

---

## German Bundesrat proposes second usage of publicly funded research

On 12 October 2012, the German Bundesrat (Federal Council of Germany) has passed a resolution to clearly change several paragraphs of the UrhG (German Copyright Act; GCA) in favour of the scientific dissemination principle. We have observed a series of changes to the GCA over the last few years. Many of them were highly problematic for scientists in terms of free and wide-area circulation of their research outputs. For instance, on 1 January 2008, the ‘Second Act Governing Copyright in the Information Society’ (Second Basket) took effect strictly limiting the distribution of PDF reprints, even if authorized and issued by the author herself/himself<sup>1</sup>. GCA is now to be reformed in clear direction to open access properties for research that is

(mostly) publicly funded. Particularly, the Bundesrat, the legislative body representing Germany’s 16 federal states, proposes to change §38 UrhG in order to permit open access of such material by six months after initial publication. Importantly, the according right to give unrestricted access to own publications would also apply for works for which authors have subrogated their exclusive legal right of use.

This important step would finally put an end to the paradoxical situation that national research foundations pay scientists to write papers and that the copyrights for these publications are transferred to the publishers from whom scientist colleagues will have to buy back reprints to be able to read or use them. It

seems that the scientific community and now also political forces have realized that we have to allow free access to any material the international community has created and generated to really enable everyone to benefit from a globalized world<sup>2</sup>.

- 
1. Carbon, C. C., *Science*, 2008, **319**, 1483.
  2. Seadle, M., *Libr. Hi Tech.*, 2007, **25**, 298.
- 

CLAUS-CHRISTIAN CARBON

*Department of General Psychology and  
Methodology,  
University of Bamberg,  
D-96047 Bamberg, Germany  
e-mail: ccc@experimental-psychology.com*