

# An Evaluation of Access and Use Rights for Licensed Scholarly Digital Resources

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## ABSTRACT

This research in progress investigates how technological protection measures shape how authorized users access and make use of digital collections of licensed scholarly resources. It seeks to ascertain the range and variation in access and rights restrictions, and whether observed restrictions were described in acceptable use statements and resource licenses.

## Categories and Subject Descriptors

K.5.1 [Hardware Software Protection]: Licensing

## General Terms

Human Factors, Legal Aspects.

## Keywords

Digital rights management, technological protection measures, license, licensed resources, assessment

## Study Description

This poster describes an ongoing research project to assess the access or use rights restrictions experienced by authorized users of licensed digital library in the fields of history, engineering, health sciences at a large Carnegie I Research Campus. Licensed digital resources such as e-books, e-journals, e-reference tools, data sets and audio and video files are an integral part of academic and research digital collections. License agreements between libraries and resource vendors outline the acceptable terms of use of digital resources; however, some vendors employ additional software or hardware tools on the resource platform to control access to and use of the resources. These additional measures, known as technological protection measures (TPM), typically control who can access a work (an access restriction) and how the work may be used once it is accessed (a use restriction). Currently, there is little systematic knowledge of the extent of TPM use in collections of licensed digital resources, the range of access or use restrictions enforced by the TPM, or the degree to which TPM restrictions agree with the acceptable terms described in licenses. To begin to fill this research gap, this study investigates the following research questions:

RQ1: What *access restrictions* (beyond IP range) would an average authorized user experience when using licensed digital resources from history, engineering or health sciences?

RQ2: What *use restrictions* would an average authorized user experience when using licensed digital resources from history, engineering or health sciences?

RQ3: Do license agreements and acceptable use statements describe the access and use restrictions observed through resource assessment?

Methods include a scenario-based assessment of resources and document review. To assess rights restrictions in the sample, a sample of licensed resources was run through a “typical use scenario.” The scenario defined the portions of a resource should be used, and it assumed the following access and use rights:

**Access rights:** Access available from university registered IP address outside the library, access does not require resource login ID or passwords at the resource level.

**Use rights:** Viewing, printing, cut and paste, email work, make annotations, save copy to local disk, view local copy, print local copy, and annotate/change local copy.

Permissions were obtained to review portions of licenses and note whether observed access or use restrictions were described in the license.<sup>1</sup> In addition, any acceptable use statement contained within the resource was similarly analyzed.

Data collection is ongoing, but full results are expected by the time of the conference. The findings will include: (a) Types of access and use restrictions that authorized users currently experience in each of the three fields. (b) Range and variation in restrictions across the fields (c) The degree to which licenses and acceptable use statements accurately describe the observed access and use restrictions. Discussion will consider the significance of access and rights restrictions for teaching, learning & scholarship, if and why rights restrictions vary by field (e.g. history vs. engineering),

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<sup>1</sup> While license agreements are typically confidential, the case study site is a state institution in an open records law. This allowed the researchers to negotiate limited access to the licenses.

and the implications of discrepancies between license terms and observed restrictions. Results are arguably generalizable to other university digital library collections that contain similar licensed resources.

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