

December 2024

Dear Sir or Madam

### **Notice of Grant of Licence**

#### **This notice is provided under and in accordance with section 90(4) Copyright Designs and Patents Act 1988**

I am writing to inform you (the “Publisher”) of important changes to the agreements made between the University of Bath (the “University”) and its staff (“Researchers”) regarding the copyright of scholarly publications they submit to academic journals.

We have made this decision as part of our University commitments to improving research culture, supporting open research practices and open access to research, and to enable the University to fulfil its charitable obligations to disseminate its research and scholarship as widely as possible.

These changes are also in response to open access requirements arising from the Research Excellence Framework and our research funders, including cOAlition S funders such as UK Research and Innovation (UKRI) and the European Research Council (ERC), and funders that align with Plan S principles such as the Wellcome Trust and the National Institute for Health and Care Research (NIHR). All these funders require immediate open access.

Please note that, with effect from **1<sup>st</sup> January 2025** pursuant to the University’s Ordinance 22.3 e (“Intellectual Property”), and as outlined in the University’s *Scholarly Publications: Self-archiving and Copyright Statement*, each Researcher has granted to the University a continuing, non-exclusive, irrevocable, worldwide, royalty-free licence to make the accepted manuscript version of scholarly articles publicly available under the terms of a Creative Commons Attribution (CC-BY) licence (or any successor licence). This non-exclusive licence (the “Licence”) applies to any scholarly articles authored or co-authored by Researchers of the University.

Pursuant to section 90(4) of the Copyright, Designs and Patents Act 1988, the Licence to the University is given automatically via Ordinance 22.3 e, and is therefore in existence prior to submission of the manuscript to the Publisher. It is binding upon the Publisher, and takes precedence over any subsequent assignments or licences of copyright in the author accepted manuscript. This letter constitutes notice for the purposes of section 90(4) of the Copyright, Designs and Patents Act 1988.

Please note that if the Publisher enters into agreements with Researchers that contain terms which conflict with this prior Licence, such terms will be invalid *and may constitute procuring or inducing Researchers to breach their obligations under the grant of the Licence, or funder contracts*.

Researchers will be fully supported by the University to achieve open access under the terms of Ordinance 22.3 e.

Accordingly, with this letter we are expressly providing you with prior notice that from **1<sup>st</sup> January 2025** any rights of copyright granted to the Publisher by Researchers of the University in respect of manuscripts submitted to you for publication are granted subject to the above-mentioned Licence. If you publish journals on behalf of other organisations such as learned societies, please cascade this information to them, as well as to any imprints or subsidiary companies, so that all organisations connected to you and acting as Publisher are aware of this change.

If notification is also provided to the Publisher by the Researcher, through the inclusion of a rights retention statement then this is purely courteous. Even if the aforementioned statement is not included on submission, the terms of this letter still stand.

This letter will be binding on you, the Publisher, and to all organisations connected to you as Publisher, as a successor to the Licence being granted to the University under Ordinance 22.3 e. It will apply to all submissions going forward, from **1<sup>st</sup> January 2025** onwards, with no end date.

Pursuant to its Licence the University will deposit the accepted manuscript version of scholarly articles by staff members in the University repository, with article metadata usually available immediately upon deposit and the scholarly article will be made accessible to the public on the date of first online publication under a Creative Commons Attribution (CC BY) licence.

Signatory:

[Signed by]

Professor Phil Taylor FREng CEng FHEA,

Vice Chancellor and President

University of Bath