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Specifying post-cancellation access options in ONIX-PL

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The aim of this document is to provide guidance on how a combination of existing ONIX vocabulary and new vocabulary added in Issue 5 of the ONIX-PL Dictionary can be used to provide a fuller and more structured description of continuing (or post-cancellation) access options specified in a license agreement.

The document includes two worked examples with explanatory notes, together with an appendix which brings together the code lists that are relevant to specifying post-termination options, including both existing and new values.

At the time when the ONIX-PL format and the first issues of the Dictionary were being defined, no clear pattern had emerged as to how a publisher's responsibility to provide continuing access to previously subscribed or purchased materials might be delivered; and the wording of licenses in this respect tended to be generalised and not particularly clear.

With hindsight, it was unfortunate that ONIX-PL used the term 'Continuing Access' both as a designation for the group of terms ('Continuing Access Terms') intended to specify post-cancellation options, and for one of the term types within the group, referring to the continuing provision of online access to previously subscribed materials. Another term type, 'Archive Copy', was used to refer to the option of supply by the publisher to the licensee of an digital archive copy of the previously subscribed materials. Subsequently, however, the word 'archive' has come to be more generally associated with archiving services ('dark archives') provided by trusted third parties.

The purpose of the new term types and other values in Issue 5 of the Dictionary is to remove some of the ambiguities of the original vocabulary, and to make it possible to express more exactly what is offered in a publisher's license for post-cancellation access.

With effect from Issue 5, the wording 'Continuing Access' is used only to designate the group of terms which specifies post-cancellation rights. Both the term types 'Continuing Access' and 'Archive Copy' are deprecated, and should no longer be used. For reasons of backwards compatibility, they remain in the Dictionary, but they are clearly marked as 'Deprecated'.

New term types 'Post Cancellation File Supply', 'Post Cancellation Online Access' and 'Preservation In Dark Archive' have been added to make it possible to distinguish clearly between three distinct forms of provision for continuing access. The wording 'Post Cancellation' has been chosen in preference to 'Post Termination' since the latter might be interpreted as referring only to the complete termination of a license, while the former can apply also to the cancellation of individual titles during its lifetime.

Additional vocabulary is also provided to enable a named supplier of post-cancellation services to be identified, and to make it possible to specify what parts of the licensed materials are offered for continuing access.

Finally, a number of new Annotation Type values have been added to enable supporting detail on specified aspects of continuing access to be inserted.

Please see the Appendix for a full list of all these changes.

Example 1: post-cancellation online access

The first example below is an XML fragment to illustrate how new vocabulary might be used to provide a more systematic statement of an arrangement for post-cancellation online access. The new term type is used. There is, as normal, a License Text Link to the clause describing the arrangement in question. A Continuing Access Term Related Agent composite is included with the relator value 'Continuing Access Provider', and the provider is named as PorticoPCA (it could equally be another trusted third party, or Licensor).

```
<ContinuingAccessTerm>
      <ContinuingAccessTermType>onixPL:PostCancellationOnlineAccess</ContinuingAccessTermType>
      <LicenseTextLink>xxxxxxxxxxxxxxxx</LicenseTextLink>
      <ContinuingAccessTermRelatedAgent>
            <ContinuingAccessTermAgentRelator>onixPL:ContinuingAccessProvider</ContinuingAccessTermAgentRelator>
            <RelatedAgent>onix-PL:PorticoPCA</RelatedAgent>
      </ContinuingAccessTermRelatedAgent>
      <ContinuingAccessTermRelatedResource>
            <ContinuingAccessTermResourceRelator>onixPL:ApplicableTo</ContinuingAccessTermResourceRelator>
            <RelatedResource>EligibleMaterials</RelatedResource>
      </ContinuingAccessTermRelatedResource>
</ContinuingAccessTerm>
```

The Continuing Access Term Related Resource composite assumes that the materials eligible for post-cancellation online access are something less than the whole of the 'Licensed Content'; and that a Resource Definition specifying 'Eligible Materials' has been included in the ONIX expression. Alternatively, the Dictionary value 'Purchased Content' could be used if access was offered for all 'content that has been paid for by a licensee during the term of a license'.

More details could be added as Annotations.

Example 2: post-cancellation file supply

The second example below specifies an arrangement for post-cancellation file supply. The new term type is used. There is again a License Text Link. A Continuing Access Term Related Resource composite is included with the relator value 'Applicable To', and the eligible resources are specified as 'Purchased Content', using the Dictionary value. The provider is not specified, since for this option it is assumed to be the licensor.

```
<ContinuingAccessTerm>
      <ContinuingAccessTermType>onixPL:PostCancellationFileSupply</ContinuingAccessTermType>
      <LicenseTextLink>xxxxxxxxxxxxxxxx</LicenseTextLink>
      <ContinuingAccessTermRelatedResource>
            <ContinuingAccessTermResourceRelator>onixPL:ApplicableTo</ContinuingAccessTermResourceRelator>
            <RelatedResource> onixPL:PurchasedContent</RelatedResource>
      </ContinuingAccessTermRelatedResource>
</ContinuingAccessTerm>
```

APPENDIX: ONIX-PL code values used to specify post-cancellation options

Annotation Type

In Issue 5 of the ONIX-PL Dictionary, five new Annotation Types have been added specifically to assist in describing post-cancellation options. Other, more generic, Annotation Types may also be used in Continuing Access terms, but are not listed here.

onixPL:PaymentNote	Note on payment terms. [For use in a term that is not itself a Payment Term, but that carries a reference to a payment, for example when a Continuing Access Term refers to a payment for post-cancellation online access.]
onixPL:PostCancellationFileSupply HoldingsNote	Note detailing holdings for which files will be provided to a licensee for local use after cancellation of subscription(s). [Use in a Continuing Access Term to supplement information encoded with the relator 'ApplicableTo' in a Continuing Access Term Related Resource element.]
onixPL:PostCancellationFileSupply Note	Note detailing the format and/or method of supply for files which will be provided to a licensee for local use after cancellation of subscription(s). [Use in a Continuing Access Term only.]
onixPL:PostCancellationOnlineAccess HoldingsNote	Note detailing the holdings for which post-cancellation online access will be provided, either by a licensor or by a trusted third party. [Use in a Continuing Access Term to supplement information encoded with the relator 'ApplicableTo' in a Continuing Access Term Related Resource element.]
onixPL:PostCancellationOnlineAccess SupplyNote	Note detailing the method by which post-cancellation online access will be provided. [Use in a Continuing Access Term to supplement information encoded with the relator 'ContinuingAccessProvider' in a Continuing Access Term Related Agent element.]

Continuing Access Term Agent Relator

One new value has been added so that the provider of a continuing access service can be designated in a structured way, in a Continuing Access Term Related Agent composite.

onixPL:ContinuingAccessProvider	The related agent is an organization responsible for providing continuing access (eg Licensor, LOCKSS, CLOCKSS, Portico). [May refer either to post-termination online access or to long-term preservation.]

Continuing Access Term Resource Relator

One new value has been added so that the resources covered in a continuing access arrangement can be designated in a structured way, in a Continuing Access Term Related Resource composite.

onixPL:ApplicableTo	The continuing access term applies to the related resource(s).

Continuing Access Term Type

Three new values have been added to cover three clearly defined options for continuing access. Two existing terms are deprecated, and should not be used.

onixPL:ArchiveCopy	**DEPRECATED – use PostCancellationFileSupply and/or PreservationInDarkArchive as applicable.** [Was: A license term that specifies that a licensor will directly or indirectly provide the licensee with an archive copy of licensed content for continued use after termination of a license.]
onixPL:ContinuingAccess	**DEPRECATED – use PostCancellationOnlineAccess.** [Was: A license term that specifies that a licensor will provide the licensee with continuing access to licensed content after termination of a license, either through its own online service or otherwise.]
onixPL:NotificationOfDarkArchive	A license term that requires the licensor to notify the location of any dark archive services where licensed content is deposited.
onixPL:PostCancellationFileSupply	A license term that specifies that on cancellation of a subscription a licensor will supply an electronic file of licensed content for continued use by a licensee.
onixPL:PostCancellationOnlineAccess	A license term that specifies that a licensor will enable a licensee to have continuing online access to licensed content after cancellation of a subscription, either on the licensor's own systems or by an arrangement with a third party (eg Portico PCA, LOCKSS).
onixPL:PreservationInDarkArchive	A license term that specifies that a licensor will ensure the long-term preservation of licensed content by continuously depositing it in a 'dark archive' held by a trusted third party (eg Portico, CLOCKSS, Koninklijke Bibliotheek).

Related Agent

Six new values have been added to enable the provider of post-cancellation online access or of long-term archiving services to be specified. These values are used in a Continuing Access Term Related Agent composite with the relator 'Continuing Access Provider'.

onixPL:CLOCKSS	The CLOCKSS 'dark archiving' service. [Use in an applicable Continuing Access Term only.]
onixPL:KoninklijkeBibliotheek	The Netherlands National Library 'dark archiving' service. [Use in an applicable Continuing Access Term only.]
onixPL:Licensor	An agent by whom a license is granted.
onixPL:LOCKSS	The LOCKSS post-cancellation online access service. [Use in an applicable Continuing Access Term only.]
onixPL:Portico	The Portico 'dark archiving' service. [Use in an applicable Continuing Access Term only.]
onixPL:PorticoPCA	The Portico post-cancellation online access service. [Use in an applicable Continuing Access Term only.]

Related Resource

One new value has been added to cover a commonly occurring case where, as long as a license remains current, a publisher provides access to additional materials over and above those subscribed by the licensee; but post-cancellation access is limited to the subscribed materials. The new value is used in a Continuing Access Term Related Resource composite with the relator 'Applicable To'.

onixPL:PurchasedContent	Content that has been paid for by a licensee during the term of a license. [Used typically in a Continuing Access Term to specify post-termination access rights.]