

Whitepaper

Mastering Rights and Permissions: A Strategic Guide to Streamlined Content Management in the Digital Era



Table of Contents

Introduction	03
Current State of Rights and Permissions Management	04
Tedious Process of Seeking Usage Permissions	04
Pain Points of a Research Author	05
Inadequate R&P Management for Publishers	05
Cross-Platform Publishing	06
Challenges of Cross-Platform Publishing	06
The Collaboration Conundrum	06
Navigating the Intersection of Creativity and Compliance	07
Copyright Infringement	07
Consequences of Copyright Infringement	07
Best Practices to Avoid Copyright Infringement	08
Empowering Collaboration and Information Sharing	08
Data-Driven Decision Making: Leveraging Analytics for Rights Management	09
Case Study 1	10
Case Study 2	11
Data Security and Compliance Assurance	11
Encryption	11
Digital Watermarking	11
Licensing	11
DRM-Enabled Distribution Channels	11
Leverage AI-Powered Cloud Technology to Navigate the Complexities of Modern Publishing	12
Bibliography	13

Introduction

Open Access (OA) started as an effort by researchers to gain recognition and access funding for research. However, people like Alexandra Elbakyan exploited OA, using web-scraping, shared access credentials, pay wall breaches, and more, to make almost every research paper ever published accessible to anyone. (Oxenham, 2016) Even the content protected behind firewalls was made available for free.

This was just one case among many, at a time when digital rights management systems had not evolved to weed out such rampant covert attempts. The ubiquity of black OA can lead researchers to inadvertently use unauthorized assets. Many studies were conducted on the status of piracy in the publishing industry after Sci-Hub was exposed. (Rowe, 2019)

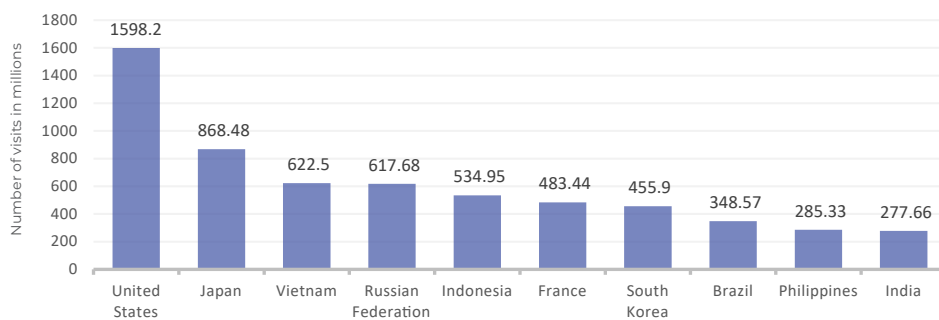
This paper discusses the ways authors and publishers can navigate rights and permissions with streamlined content management.



Current State of Rights and Permissions Management

Statistics show that publishing piracy has risen 189% in the five years from April 2017 to March 2023. (Chytomo, Popularity of pirated book sites increased by 26.6% — study, 2023) Such violation of intellectual property rights leads publishers to lose about \$300 million annually. (Chekalov & Defensor, 2023)

Countries with the Highest Number of Visits to Publishing Piracy Sites Worldwide



Source: <https://www.statista.com/statistics/1260519/leading-countries-highest-number-visits-publishing-piracy-worldwide/>

Authors need adequate knowledge of rights and permission to include any non-original work in their manuscript. Such work can include text passages, images, photos, poems, song lyrics, screenshots, etc., and be sourced from the Internet, print or online books, articles, theses, annual reports, conference material, photocopies, course packages, and translations. To use the work, the author must send queries seeking permission to use the work. However, the process is not as straightforward as it appears.

Tedious Process of Seeking Usage Permissions

Authors start by determining whether an asset is copyright protected or not. Then, they identify and reach out to the copyright holder to seek permission to use their work. In the interconnected digital world, resources are omnipresent, making it difficult to reach the rightful intellectual property owner. Often, copyrights pass through multiple hands, which means authors and publishers need to identify the latest owner.

Next, authors need to understand the terms of usage and penalties for breaching the usage contract. They also have to negotiate in case payments or royalties are involved. Finally, the usage agreement (print or digital) is signed by all parties involved and presented to the chosen publisher.



Pain Points of a Research Author

The process from identifying an owner to getting permissions may take up to 3 months. (Stim, The Basics of Getting Permission, 2019) An author, in the middle of writing down their findings, cannot wait 3 months for each usable item. So, they have to plan ahead, follow up with the owner, and develop a content strategy accordingly. Despite all efforts, there's more an author has to consider:

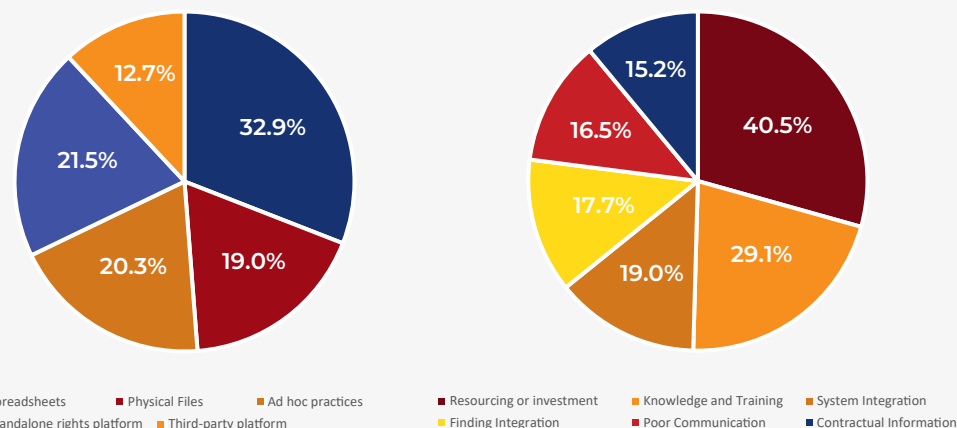
- ⦿ Delays in time-to-market for their work, as manual digging of rights or seeking usage permissions is tedious.
- ⦿ Rework costs and time, in the case the author fails to receive appropriate rights and permissions for any asset.
- ⦿ Management of digital assets within the rights and permissions (R&P) schedule and budget.
- ⦿ System inefficiencies resulting in inability to reuse content for which they possess rights across media types, platforms, or publishing agencies.



Inadequate R&P Management for Publishers

Publishers, on the other hand, have to manage the digital rights of the assets they own copyrights for. Selling usability rights helps them by providing a fresh stream of revenue. They also must inculcate rights management knowledge and culture within their work environment. For this, publishers need technological intervention and adequate database management to record and track all contracts and demonstrate ownership in case of rights infringement.

Most publishers rely on traditional techniques, such as spreadsheets, physical files, and ad-hoc practices, which are inefficient in terms of scaling and integrating a variety of third-party contracts.



Source: <https://rightsandlicensing.co.uk/media/1494/rights-management-in-publishing.pdf>

The primary reason for inadequate rights management and licensing is insufficient resourcing and investment in copyright management.

Cross-Platform Publishing

Publishers have the dual responsibility of managing R&P of their assets and assisting their authors in obtaining rightful access to the content needed for their manuscripts. To capitalize on diverse distribution channels, publishers invest in making the content accessible across platforms.

Challenges of Cross-Platform Publishing

- Making content available across platforms needs an extra layer of protection because it expands the vulnerable surface for unauthorized access or risk to intellectual property via sharing or copying.
- Manually managing R&P in an increasingly interconnected and complex digital ecosystem is inefficient.
- Inadequate digital rights management (DRM) measures threaten the revenue publishers may garner legitimately through pay-for-access models.
- When working with third parties, cross-platform publishing introduces a new dimension of compliance and regulatory management, which legacy systems are incapable of.
- Licensing and delivery models need to strike a balance between customer experience and piracy prevention while adapting to dynamic user needs. (Ipify, 2019)

The Collaboration Conundrum

Collaboration and communication in the community is the foremost goal of publishing. In the digital era of interconnectedness, inefficient content management, openness, and instant reproducibility pose challenges beyond R&P.

- ⦿ Disorganized data reduces the efficacy of storage and metadata, and diminishes content discoverability and agility, hindering seamless collaboration within the environment and outside it. (Ratan, 2018).
- ⦿ Transparency and integrity of the research waiver if publishers cannot provide sufficient proof of scholarly records of work or resources used. Blurred context around research hinders reproducibility, affecting its credibility.
- ⦿ Reducing publication time is one of the top concerns among publishers. Inefficient data storage and management translate into delayed access to past works and may often lead to the repetition of securing usage rights and permissions from copyright owners.



Navigating the Intersection of Creativity and Compliance

Copyright was originally intended to serve creators as an engine of free expression, protecting them from the interference of others and the risks of censorship. A major bottleneck here is that copyrights fail to account for creative reuse of the protected material in the context of derivative works (Geiger, 2017). Publishers need to help authors navigate the complexities of R&P by facilitating authorizations and dissemination of new works. Laws also often mandate freedom of expression and freedom of artistic creation, which necessitates finding non-exclusive solutions to produce high-quality research.

Since the creative industry is a key participant in economic growth, it makes creativity and copyright compliance an industry imperative. Effective copyrights protection can be instrumental in preserving creativity. A publisher must foster a culture of copyright awareness and ethical content reuse by giving clear guidelines, such as those provided by Wiley Publishing Company (Wiley). Such guidelines detail the rights and responsibilities of authors and editors, limitations of rights agreements, duration of copyright, and usage of content from the public domain. Publishers must cover all possible streams of content reuse to empower their in-house and freelance authors.

Copyright Infringement

Consequences of Copyright Infringement

Becoming a victim of copyright infringement or being sued for the same are equally undesirable. And the publishing industry is always at risk of one or the other:

- Publishers may have to suspend operations or pay hefty fines for not following copyrights legislations.
- They may be sued for breaching privacy in case they publish content regarding an individual or a group/organization without appropriate permissions. (DMLP, 2022)
- Often, contracts are time-bound, which if not renewed, incur payments, or even penalties.
- Publishers may be held responsible for using content from unreliable sources, especially if the content is taken from blogs, social platforms, etc. This is especially true in cases of endorsements or testimonials.

Using the creative works of others makes publishers liable for breaking the trust their customers have in them.



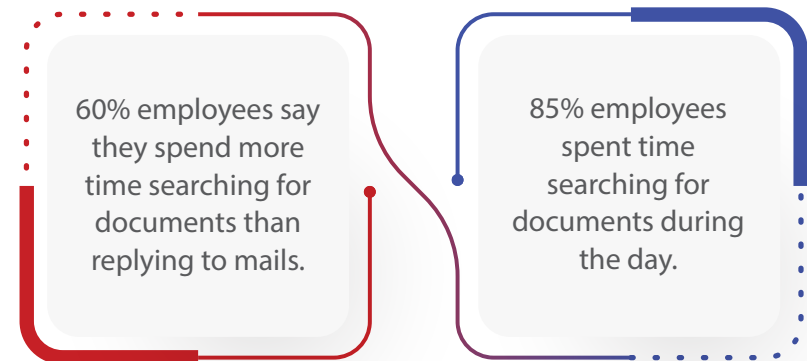
Best Practices to Avoid Copyright Infringement

With the evolution of online and blended formats, some of the best practices that a publisher may use are: (Learning, 2020)

- Link back to original online sources for free content. This allows using copyright-free material conveniently and acknowledges the source for readers to explore further. Yet, be cautious of potential takedowns if the content is duplicated or considered plagiarized.
- Fair use allows some types of digital content to be reused for defined purposes, like teaching, criticism, commentary, or reporting. These activities hold social and cultural value, and they're generally protected by laws.
- Proactively cite content from non-copyright-protected, publicly available sources. This content can be used in any format and can often be reproduced. This also includes works such as formulae, facts, and procedures that are copyright free.
- Keep authors and editors updated on your policies and tolerances. (Harris, 2023) Proactively make them aware of any new compliances and how licenses work.

Empowering Collaboration and Information Sharing

Collaboration can be the cornerstone of success. Digital collaboration requires enabling digital tools, simplifying access, and knowledge sharing to ideate asynchronously (Kitch, 2023). In the absence of streamlined content management, the time and effort needed to search for relevant assets can compromise timelines. Reports suggest that content search is a significant bottleneck in the high-speed publishing industry.

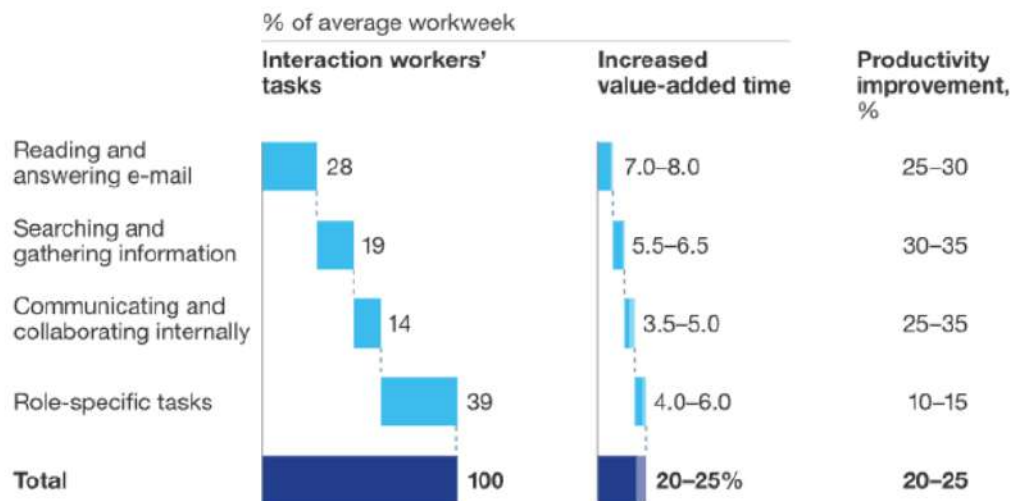


Source: <https://www.elastic.co/pdf/workplace-search-infographic?elektra=blog&rogue=new-state-of-find-gichumb.png>



Permissions procured by a publishing house from a creator can be used across the organizations. Central and accessible data storage can eliminate silos, allowing team members to reuse content for multiple purposes (within the limits of the copyright contract). (Kitch, 2023). Cloud-storage platforms can be instrumental in allowing collaboration among authors, and licensors. enabling open communication channels between creators and rights holders, simplifying data movement, management, and contract handling.

Knowledge sharing technologies facilitate collaboration and communication, improving productivity. (Batra, 2021) However, publishing houses need to transform their structures, and processes to create a culture of trust and collaborative growth.



Source: <https://www.mckinsey.com/industries/technology-media-and-telecommunications/our-insights/the-social-economy>

Data-Driven Decision Making: Leveraging Analytics for Rights Management

The seismic shift in work cultures due to digitization has made knowledge management difficult yet essential. Analytics facilitates cloud production, distribution, and monetization, enhancing licensing revenue by 5%-10%.

AI-powered tools can predict consumer behavior and turnover, analyze renewal history, and provide valuable insights for quality of service (QoS), and quality of experience (QoE). They can also facilitate the creation of proactive viewer retention and acquisition strategies.

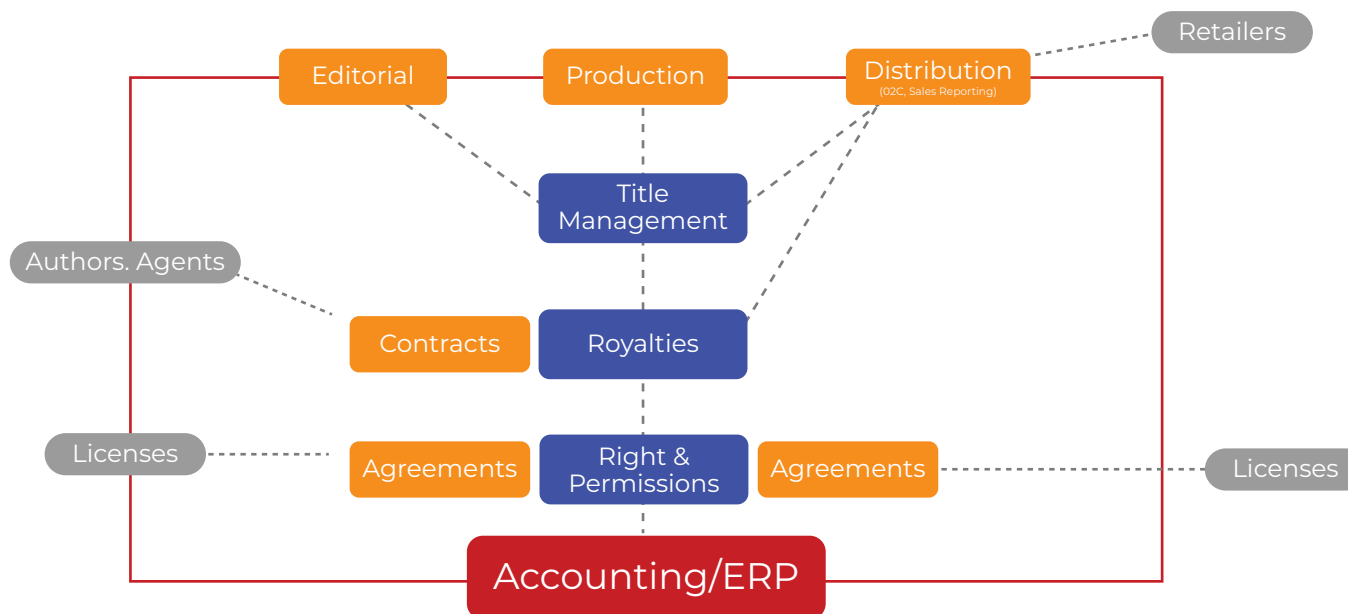
- 📍 AI/ML-powered reporting tools facilitate predictive and generative analysis to power informed and futuristic decision-making.
- 📍 Data-driven insights optimize rights management decisions.
- 📍 Publishers can leverage analytics to identify patterns, improve content strategies, and enhance audience engagement.
- 📍 Data-driven rights management increases efficiency and revenue growth.

Case Study 1

Pearson's initiative to help 75 million learners and educators via a Digital First mission required speed and innovation in the creation, publication, and distribution of content (FADEL, Pearson – Granting All Learners the “Rights” to Learn, 2020) . The transformative business strategy required an advanced solution to standardize Rights & Permissions, and Royalty Management at a global level and in multiple languages. The solution enabled:

- Full visibility into and accuracy of rights available, rights due for renewal, and rights yet to be utilized.
- Automated rights clearance checks facilitated the traceability of content and compliance with copyright contracts for original and ongoing publishing operations.

- Transferability of digital rights for collaboration and integration of DRM with existing business systems allowed supplier information with standardized rights and preferred vendor pricing to implement a straight-through process from asset rights requisition to PO generation.
- Creation of a dedicated rights inventory to check individual requests and expedite grants at scale, which reduced time and costs of clearing assets and delivering them to the market.
- The publisher could deliver innovative content in half the standard time with streamlined content rights and permissions management.



Source: <https://fadel.com/automated-rights-management-an-roi-study-form/>

Case Study 2

Another study by FADEL, an innovator of brand compliance, rights management, and royalty billing software, gave remarkable measurable output: (FADEL, Automated Rights Management- An ROI Study)

- \$100,000s to \$10,000,000s in cost savings associated with litigation settlements per incident
- Reduction in clearance time from 1-2 days to a few minutes.
- 70% reduction in average clearance cost when replacing manual processes with rights management software.
- 40% time savings per Rights Management personnel.
- 70% reduction in overage fees.
- 35% reduction in rework costs
- 50% increase in cross-agency content adaptations



Data Security and Compliance Assurance

With open access, third-party collaborations, mass usage security, and integrity of digital content are always at risk. Employing robust measures to safeguard sensitive information and provide a secure environment for intellectual property is crucial for the sustenance of the publishing industry. Rights and permissions systems employ diverse measures to ensure content security:

Encryption

One of the oldest techniques is to provide authorization with a decryption key to ensure access to only trusted users.

Digital Watermarking

Digital watermarking powers the traceability of content back to the owner. Although it does not prevent copyright infringement, it allows publishers to identify cases of infringement and take necessary action.

Licensing

The most prominent way research and facilitate knowledge dissemination is via licensing. With technological advancements, digital disruption, and the large-scale production of research articles, it has become one of the most used modes of facilitating access.

DRM-Enabled Distribution Channels

Publishers may collaborate with other publishers and content creators through protected channels to keep contact points secure. AI-powered rights and permissions management systems add a layer of additional protection at these contact points.

Leverage AI-Powered Cloud Technology to Navigate the Complexities of Modern Publishing

Scholarly communication is essential to facilitate progress and innovation. Expediting accessibility to knowledge while ensuring its integrity and rightful use is a complex maze publishers have to navigate. Publishers also have to manage the primary, secondary, and subsidiary rights of everyone they collaborate with. Capacity enhancement and better collaboration with third parties are more attractive outcomes than cost savings for publishers across segments.

Publishers can augment their processes by integrating streamlined content and rights management across linear and nonlinear workflows. Cloud-based solutions unify disparate data flows and cross-platform datasets to optimize copyrights management and facilitate reuse. Powered by analytics, rights and permissions systems can provide valuable insights that allow publishers to make informed decisions that foster collaboration within and outside the organization. This is the time for publishers to embrace ethical practices and technology that adapts to the increasingly interconnected digital space to unlock new growth opportunities.

Key Features of Right Management Solutions



Source: <https://fadel.com/pearson-granting-all-learners-the-rights-to-learn/>

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