

# *Shared Electronic Resources Understanding (SERU)*



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## **What is SERU?**



### **Shared Electronic Resources Understanding**

- Recommended Practice that allows libraries and publishers to forego a license agreement and rely on a mutual understanding of widely accepted practices
- Developed by a NISO Working Group of librarians, publishers, subscription agents, lawyers



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## Why SERU?

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- Bilateral agreements don't scale for the long tail
  - Increased costs for publishers and librarians
  - Prolong sales cycle and delay access by users
  - Processing costs can exceed publication costs
- License agreements as *written* contracts cannot be standardized
- Growing consensus of common practice



## Perceptions & Reality

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- Perception
  - Librarians required licenses
  - Publishers required licenses
- Reality
  - Librarians often have a backlog of licenses
  - Many publishers don't have license agreements
  - Growing environment of trust based on amicable resolution of problems



## How Was SERU Developed?

2005-2006

- The problem and idea discussed at library meetings
- Publisher & library organizations supported exploration
- Involved legal consultation
- NISO established Working Group – created draft

2007

- Draft vetted with stakeholders
- NISO comment period, pilot

2008

- NISO approves SERU as Recommended Practice
- Promotion period



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## Perceptions of Risk

Librarians

- Liability
- Loss of content hosted by publisher
- Perpetual access & preservation
- Privacy, performance, promotion, statistics
- Loss of leverage

Publishers

- Content distributed
- Loss of ancillary revenue
- Content accessible to unauthorized users
- Costs of litigation
- Preservation, use of data



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## Without a License Agreement

### Omit Contract Terms

- Jurisdiction
- Warranties
- Liabilities
- Force majeure
- Assignment
- Severability

### Use Purchase Order Terms

- What content
- For what price
- For what period
- How many (for whom)



## Topics in Shared Understanding

- Subscriptions and subscribers
- Appropriate and inappropriate use
- Confidentiality and privacy
- Online performance and service
- Perpetual rights and archival access



## Working Group Discussions

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- Use language that represents widely accepted practices
- Language issues rather than permissions
- Created for domestic use
- Document establishes the framework  
FAQ provides examples
- Type of library – mostly academic, government



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## Expectations for SERU

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- SERU cannot
  - Replace or eliminate all license agreements
  - Be a standard license or click through
  - Be customized
  - Work internationally
- SERU can
  - Reduce costs for publishers
  - Streamline sales/acquisitions process
  - Signal libraries that publishers adhere to best practices



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## How SERU Works

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- NISO Registry for publishers & libraries
- Forego license and link to SERU on NISO website
- Purchase Order is acquisitions vehicle
- Orders can be placed through vendors such as serials agents or consortia
- On products and services that librarians and publishers agree to use it



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## Next Steps

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Goal: increase awareness with publishers/librarians

- Postcards in publisher booths at ALA
- Activate SERU listserv for discussion
- Share experiences
- Collect testimonials
- Create document for institutions legal counsel

[www.niso.org/workrooms/seru](http://www.niso.org/workrooms/seru)



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