

# American Meteorological Society Copyright Policy

(Accepted by the AMS Council 3 October 2001)

The American Meteorological Society's (AMS) mission to disseminate knowledge in the atmospheric and related oceanic and hydrologic sciences is best served by promoting wide access to AMS publications while ensuring that this dissemination preserves the integrity of the originally published works. The copyright to the materials published in AMS journals, monographs, and other publications, which copyright is transferred from the authors of the works to the AMS at the time of publication, allows the AMS to act as the steward for the intellectual property contained in the published works. It also allows the AMS to protect the value of the materials so that they can be used to generate revenue for the AMS, which revenue is then used to support the peer-review publication process so crucial to the scholarly scientific endeavor.

The widespread growth of information disseminated through the Internet has led to vast changes in the way scientific information is delivered. This policy updates and replaces the 1995 AMS Copyright Policies (*Bulletin of the American Meteorological Society*, Vol 76, pp. 2489–2492) that foresaw this transition and provided a set of policies intended to usher in this new era. The role played by the Association for Computing Machinery (ACM) and its Interim Copyright Policy in helping to develop these policies is again gratefully acknowledged.

The policy presented here seeks to reflect openness on the part of the AMS to new practices engendered by digital media. It also clarifies the conditions under which the AMS grants permission for copying or distribution of its materials and the conditions under which the AMS requires prior permission and/or fee for such copying and/or distribution. A glossary of the principal terms used in this policy is included at the end of this document.

The recipient of an AMS copyrighted work is not free to copy it and pass it on without obtaining prior permission from the AMS. This concept has been the foundation of copyright and continues to be the basic assumption of this policy. In addition, this policy repeatedly refers to three additional basic assumptions.

- 1) Transmitting an AMS copyrighted work through a computer network is a form of copying.
- 2) The definition of "publication" includes distribution of a work by transmission from a database.
- 3) The AMS permits and recognizes links as a form of citation.

This policy (and other related statements) will be reviewed from time to time and amended or revised as necessary based on the experiences gained under its use and/or changes in the law. The AMS Publications Commission and Information Systems Committee initiated the development of this policy and will continue to play a key role in helping to formulate AMS's copyright policies. The AMS Council, however, must approve all such policies. This document supersedes all previous AMS copyright policies and any related statements.

## 1. Copyright notice

A copyright notice serves to inform the public that a work is protected by copyright, identifies the copyright owner and sets forth the year in which the work was first published. The AMS requires that any republication of an AMS copyrighted work contain a copyright notice.

The AMS copyright notice must be displayed on the first page of any AMS copyrighted work that is published in print or on the first screen of a digitized work (such as a website). It is acceptable to place the string “© Copyright [date of publication] AMS” as a hypertext link to the full copyright notice.

### *AMS’s Full Copyright Notice*

© Copyright [date of publication] American Meteorological Society (AMS). Permission to use figures, tables, and *brief* excerpts from this work in scientific and educational works is hereby granted provided that the source is acknowledged. Any use of material in this work that is determined to be “fair use” under Section 107 of the U.S. Copyright Act or that satisfies the conditions specified in Section 108 of the U.S. Copyright Act (17 USC §108, as revised by P.L. 94-553) does not require the AMS’s permission. Republication, systematic reproduction, posting in electronic form on servers, or other uses of this material, except as exempted by the above statement, requires written permission or a license from the AMS. Additional details are provided in the AMS Copyright Policy, available on the AMS Web site located at (<http://www.ametsoc.org/AMS>) or from the AMS at 617-227-2425 or [copyright@ametsoc.org](mailto:copyright@ametsoc.org).

## 2. Requirement for copyright transfer

Authors must transfer copyright to their work to the AMS as a condition of publishing the work with the AMS. This requirement may be waived for some materials. Copyright transfer shall be complete when an AMS editor or appropriate AMS staff member accepts the work for publication.

Immediately upon transfer of the copyright, authors must incorporate the AMS copyright notice (see section 1) into any copy of the work made available to others. The AMS will maintain the accepted version as the definitive version of the published work, as amended through editorial processing for publication. In the event that the AMS makes the published work available electronically, authors who maintain personal collections should implant a link to the definitive version maintained by the AMS and should distribute only links pointing to the AMS definitive version.

The copyright transfer forms are available on the AMS Web site (<http://www.ametsoc.org/AMS>) on the “Authors’ Resource Center” pages, and is also published

in the December issue of the print versions of the journals. There are two different copyright transfer forms. The first form provides for the transfer of copyright to the AMS by the author. The second form provides for authors to sign a statement that the work was created as part of their official duties as a United States government employee and therefore precluded from copyright protection. An additional form is available on the AMS Web site for works subject to Crown Copyright.

All authors must sign the appropriate copyright transfer form or statement that the work was created as part of the author's duty as a United States Government employee or at the direction or control of any government department of any country. If there is more than one author of a work, all authors must sign an appropriate form. It is not sufficient for one author to sign on behalf of coauthors. Coauthors may all sign the same form or each sign a separate form.

### **3. Permission for use of material copyrighted by others**

An author who uses the material of another author or copyright owner, such as a graphical image, text, etc., is expected to obtain written permission from the author or copyright owner of the material to include the material with the understanding that the entire work may be distributed in any and all media now known or later developed. An author using such material in any work submitted to the AMS must provide the AMS with a copy of the written permission obtained from the author or copyright owner. A sample permission form is available on the AMS website. Note that some copyright holders provide a "blanket permission" similar to that of the AMS that allows use of figures, tables and brief excerpts without written permission (see section 1). No additional action is required of authors who make use of materials that fall under such blanket permission.

### **4. Links**

A link is a string that, when interpreted by an appropriate program, will access an object elsewhere in a network and fetch a copy of it to the local machine. Examples are hypertext links, URLs (universal resource locators on the World Wide Web), and document handles. Under this definition, standard bibliographic citations can be links when processed by an appropriate intelligent agent.

The AMS treats links as citations. The AMS encourages the widespread distribution of links to the definitive versions of AMS copyrighted works and does not require that authors obtain prior permission to include such links in their new works. Execution of a link to view a work is considered permissible under these policies. Redistributing a copy created by the execution of a link, however, requires permission from the AMS. In addition, entities or individuals operating servers may not place copies of AMS copyrighted works in their databases for distribution by links without the permission of the AMS.

Although the AMS treats links as citations, the AMS considers it to be an infringement if a series of links forms a pattern equivalent to the table of contents to an AMS publication or creates a compilation of AMS copyrighted works. To avoid misunderstandings, individuals should consult with the AMS before duplicating a substantial portion of an AMS copyrighted work with links.

## **5. Distribution from non-AMS servers**

The posting of draft manuscripts on Internet servers provides an opportunity for increased communication among researchers. The AMS does not want to inhibit this recently available avenue of scientific exchange. At the present time, and as long as certain requirements are met, the AMS treats such postings as informal publication and will not reject a manuscript that has been posted in this way on the basis of prior publication (see section 8).

Prior to publication by the AMS, authors may allow their works to be placed on a non-AMS server, such as one of the so-called “e-print servers.” The AMS strongly recommends that authors choosing to do this ensure that the server on which they choose to post their work carries a notice similar to the one shown below.

### *Sample of Server Notice*

The documents contained in these directories are included by the contributing authors as a means to ensure timely dissemination of scholarly and technical work on a noncommercial basis. Copyright and all rights therein are maintained by the authors or by other copyright owners, notwithstanding that they have offered their works here electronically. It is understood that all persons copying this information will adhere to the terms and constraints invoked by each author's copyright. These works may not be reposted without explicit permission of the copyright owner.

For a work that was posted on an e-print server prior to the transfer of copyright to the AMS, permission is granted under this policy for the work to remain on that e-print server until publication by the AMS provided the notice discussed in section 9 is included at the time the copyright is transferred (when the work is accepted for publication, as stated in section 2). The work must be removed from the e-print server at the time of publication — no later than the first of the month following the issue of the AMS publication containing the work. In addition, e-print servers not displaying a server notice similar to the one shown above are required to remove the copy of the work at the time of copyright transfer to the AMS.

Entities or individuals operating e-print servers may replace the removed copy of the work, at the discretion of the server operators, with an abstract from and/or a summary of the work, along with a full citation to the AMS publication that can contain a link to the definitive copy of the work that resides on the AMS server.

## **6. Rights retained by authors**

As part of a copyright transfer to the AMS, the original copyright owner (author or author's employer) retains the following rights:

1. All other (non-copyright) proprietary rights to the work, such as, patent rights.
2. The right to reuse any portion of the work, without a fee, in future lectures, press releases, or works of the author's own, provided that the AMS citation and notice of the AMS copyright are included.
3. The right to post a copy of the work on the author's personal homepage on a non-AMS server for noncommercial distributions, provided the AMS copyright notice (see section 1) is attached to the personal copy along with a notice regarding the definitive version of the work (see section 9).
4. Organizations that originally owned copyright may distribute copies of works to their employees within the organization.

## **7. Open notice of submission for publication**

An author who submits a work for consideration by an AMS editor should include the following notice on any copy of the work posted on a server:

This work has been submitted for publication. Copyright in this work may be transferred without further notice, and this version may no longer be accessible.

The AMS and many other publishers have a policy that authors submit a work for consideration for publication by only one editor at a time. Authors must notify editors if a work is identical or substantially the same as another work submitted for publication.

## **8. Republication**

The AMS maintains a policy of not republishing works, whether copyrighted by the AMS or by others, except under limited conditions where an editor determines there is significant benefit in republication.

## **9. Definitive copy of a work**

Copies of AMS copyrighted works may not be placed on non-AMS servers without permission from the AMS. In the event that permission is granted, the AMS subscribes to the general scientific convention that published works not be altered without review and approval by an editor. The AMS is responsible for maintaining the definitive version of any AMS publication. Any copy maintained and distributed (with permission) by an entity or individual on a non-AMS server after the copyright has been transferred to the AMS must contain the following notice:

Permission to place a copy of this work on this server has been provided by the AMS. The AMS does not guarantee that the copy provided here is an accurate copy of the published work.

## **10. Production of digitized copies**

Persons who have permission under this policy to make copies of an AMS copyrighted work may elect to digitize the print copy and distribute the digitized copy. Persons using an error-prone digitizing processes such as optical character recognition (OCR) may choose to include a notice similar to the following in place of the notice required under section 9:

Permission to convert printed copy to character text by OCR has been given by the AMS. Since OCR may introduce errors, the AMS does not guarantee that this is an accurate copy of the published work.

## **11. Edited collections**

In most cases of conference proceedings and some other forms of collection, the collection as a whole is copyrighted by the AMS, while the authors may hold copyright to the individual components of the collection.

No collection in which the AMS is the sole or joint copyright holder may be posted for open distribution without prior permission from the AMS. Notice of permission must accompany the AMS copyright notice.

## **12. Permissions**

All AMS journals and monograph publications are registered with the Copyright Clearance Center (CCC) 222 Rosewood Drive, Danvers, MA 01923. The CCC provides an easy and effective means of obtaining permission for most uses of AMS copyrighted materials for a modest fee. The AMS encourages use of the CCC for permission processing whenever possible. Requests for permission to use AMS copyrighted works can also be directed to the Director of Publications at AMS Headquarters, 45 Beacon Street, Boston, MA 02108-3693; fax: 617-742-8718; e-mail: [copyright@ametsoc.org](mailto:copyright@ametsoc.org).

## **13. Interpretation of coverage**

The AMS has a long-standing policy that the copyright transfer form grants the AMS the right to publish the work in whole or in part in any and all media now known or later developed. The AMS interprets this policy to include conventional print media, as well as, digital media,

digitized copies of previous print versions, and digital transmission of files containing the copyright works. The AMS hereby reaffirms this interpretation.

## **Definitions**

Some of the terms used in this policy have specific meanings. The meanings intended herein are recorded as follows.

*AMS Publications Commission and Information Systems Committee:* Commissions are the principal operating bodies of the AMS. The Publications Commission is responsible for the general publication program of the AMS. The Information Systems Committee is a committee of the Publications Commission and its responsibilities include monitoring trends in publishing and information distribution, especially with regard to electronic publication, and making recommendations to the Publications Commission concerning these matters.

*AMS Council:* The AMS Council is the principal governing body of the AMS. It consists of the elective officers, the last two Presidents and 15 other voting members of the AMS. The Council is in general charge of the affairs of the AMS and is responsible for ensuring that reasonable actions are taken to accomplish the objectives of the AMS.

*AMS Copyrighted Work:* Any work the copyright in which has been transferred to the AMS or is otherwise owned by the AMS.

*Copyright Clearance Center:* The Copyright Clearance Center (CCC) is an entity that provides licenses for the reproduction and distribution of copyrighted material in print and electronic formats. Additional information regarding the CCC is available at its Web site (<http://www.copyright.com>).

*Definitive version of work:* The version that has been accepted by an editor, which version may have been professionally edited, and that contains the full citation and the AMS copyright notice. This version will be protected from alteration.

*Edited:* A collection of works that has been selected by an editor and possibly edited for style and length.

*Editor:* Expert in the technical area covered by a journal or monograph appointed by the AMS Council or Executive Committee to serve the AMS in a position that oversees the review process for materials submitted for publication.

*Journal or monograph:* Generic names given to AMS refereed periodical or nonperiodical publications.

*Personal homepage:* A homepage under the direct control of an individual and not intended to serve as an interface for a broad group of users of a server. Typically, an institution or

department would operate an institutional or departmental homepage on a server, and individuals might choose to place personal homepages on the server as well, which may or may not be connected through links to the institutional or departmental homepage but would not have their URLs publicized as one of the primary links to the institution or department server.

*Proceedings:* The published record of presentations of a conference whether it is published before or after the conference takes place.

*Refereed:* A thorough review with emphasis on novelty and soundness. The refereeing process seeks to advise the editor whether to reject or provide specific guidance for revisions prior to acceptance by the editor. Persons serving as referees are independent of the editors who request their advice.

*Work:* A document, file, manuscript, or other informational object, in hard-copy or digital form, that is an expression by an author protected under copyright law.