proceedings and newsletters are copyrighted as a whole by ACM. In some cases, such as conference proceedings, the individual components are also copyrighted or licensed by ACM. In other cases, copyrights of some components (such as newsletter articles, letters-to-the-editor, abbreviated works) will be retained by authors. For these other cases, ACM will obtain a non-exclusive permission to publish (conveyed tacitly or by the ACM Permission Form) that permits publication in both print and online forms, and also grants ACM the right to transform the work into any formats as necessary for use within the ACM Digital Library or other media.

No ACM-copyrighted or licensed collection may be posted for open distribution without prior permission from ACM and before it has been included in the ACM Digital Library. Approved distributions must include a notice of this permission along with the ACM copyright notice.

2.9 Coverage

The ACM Copyright Transfer Agreement and the ACM Publishing License Agreement grant ACM the right "to publish the work in whole or in part in any and all media."

3. ACM Permissions Policy

3.1 Objectives of this Policy

This policy sets forth the liberal conditions under which ACM grants permission for copying or distribution, and the conditions under which ACM requires prior permission and/or a fee.

ACM has the following goals in developing a comprehensive permissions policy:

- Spread awareness of works by indexing and abstracting them in various media.
- Facilitate classroom and other educational use.
- Efficiently clear rights for republication.

- Resolve all requests for reuse promptly.
- Support hard-copy interlibrary loan.
- Ease development of value-added derivatives of ACM copyrighted or licensed works.
- Return any net revenues directly to the computing community through other ACM projects.

3.2 General Permissions Policy

ACM grants gratis permission for individual digital or hard copies made without fee for use in academic classrooms and for use by individuals in personal research and study. Further reproduction or distribution requires explicit permission and possibly a fee.

All copies should carry the original citation, the appropriate copyright and notice of permission on the first page or initial screen of the document. (See §2.2 Copyright Notice)

Most permission requests should go through ACM's automated rights system available in the ACM Digital Library and pointed to by permissions@acm.org. Requests that cannot be handled through the online system will take longer to resolve: requestors may expect a response to their inquiry within seven business days.

3.3 Educational and Library Uses of Copyrighted Material

Definition of classroom use: Copying and distributing single works by a university/college instructor, where no fee is charged to the students, and the distribution is limited to students enrolled in a university/college course and their instructors.

- **Course Material** - Permission granted without fee if the course material is produced without charge to the student. (See Commercially produced Course Packs below.)
- **Electronic Reserves** - Permission granted without fee provided the library or institution has an authentication mechanism for controlled access to the server and a license to the ACM-published work. A college, university or other accredited institution may place a copy of a definitive Version of Record of the work in its library's electronic reserves for the duration of its educational needs for that work, provided that access is limited to its enrolled students (including those in its distance learning programs), faculty, and staff. Those institutions without a current license to the work should contact permissions@acm.org.
- **Distance Learning** - Permission granted without fee for distance learning students enrolled at the institution. They have the same access rights to those ACM copyrighted materials licensed by their institution as any other student. Since institutional access is authenticated by IP address, it is up to the institution to provide a proxy server for its remote users, and to register the IP address of that proxy with ACM.
- **Interlibrary Loan (ILL)** - Permission granted without fee for an institution with an ACM Digital Library license to download and print works for Interlibrary Loan. The Digital Library may be used as the source for the printed copy. The loan of the work is limited to printed copies, as part of normal library functions.
- **Walk-Ins** - Permission granted without fee for access to all ACM publications, print or electronic, by all members of the community which a subscribing library is chartered to serve.

3.4 Commercial Republication

Definition of commercial republication: Any use that is not personal or non-profit educational use. Includes reprinting by trade and scholarly publishers, and use in corporate settings and their web sites, both internal and external. No direct profit need be realized from the publication or sale of ACM material.

Commercial use normally requires a license and payment of release fees. All reproductions other than those listed above in 3.3 Educational Uses require specific permission and a fee payable to ACM. This includes republishing in textbooks, commercially-produced course packs sold to students, anthologies, and other edited publications, and posting or other electronic distributions.

- **Commerically Produced Course Packs** - Use of copyrighted or licensed material in course packs sold to students requires an appropriate license. Send requests to permissions@acm.org or go to <http://www.copyright.com>.
- **Print permission** - A grant of permission involves consultation with the lead author of the work, the publisher's agreement to pay the required fees, and prominent display of the proper credit acknowledgment.
- **Electronic permission** - Rules for commercial distribution will apply unless the request falls under educational use as defined above. Fees for internal and external commercial posting of ACM published material are tied to the term of the license. All postings must include pointers to the correct Citation Page in the ACM Digital Library.
- **Multiple copies** - Producing multiple copies of ACM copyrighted or licensed works for distribution to more than ten peers, co-workers, clients, etc. requires a transactional license from the CCC and payment of the required per copy fee Send requests to permissions@acm.org or go to <http://www.copyright.com>.
- **Software**
 - Owners/Authors of software grant ACM a non-exclusive permission to publish and manage all rights and permissions themselves.

3.5 Fees

The base fees for reprinting full text works (or revised works) from ACM publications are as follows. The fees quoted are for one-time use in a single medium. Multiple uses require additional fees. Fees are subject to change without notice.

Work	Price
Work current to two years old	\$250
Work more than two years old	\$125
Excerpt greater than 500 words	\$125
Excerpt less than 500 words	\$62.50
Figure or Table	\$31.25
Art designed by ACM	\$125

Owners of all materials published by ACM under a non-exclusive Permission manage their own permission requests and determine fees, if any.

3.6 Access to copyrighted works

ACM will hold its works on its servers and gives free and unlimited permission to create and copy links to those works. Readers following links may freely browse metadata and abstracts of the work. Access to the full text of the work is usually by subscription, license, transaction fee, or the Author-Izer ACM Linking Service.

3.7 Links

ACM treats links as citations (references to objects) rather than as incorporations (embedding of objects). Permission is not needed to create links to citations in The ACM Digital Library or Online Guide to Computing Literature. ACM encourages the widespread distribution of links to the definitive Version of Records of its copyrighted works in the ACM Digital Library and does not require that authors obtain prior permission to include such links in their new works.

However, someone who creates a work or a service whose pattern of links substantially duplicates an ACM-copyrighted volume or issue should get prior permission from ACM. One example: the creator of "A Table of Contents for the Current Issue of TODS" -- consisting of citations and active links to author-versions of the works in the latest issue of TODS -- needs ACM permission because that creator is reproducing an ACM-copyrighted work. If all the links in the "Table of Contents" pointed to the ACM-held definitive Version of Records, ACM would normally give permission because then the new work advertises an ACM work. To avoid misunderstandings, consult with ACM before duplicating an ACM work via links.

If an author wishes to embed a copyrighted object---rather than a link---in a new work, that author needs to obtain the copyright holder's permission.

3.8 Distributions From non-ACM Servers

Service providers do not need to obtain prior permission from ACM to locate and dispense links to the ACM-held definitive Version of Records of works, but they do need permission if they are making, collecting, or distributing copies of ACM-copyrighted or licensed works.

Electronic Access and Public Repositories (See also Section 2.5)

Most access to the full text of ACM works is by subscription through the ACM Digital Library. Metadata for the work, including citations, abstracts, index terms, reviews, references, the citing works, comments, author profiles, and institutional profiles, are all available to the general public through the ACM Digital Library.

ACM is open to requests for permission to post ACM copyrighted works to pre-publication servers for the purpose of early dissemination. ACM does not generally grant permission to post ACM copyrighted works on other servers acting as public repositories that compete with the ACM Digital Library.

Individuals often distribute copies of works authored by themselves or by others. Distribution may consist of sending copies to a mailing list or of posting a copy on a server where it is accessible to others who might copy it. Such electronic distributions and postings of ACM-copyrighted or licensed works are acts of copying and require ACM permission, unless explicitly allowed under other provisions of this policy. When in doubt, contact permissions@acm.org.

Authors and their employers who have granted publishing rights to ACM by the ACM Copyright Transfer or

Publishing License Agreements may post author-prepared versions of their works and revisions as specified in Sections 2.4, 2.5 and 2.6.

Anyone who legitimately obtains a copy of an ACM-published work may use the copy only for non-commercial classroom or personal use, as specified in the ACM Permission Statement, unless further permission has been granted by ACM.

3.9 Production of Digitized Copies

Persons who have permission under these policies to make copies may elect to digitize a print copy and to distribute the digitized copy. Because digitizing processes such as OCR (optical character recognition) are error-prone, this disclaimer should be included with the ACM copyright notice on each digitized copy:

This is a digitized copy derived from an ACM-copyrighted or licensed work. ACM did not prepare this copy and does not guarantee that it is an accurate copy of the originally published work.

3.10 Rights Retained by Authors (See §2.5)

4. PROCESSES

ACM has set high standards for all aspects of the publishing process. These standards are to be found in the Rights and Responsibilities in ACM Publishing. See also specific ACM policies against Plagiarism and the ACM Policy on Simultaneous Submissions and Republication.