

Request for Information: Public Access to Peer-Reviewed Scholarly Publications Resulting From Federally Funded Research

Response to RFI

1. What steps can be taken to maximize the benefit of Government sponsored research in growing the economy?

The greatest benefit from government sponsored research would come from the widest public dissemination of that research product to all interested stakeholders at the lowest cost. The value of research is often not known until that research is combined with other research. The sum of multiple research products is more valuable than each one separately, and that extra value cannot be appreciated until all the different pieces are put together.

An excellent example of such a program that allows multiple types of research products to be accessed is arXiv.org. Extending the benefits of something like arXiv.org to all Government sponsored research, including book chapters would be beneficial.

2. What should be done to protect intellectual property interests?

Science only progresses by building on the work that has been done before. Proper citation is essential to properly credit scientists for their intellectual efforts. Existing patent law provides for protection of intellectual property interest in inventions. Patentability of inventions requires that the invention be new, useful and not obvious. Unfortunately there are patents of dubious novelty which seem obvious and which are stifling progress. Gene sequences identified in nature are not novel and should not be patentable.

It is necessary to balance the costs and benefits to various stakeholders. Copy right is granted to acknowledge the generation of unique materials and to allow wide dissemination while the originator retains ownership and can profit from it.

6, 7. To the extent possible, greater public dissemination will only produce greater public benefit.

8. The shorter the embargo time the better. To the extent that a for profit journal need to cover their costs in producing a specific article, once the cost of producing the article have been covered through subscriptions and single article purchase, the content should become open access. In other words, some journals do have an open access option, where the authors can make the article open access by paying a fee. Once an article has achieved revenues equal to the open access fee, the article should become open access.

An appropriate way to do this would be to remove copy right and impose an open access-type free unlimited use provided proper citation is used.

Thank you

David R. Whitlock