# Symposium on the Impacts of Copyright Developments on Chemical-Information Transmission and Use.

## Introduction†

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This symposium on copyright impacts is presented at a time when an omnibus revision of the U.S. copyright law may finally be passed within the current year (without it now being certain exactly what it will contain) and while two National Commissions are and will continue to be concerning themselves with unresolved phases that specifically affect scientific and technical communication. The American Chemical Society has long been involved with the many pertinent aspects of this subject, as have many of its members as regards their own work and other professional activities. It has therefore seemed timely to provide an integrated overview of many of the impacts of copyright developments on chemical-information transfer and use.

As regards the recent activities and positions of the Society itself, it is pertinent to note that the ACS made policy representations on copyright to Congress as far back as 1967, and several times since then. Sensing the need for broader studies, the Society initiated a Joint Board-Council Committee on Copyrights in 1969, and this Committee has since been studying those phases of copyright that affect the Society and its members, as background for recommending detailed Society policy positions and representations. The Committee considers that in this respect the ACS is a communications society, dedicated to advancing chemistry through the provision of forums (meetings and journals) for reporting new chemical knowledge and through making this knowledge continuously accessible through its archival journals and access services such as those of the Chemical Abstracts Service. It has recognized that authors, users, and intermediaries—libraries and information services—all have stakes in these communications; indeed, the memberships of the Committee have been selected to represent these points of view, as well as to concern themselves with the copyright needs of the ACS as a journal publisher and producer of data bases.

The Committee on Copyrights has been holding open meetings at most National ACS Meetings since 1970. Ironically, these open meetings have rarely attracted many ACS members, and almost never any of those who have been writing concerned "Letters to the Editor". For this reason, one attendee suggested some time ago that the Committee sponsor an informational forum on copyright for ACS members at a meeting of the Society. This current symposium might be considered an answer to that suggestion, but it was also inspired by the subsequent developments in this area which make it even more desirable that chemists and other scientists become well informed on the impacts that aspects of copyright will be having on their communication and use of information.

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It is particularly appropriate that this symposium should have been given before and jointly sponsored by the ACS Division of Chemical Information. This Division has long been a forum for papers on many of the aspects involved, and occasionally on copyright itself. Many of the members of the Committee on Copyrights have been very active Division members. Copyright is obviously concerned with information, so to say more would belabor the obvious.

It is pertinent to note, here, that copyright protection, a federally legislated right authorized by the Constitution, has long been viewed by authors of creative works and by most publishers, including those of chemical journals and data bases, as vital to continuity of their funding. Their historical requirements for some such proprietary right have been reinforced in recent years as more and more subscription prices pass the breakeven point where local photocopying and library "resource sharing" become more cost effective than local subscriptions for libraries struggling with inelastic budgets, yet presently return no copyright revenues to publishers or authors except through a limited amount of licensing. The fewer subscriptions resulting from this trend add to the pressure for further subscription-price increases that already results from continued inflation in publishing costs, relatively decreasing revenues from page charges, and the ever-increasing numbers of papers and journals.

Publisher proposals to collect budget-balancing revenues from at least "systematic use" have encountered bitter legalistic and user-principled opposition from many libraries and users already seriously underbudgeted for their information needs. Repeated efforts at compromise under the gun of pending copyright-revision legislation have so far not yielded an accepted solution.

Meanwhile, impassioned "Letters to the Editor" and articles have been appearing regularly in *Chemical and Engineering News* and other journals, many of them accusing journal publishers (including ACS) with being antiuser, charging too much for subscriptions, and opposed to technological progress in communication. Some respected scientists, jointly with their librarians, have been writing their Congressmen to enact copyright-revision legislation that would permit free photocopying and free computer use of information for all but for-profit purposes—the "free" being specifically required only for that part of these technical processes which concerns any payment to copyright owners.

I will have more to say on these matters in the concluding paper of this symposium. Certainly, copyright—copyright laws—may not in themselves be the dominant factor for communications in this age of technological and economic change. But yet they might. So it is significant that the papers which follow provide a focused overview of the important impacts of copyright developments on chemical-information transmission and use.