Academia Open

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By Universitas Muhammadiyah Sidoarjo

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Developing Digital Collections in an Open Access Environment with Intellectual Property Challenges: Mengembangkan Koleksi Digital dalam Lingkungan Akses Terbuka dengan Tantangan Hak Kekayaan Intelektual

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Abstract

General Background The open access movement has transformed scholarly communication by promoting unrestricted access to scientific knowledge and research outputs. Academic libraries play a crucial role in managing and providing access to digital resources within this evolving information ecosystem. **Specific Background** As open access materials continue to expand, libraries are increasingly integrating these resources into their digital collections while adapting traditional collection development strategies. **Knowledge Gap** Despite these developments, many libraries face challenges in balancing open access dissemination with intellectual property protection and copyright compliance, creating uncertainty in digital collection management practices. **Aims** This study examines how academic libraries incorporate open access resources into digital collections while addressing intellectual property and copyright issues. **Results** The findings indicate that libraries must adopt new evaluation, licensing, and management strategies to integrate open access materials effectively while ensuring legal compliance and ethical use of information resources. **Novelty** The study highlights the relationship between open access adoption and intellectual property challenges in digital collection development within academic libraries. **Implications** The results provide insights for libraries seeking to develop sustainable digital collection strategies that support open access while maintaining responsible intellectual property management.

Keywords: Open Access, Digital Collections, Academic Libraries, Intellectual Property, Scholarly Communication

Key Findings Highlights

1. Academic libraries increasingly integrate open access materials into digital collection strategies.

2. Intellectual property and copyright regulations remain central challenges in open access environments.

3. Libraries require structured policies to manage licensing and ensure lawful dissemination of digital resources.

Introduction

To the open access paradigm, whose goals are to make research and intellectual production available to anyone with the only economic or legal activity to give the appropriate credit to the authors, who change the educational and scientific views significantly. Originally a movement of academic society, this change is now part of the policy of many research institutes and funds, evidence of the increasing recognition of the need for open access to scientific discovery and innovation (1).

Libraries, especially university libraries, are facing new opportunities and difficulties in this attitude, for their basic tasks of expanding and improving the ownership. Traditionally, based on some funds and membership, libraries are now motivated to think differently what they have traditionally done with collection development as a result of the increase of large open access materials. Collection development has changed high, to detect resources with free access in favor of local communities (2) to detect, evaluate, organize and distribute it effectively.

Although it has many advantages, the open access environment is especially above challenges with intangible properties and copyright issues. The license to the material depends on good understanding of different licenses with open access and approach to interaction in the Open Access environment (eg Creative Commons license). People should be protected from theft, copyright violations and quality assurance of the open environment, so that they can consume materials legally and morally. By changing practice and developing new processes and guidelines, libraries tried to balance the security of user rights and protection of author rights (3).

1.1. Research Problem

While the number of open access programs has increased significantly, academic libraries still have problems and systematic problems within their digital collection development scheme. Part of this challenge stems limited understanding of how the open access environment affects this practice, as well as complex obstacles generated in this environment of copyright and intangible real estate problems. Libraries require detailed guidance on how to find the right balance between spreading knowledge through open access and protecting your legal obligations to honor intellectual work (4).

This study will address this difference, which performs a complete inspection of the open portrait for entry into the development of virtual collections, especially by focusing on highbrow products and taking measures on libraries to navigate this changing panorama (5).

1.2 Research Questions

This study will try to answer the following primary research questions:

How does the environment affect open access to development strategies for digital collection in academic libraries, and what is their most pressure immaterial real estate problems?

Stem from the following main question under question:

A. Open access to educational publishing and describing its effect.

B. What opportunities provide open access to develop digital collections in academic libraries?

C. What are the most important intangible properties and copyright issues in an open environment?

D. Academic libraries How to create digital collections with open access with intangible real estate problems?

1.3. Research Objectives

This research project proposes to meet the goals given below:

A. Open access to educational publishing and clarifying its role.

B. Research Open access, as it belongs to academic libraries to develop digital collections.

C. Discuss major challenges for intellectual property, copyright and open access.

D. Views for university libraries to create digital collections with open wheat with the idea of intangible property challenges for university libraries.

1.4. Significance of the Research

This study has importance for several reasons:

A. Theoretical importance: It contributes to Arabic knowledge in the area of information science and libraries in relation to open access, and intellectual property in the development of digital collections. Furthermore, it contributes a theoretical

base to understand this complex relationship.

B. Practical importance: This study makes recommendations and suggestions for academic libraries to consider in developing digital collections in an open-access environment, to provide free access to enable knowledge to be accessed, whilst allowing the preservation of intellectual property rights.

C. Future importance: This study contributes to the area of academic research into the area of digital collection management, in response to the changing landscape of publishing formats and information availability.

1.5. Research Limits

This research examines the impact an open access environment has on university library digital collections - specifically in relation to intellectual property. The research does not dwell on the technical challenges of establishing an open access or on the complexities of the serious legal implications of the various types of licenses. Rather, it focuses on the implications and uses for the collection development processes.

1.6. Research Terms

A. Open access (OA): Research output is delivered online without limitation to someone, to use, use and reuse with full function. Open Access Literature is usually divided into Gold Path (publication in the Open Access Journal) and Green Path (self-deposition in depot) (6).

B. Digital Collection Development: Elections, Procurement, Organization, Evaluation and Cancellation of Digital Resources such as eBooks, journal, database and depot to meet user needs and meet institutional priorities. There are components in this process in digital context, selection, procurement, organization, evaluation and cancellation (7).

C. Intellectual Property (IP) is a writer and/or ownership of intellectual works, including invention, texts and other creative presentations, designs, names and images, patents, trademarks and commercial functions. The author (right holder) has rights associated with Copyright and trade mystery (8).

D. Copyright: Authors have special rights for their original features, including books, articles, music and software for a limited period. Writers establish the conditions under which functions can be used, reproduction and distributed (9).

2 . Theoretical Framework

Theoretical structure works on the basis of epidemiology for this research by identifying main ideas and describing their links. In this context, the emphasis will be on three main concepts: with open access, digital collection and intellectual property, their intersections and connections.

2.1. Concept of open access

Open Access is a global movement aimed at providing learned literature for free online, reading anyone to read, download, copy, disrupt, print, search, search, full text articles, crawl them for sequencing purposes, pass them as data for software, or use them to other legal goals.

The Open Access movement was born in response to the growing costs of the Scientific Journal subscription, which created a budget crisis for libraries and educational institutions and limited access to knowledge. Open access promised to speed up scientific discovery by giving research results more independent and increasing the research effect through several quotes (10).

There are two main paths to achieving open access (11)

A. Access Open Gold: Articles are published in open-access journals, so all content is made open, free, and available all at once, immediately upon publication. Some of these journals charge the author or their sponsor a fee for publication (Article Processing Charges - APCs, Platinum/Diamond) and others do not.

B. Access Open Green: In which the publication is placed, typically the author's accepted version or preprint, in an institutional or subject repository (e.g., Central PubMed or arXiv), but before any part of the publication is completely open. It may also have an embargo period before the article becomes completely available.

Beyond these two paths of Access Open Gold and Access Open Green, other models have developed, such as Hybrid Open Access, in which traditional subscription journals offer authors the opportunity to make individual articles open to access (Access Open Bronze), where the article is freely available for a charge, and Bronze Open Access, where articles are free available on the publisher's website that does not carry an explicit open license.

2.2. Digital Collection Development

Digital collection development is an ongoing digital collection development process that is done systematically in order to build and maintain a collection of digital information resources to meet User's needs and the goals of the parent institution,

however, this approach differs from print collection development in many significant ways (12).

A. Digital collections can come in many different types including [but not limited to] e-books, journals, databases, multimedia, manuscripts, archives and other open-access licenses or resources.

B. License and access issues: A library should check license agreements that they set up for digital collection to be used with the correct access and time (13)

C. Digital protection: It is an important concern to meet the challenges of technical unspoiled and loss of data, and it will require appropriate tasks.

D. Discoverability and Access: Digital resources must be found using library cataloging or discovery, and should be a seamless user experience (14).

E. Continuous Evaluation and Use: Digital collections need new evaluation approaches and methods to use compared to print collections. This will include not only utilization data; but cost per use and efficiency/effectiveness of resources.

When it comes to open access, the responsibility of building digital collections expands to include acquiring commercial resources, but then it also encompasses discovering, evaluating and curating open access resources, and subsequently combining all of these resources into library collections to facilitate a seamless user experience. (15)

2.3. Copyright and Intellectual Property

Intellectual property law is a branch of legal property that protects human intellectual works. Intellectual property rights allow creators to reserve the right to use their creations for a limited time period, which drives the incentive for innovation and creativity through economic privilege. There are many types of intellectual property Law, but in the context of this study the most significant is copyright (16).

Copyright: authors and creators for the purpose of the Copyright Act for the purpose of their original functions for the purpose of breeding, distribution, performance or exclusive use rights for adaptation, Copyright protects only ideas and not the ideas. Authors have many special rights including:

A. Public performance rights let the author do his work public.

B. The right to create the works derived from the original work.

C. Copyright has the right to have copies of one work.

D. Distribution rights can cover work sales, rent or lend out.

E. The right to show work in public.

Copyright law is usually limited to a set duration of time, and that time remains variable according to legislation from the country. After reaching that period, the work becomes public domain. Copyright is very important to libraries, as copyright effects how resources are purchased, how resources are made available to users, and in how they may be copied or digitized. Libraries must adhere to copyright regulations to comply with the rights of authors and publishers (17).

2.4. The Intersections Between Open Access, Digital Collection Development, and Intellectual Property

In modern digital reference books, these three concepts are present in many ways. According to the definition, the purpose of open access, traditional copyright restrictions is to burst, to increase the reach of knowledge; However, it does not eliminate copyright, but copyright is used (18):

A. Creative Commons license: as a license allows authors to specify their activities in unique etiquette, sharing with some rights, thus making them important from an open access point of view. Such licenses can provide more options than a particular copyright, so it will be possible to introduce the sources of open wheat for a single substitute for libraries, but still invite the duration (19)

B. Digital Repository: Digital Repository plays a central role in establishing open access collections. They offer a platform for authors to make their work available on the green track, and the libraries have to be cognizant of the copyright practice of the publisher to make sure that the deposit would be lawful (20).

C. So there were legal notions in libraries, such as being aware and making use of the license, using open access and correct usage because of producing digital and open access materials. It is also important that libraries provide regular education to authors and borrowers about their rights and responsibilities (21).

Recognizing these intersections is important for libraries as they consider how best to develop effective policy and practice for producing digital collections in the open access environment; libraries want to maximize the value of resources available to them while also complying with legal and ethical practice.

3 . Opportunities Open Access Offers for Digital Collection Development

The open access paradigm offers educational libraries to add and improve their digital ownership interests that they could only imagine earlier. These opportunities range from economic to range, visibility and cognitive effects.

3.1. Extension of access to information

This is the most important and noticeable benefit of open access. Providing available research material to everyone allows libraries to provide access to more information than previous membership models. There are many dimensions in the extension of access (22):

A. Open access removes financial obstacle to access, and thus libraries can buy all the necessary resources. Free resources do not require membership or payment; Thus, libraries can spend their money on new resources or new services.

B. Libraries can serve validly unauthorized users, including people outside the academic realm, researchers and the public in developing countries, who may not be able to reach limited resources for financial reasons.

C. Open access reduces the knowledge gap between rich and poor institutions as well as developed and developed countries. All individuals have the same access to the latest research and knowledge (23).

3.2. Reducing long-term costs

Some open access models, such as the Gullstien, may continue a treatment fee; However, going to open reach will eventually reduce the total cost of libraries. Library uses a huge amount of membership and fees for magazines and databases, and they all tend to increase the value (24).

A. Use open access journals and papers can eventually save money on libraries on subscriptions that they can then use elsewhere.

B. Reduce the cost of protection: Use of open access resources and digital depot can reduce the need for libraries to maintain digital protection of information organized by publishers, as depot will be responsible for conservation.

C. Libraries can work more economically by using unique materials using unique materials or support open access.

3. 3. Enhancing Research Visibility and Impact

Open access not only provides access to information, but it also increases visibility related to research and later scientific effects (25):

A. According to studies, articles with open access have a high citation speed because they can reach large viewers faster. It has a greater impact on the researcher and the institute.

B. Rapid detection: To provide immediate access to the results of the study allows researchers to produce each other leading to rapid scientific discovery and innovation.

C. Open Access improves research collaboration by enabling academics from many institutions and countries to use relevant research to create new collaboration and partnership for joint projects.

D. Open access to science improves public awareness, understanding of science and decision making in society.

3.4. Developing New Library Services

Libraries are able to take advantage of an open environment, and as a result you can create new and original services that develop and support their role that supports scientific research and education (26):

A. Libraries may be responsible for developing and managing institutional depot that provides open access to educational and student research. This supports the institution's visibility and maintains intellectual production.

B. Help authors: Libraries can advise authors on Open Access Policy, Publishing Options, Licensing and Digital Repository.

C. Libraries can work on the committee to develop and implement the institutional open access policy after national and global trends.

D. Library can be part of open publication by sponsoring journals with open access or supporting open access publishing platforms.

By taking advantage of these opportunities, the library can bounce the fee and position as an information engine and maintain its business to lead clinical studies and communities in the virtual environment.

4. Preliminary property

While Open is admitted to the authors to represent an important opportunity, it also provides intangible property and complex gel for copyright problems. Libraries and educational institutions must understand the problems that fully follow moral and gel must use moral and criminal needs. (27)

4.1. Complexity and Variety of Licenses

Especially Creative Commons Open Licenses are most often used in the Open Access community, as they allow authors to allow reuse. But with other licenses, variety, with different terms of use Both can be confused for authors and users (28).

A. Difficulty understanding and implementing: Licenses can confuse users and librarians or not clarify whether they follow conditions and/or unauthorized use of licensed material. For example, they may not be familiar with the divisions in the license that allows for commercial use and a license that eventually limits the user by using materials in some commercial way.

B. License Compatibility: When an attempt is made to reproduce the material to be licensed under more than one license, it may be a problem to assess the collaboration work or create a large digital collection from different sources.

4.2. Copyright Issues for Content Deposited in Repositories

Institutional depot is an important aspect of the Green Path Open Access option. However, the setting of content in depot with copyright headache (29) comes.

A. The publisher's guidelines: Many publishers have strict and specific guidelines that authors can do and cannot submit into the depot, as well as circumstances (eg when and when) when Embargo applies. Libraries must ensure that author publishers comply with the guidelines, or they can postpone publication or increase copyright problems. Libraries can use websites like Sherpa Romeo to understand various publication policies.

B. Author Accepted Version: While publishers will not allow the Published Version of an article to be deposited in a repository, publishers often allow the Author Accepted Version (i.e., the final version of an article after peer review and prior to final formatting by the publishers) to be deposited. Authors need to know what version can be deposited in a repository.

C. Secondary Copyrights: Even after an author has completed a copyright transfer agreement with a publisher, the author still holds some rights (e.g., the rights to self-deposit). Libraries should help authors clarify and negotiate their copyright options.

4.3. Challenges of Fair Use and Fair Dealing

The legal principles of fair use in US law (Fair USA) and in British and Canadian law (30) provide the opportunity for exceptions to Fair Agreed, Copyright that provides the right use of parts of Copyright, which gives criticism, comment, education and research without obtaining the rights permission for any purpose:

A. Legal ambiguity: The problem for libraries is to know what is acceptable and what is not, when guidelines for fair use or fair behavior can be resolved and legally based.

B. New technologies: New technologies that use thousands of copyright content to analyze lessons and data mining raises the question of proper use still applies.

4.4. Piracy and copyright violation

While we want to promote legal access with open access, the electronic environment also allows complete copyright and theft violation. It is easy to take online content and share it without copyright permits, which is a legitimate concern for publishers and authors (31):

A. Difficulties in monitoring and enforcement: Owners of intellectual property have difficulty monitoring all illegal use of their property and successfully implement them.

B. Legal ignorance: In many examples, unintentional violations may be due to the fact that users do not consider copyright law and/or not different licenses.

4.5. Intellectual Property Challenges in the Arab Context

There is an additional complexity in regards to privacy issues in the Arab world. There is typically no clear policies or types of governing bodies for libraries concerning open access and copyright issues that can be clearly defined, and the laws and regulations associated to intellectual property vary starting from one country to the next and from member state to member state (32):

A. Uniformity in legislation has yet to be established: The status of open access and copyright in the digital world is obscure

in many of these Arab states leaving authors and libraries confused.

B. There is a lack of understanding: Academics, researchers and users of libraries in the Arab world may not fully understand intellectual property and copyright implications leading to a wider number of infringements.

C. They lack explicit institutional policies: The vast majority of research institutions and universities in the Arab world also lack any explicit institutional policies or guidelines that inform them how to manage copyright for the materials that they create in relation to their work and promote open access.

For these situations to be improved upon or resolved it will take a partnership, collective, group, or organization of libraries, higher education institutions, and governing bodies to establish clear legal frameworks and regulation. Along with an intense awareness campaign of both target populations all practicing stakeholders that includes students, instructors, and users.

5. Strategies and Recommendations for Libraries

To successfully navigate the ensuing open access environment and the related intellectual property issues, academic libraries must adopt comprehensive approaches, and formally implement practical recommendations designed to maximize the benefits of open access opportunities, while also complying with the law and protecting intellectual property rights. (33).

5.1. Developing Clear Policies for Digital Collection Development

If libraries want to provide resources with open access in particular, they must prepare and change their guidelines to develop digital collections. Guidelines should include the following as a minimum (34):

A. Selection and evaluation criteria: Include specific criteria for choosing and evaluating materials with open access, it should include educational value or quality and reliability, stability, licensing and reuse.

B. Collection development policy: Describe how reliable journal articles such as open wheat content, and depot materials are integrated into library collections, including how the treatment fee is handled if they accept articles for their collection.

C. Cancellation and protection: Describe the process of canceling resources with open sticks and how to determine how to preserve any material digitally that will not be permanently coughed will not be done at least.

5.2. Strengthening the Role of Institutional Repositories

In an open-access context, institutional repositories are a key aspect of libraries. Libraries should (35):

A. Invest in the repository infrastructure: libraries should strive to provide a sustainable, reliable repository to ease deposit and discovery of the work.

B. Design deposit policies: libraries should consider publishers' copyright rules, as distinguishable using Sherpa Romeo, and create respective policies motivating authors to deposit their work to a repository.

C. Author support: Library writers provide technical help and various guides on how to submit your tasks in a depot, available license and awareness of Copyright.

5.3. Awareness and Training on Intellectual Property and Open Access

It is essential to raise awareness and provide ongoing development and training for all stakeholders (36):

A. Author awareness: Train and raise awareness among lecturers and researchers on copyright, types of license, principles of open access, and how to publish their works and protect them in an open access format.

B. Training libraries: Training libraries around the knowledge and skills to officiate around intellectual property issues, types of licenses, and some basic legal advice for users.

C. Empty Information Resources: Handbooks such as intellectual property and open access, create and create public information resources around the frequently asked questions and sites (37).

5.4. Licensing and Copyright Management

Libraries must have effective systems to manage copyright and permits for digital materials, both limited and open access (38):

A. Consciousness of License: Libraries should have a clear understanding of the license for all digital material, including creative joint license and prohibition, publisher's license and user license.

B. Digital Rights Management Technologies: Libraries should also understand how publishers use digital rights management

technologies and affect the area of use and access to these technologies.

C. Negotiating with Publishers: Libraries can help negotiate with publishers to obtain better licensing conditions that respect authors' rights and open access conditions (39).

5.5. Collaboration and Partnerships

Libraries have the potential to work together on issues like intellectual property and open access (40):

A. Work with Legal Departments: Sometimes university libraries will do in tandem with university legal departments to enforce compliance with national and international laws pertaining to intellectual property.

B. Work with other libraries: Now other libraries interested in copyright and open access to see what they have found whether it works or does not work.

C. National and international initiatives: participate in unions and campaigns that support copyright and open access to create norms and politics.

5.6. Recommendations specific to the Arab context

In order to facilitate the adoption of open access and the protection of intellectual property, it will be necessary to offer recommendations pertinent to the Arab context, as well as the general recommendations (41).

A. Legislation harmonization: It is critical that Arab governments and legislatures are made to feel the pressure to create clear and consistent copyright and open access legislation in the digital context that meets international standards.

B. Creation of coordinating bodies: National, or regionally based, objectives and activities in relation to intellectual property and open access must be coordinated through a responsible co-coordinating body or committee. This would also assist in defining and sponsoring technical and legal advice for libraries and institutions.

C. Support for scientific research: In order to create local knowledge to help cultivate practices and policies, Arab libraries should support scientific research in the area of open access and intellectual property.

D. Adaptation of training materials: The need for the creating and adaptation of resources and training materials related to intellectual property and open access, for programs and instructional content, must consider the linguistic and culturally context of the Arab world.

In fact, educational libraries are specifically distributed to promote access to knowledge by ensuring the safety of intellectual property rights by applying recommendations and strategies. This will provide an opportunity to create a fair and fair knowledge society.

6. Conclusion

Open access movement has changed the education publication scenario, introducing a new set of opportunities to increase access to knowledge and increase the impact of research. In this connection, educational libraries improved and improve their digital collection, which is the primary goal of their digital material strategies, and provides new opportunities and challenges. The study discovered how the open access ecosystem affects the plan for the development of digital collection with specific attention to intellectual property and complex questions about Copyright.

6.1. Main Findings

Research reached many main findings that depict the complexity and liquidity involved in the duration of digital collection in the current open access era:

1. Open access capacity: Research indicated that open access libraries can provide great opportunities to increase access to information, reduce ongoing costs, improve the visibility and increase the impact of research and eventually offer new and innovative library services.
2. Problems with complex intellectual property: Although open access provides many benefits, there are many problems with intellectual property that arise with it, such as complex and multidisciplinary licensing (or, no licensing), copyright problems for materials in the depot, correct use/impartial behavior per appropriate use/impartial behavior, and the risk of Copyrights Positivity infection infections.
3. Relevant questions in the Arab reference: There are many more challenges in the Arab context, such as no equal law, lack of institutional policy that actively supports or promotes open access, and lack of awareness of intellectual property issues.
4. The need for comprehensive and integrated policies: The recommendations made in the study were in addition to the individual context of Arab issues, but also highlighted the need for libraries to recognize the necessity of policies inclusive of integrated strategies, including, for example, developing clear policies, enhancing the role of institutional repositories, promoting awareness and training, managing licensing and copyright, and developing collaborations

and partnerships.

6.2. Recommendations

Based on the research findings, the following are recommended:

1. Develop national and institutional policies: In order to develop and promote open access, authorities and educational institutions in Arab countries must establish and implement constant and available policies such as policies that require deposits in institutional depot.
2. Invest in an infrastructure for digital depot: Invested to develop and maintain a reliable and strong digital depot, and authors should provide technical assistance to submit their tasks.
3. Provide extensive training and awareness programs: Education and training in Open Access concepts, licenses and intellectual property rights and responsibilities require to provide educators, researchers, students and librarians.
4. Libraries should develop effective systems to understand and manage many digital resource licenses, including Creative Commons license, to ensure legal compliance.
5. Together with Arab libraries and institutions unesco and World Wide Web with open access and intellectual property domains to promote collaboration with organizations such as UNESCO and World Wide Web and to share knowledge and coordinate efforts.
6. Promote scientific study of the region: Support for open access and intellectual property in the Arab world will produce appropriate innovative ideas for local references.

6.3. Proposals for Future Research

This research opens up for future research that can help elaborate on our understanding of this region:

1. Comparison of case studies: Educational libraries from different Arab countries have used open access and have handled intellectual property rights, the acquired text.
2. Financial influence studies: Evaluating open access to the library budget in Arab countries and analyzing the efficiency of many financing systems including article processing fees.
3. Open access to Arab countries and proposes for reforms for clarity and the intermediate differential in legal analysis of intellectual property and unlike laws and politics.
4. Study writer behavior: Check how Arabic authors work with the publication of open access and influence their decision to send their tasks to digital depot.
5. Research on the development of technologies such as Intelligent License Management Systems is ongoing to help libraries interact with the complexity of intellectual property in an open environment.

In summary, steps for open access are once in a lifetime the opportunity to strengthen their position as Knowledge Cavity Naval. Libraries can guarantee that knowledge is available to everyone, conducts scientific research and implement all cutting strategies, invests in human capacity and benefits society by handling intangible properties properly.

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