

March 6, 2014

To: ARL Directors and Collection Development Contacts

From: Celeste Feather, ARL Licensing Initiative Program Manager, LYRASIS

Re: Harvard University Press Ebook Collections at De Gruyter Online, Spring 2014

I am pleased to report that we have completed our negotiations on behalf of the Association of Research Libraries for an offer from De Gruyter Online for **2011-2014** publication year [Harvard University Press](http://www.hup.harvard.edu/about/ebooks-and-digital-products.html) (HUP) ebook content that is available through **May 30, 2014**.

De Gruyter also is providing an offer through **August 29, 2014** for **the Harvard University Press eBook Archives** that includes 2,795 titles published from 1896 to 2006.

I’m sure many of you will wonder where the HUP content from 2007-2010 might be, and I have been told that HUP is working on a way to close this gap in the online availability of this content. At this time, there is no 2007-2010 collection from De Gruyter/HUP.

Last year nearly 60 libraries in the US and Canada participated in the offer for HUP ebooks negotiated through the ARL Licensing Initiative. We achieved the deepest level of discount pricing offered by De Gruyter when over 50 libraries participated in the North American offer. This year, De Gruyter is offering an even deeper level of discount for 55+ participants that seems to be within our collective reach.

I am aware of some concerns from participating libraries last year and have made De Gruyter aware of the urgent need to address them for 2014. De Gruyter is now working with an industry-approved third party provider to create MARC records, so the quality and consistency should be improved in 2013. Upgraded records for 2013 and 2014 titles are now available at De Gruyter Online. Archive collection records will be available in the spring of 2014. An upgrade to the hosting platform was installed last month, so there are improvements to the interface and search functionality. 2014 titles will be offered in both ePub and PDF formats.

**Last year libraries that purchased the 2013 HUP collection were charged for more titles than Harvard University Press was able to provide by the end of the calendar year. This set of libraries is entitled to a credit that will offset the cost of the 2014 collection if they choose to purchase it. If a library does not choose to purchase the 2014 collection, another form of compensation will be negotiated with De Gruyter. I expect that as the new business model for forthcoming ebook collections matures for HUP, their annual title projections at the start of each year will more closely align with the final number of titles they are able to publish by the end of each year. De Gruyter is working with HUP to improve this process. LYRASIS will work with the 2013 HUP collection purchasers directly to provide their special pricing. The 2014 collection pricing included in this document is for libraries that did not purchase the 2013 HUP collection.**

**Offer #1: 2011-2014 Collections**

Pricing for ARL libraries that **did not** purchase the 2013 HUP collection from De Gruyter Online is available at <http://bit.ly/1orEAFp>. Title lists are included on separate tabs in the spreadsheet. Libraries may select the forthcoming 2014 collection and/or the recent 2011-2013 bundled collection. Discounts are based on the total number of participating libraries across all recent collections.

Final pricing for the 2011-2014 collections is based on the total dollar amount of orders gathered by **May 30, 2014.** We will be gathering intentions to purchase at your indicated discount level through the survey instrument at <http://svy.mk/1q7Iyqo>. Please complete the survey, indicating **the price point for the desired collection that would enable you to commit to a purchase.** I will keep you informed as we gather enough commitments to move into a deeper discount level.

If a library wants immediate access or needs an invoice before May 30, we will process an order at the price we can guarantee at that time based on the number of committed participants. If a credit is due later, we will work through that process with the library when the final price is known after May 30, 2014.

LYRASIS will apply an administrative fee of 5% for each order as negotiated with ARL for group offers with relatively low prices. It is not likely that we will reach the required threshold of $1.5 million in total orders that would trigger a lower administrative fee %.

Canadian institutions will be assessed the GST on their LYRASIS invoice due to the requirements of the De Gruyter fiscal office.

Per the terms of the ARL initiative, we will be working with multiple consortia across the US and Canada to gather as many participating libraries as possible. Every participant is counted toward the same goal, and we believe that we are likely to reach the highest discount offered for 55+ participants.

**Offer #2: HUP eBook Archives, 1896-2006**

The Archives collection includes out of print titles from Harvard University Press that cannot be purchased elsewhere in any format. These titles are exclusively available at De Gruyter Online. Portions of the Archives collection may be purchased in subject groupings as follows:

* Art & Architecture
* American History
* Law & Political Science
* Literature
* Medicine
* Philosophy
* Religion
* Science
* Social Sciences
* World History

Final pricing for the Archives collections is based on the total dollar amount of orders gathered by **August 29, 2014.** The various discount levels for ARL libraries are shown in the pricing spreadsheet at <http://bit.ly/1mVHNBF>, along with the title list on separate tabs. There is a minor difference in the pricing and title list for Canadian institutions as there are 3 older titles that De Gruyter cannot distribute in Canada on behalf of HUP.

We will be gathering intentions to purchase at your indicated discount level through the survey instrument at <http://svy.mk/1kyFpiy>. Please complete the survey, indicating **the price point for the desired collection that would enable you to commit to a purchase.** I will keep you informed as we gather enough commitments to move into a deeper discount level.

LYRASIS will apply an administrative fee of 5% for each order as negotiated with ARL unless we reach the required threshold of $1.5 million in total orders that will trigger a lower administrative fee % for all.

Canadian institutions will be assessed the GST on their LYRASIS invoice due to the requirements of the De Gruyter fiscal office.

Per the terms of the ARL initiative, we will be working with multiple consortia across the US and Canada to gather as many participating libraries as possible. All orders will count towards the goals.

**General Information**

All Harvard University Press content at De Gruyter is available for unlimited use with no DRM. De Gruyter reports that the collection list prices are based on the paperback list prices of Harvard University Press books, and all discounts are taken off that price. There is no premium added to the price for the added value that online formats provide over print formats. E-publication occurs at the same time as print publication for the titles.

Some of the key points of successful negotiation in this license are:

* Scholarly sharing rights
* ADA compliance
* Indemnification by De Gruyter
* Local loading of data by an institution or a trusted third party on behalf of an institution
* Text mining rights
* Perpetual use and local archiving rights
* Provision of copy of data upon termination
* No annual hosting fee

LYRASIS has signed a [central group license](http://bit.ly/X61RmW) with De Gruyter that is in alignment with the ARL required specifications. All libraries purchasing Harvard University Press content at De Gruyter Online through LYRASIS will be covered by the terms of this agreement. LYRASIS will be responsible for obtaining each institution’s agreement to abide by the terms of this central license, which we will do as part of the routine ordering process. The license document has intentionally been written to transcend state and U.S/Canadian boundaries. We recognize that legal offices at some institutions will require state-specific language, and we can facilitate amendments of this type to the central license when absolutely necessary. **If you have local requirements that necessitate a special amendment to the central license and believe that you will be making a purchase, please let me know as soon as possible so that we can reach resolution for each special circumstance.**

There are key advantages to uniting behind a central license document in addition to the obvious workflow efficiencies. This agreement was negotiated to meet the specific requirements set forth by ARL, and a sizeable group of ARL libraries joining this license will indicate a strong show of support for the positions advanced by the ARL licensing specifications. Such a demonstration by ARL libraries of their willingness to collaborate and act in accordance with stated principles will have a definite impact in the marketplace. ARL and LYRASIS designated staff will be able to analyze usage data for the libraries that purchase through LYRASIS and are included in this central license agreement. We will rely on this usage data as a critical component for future negotiations with De Gruyter. More data will give us a better understanding of usage on which to base our positions.

I believe that the offers described here represent good value for ARL libraries and look forward to your comments and responses. I will be glad to address any questions (celeste.feather@lyrasis.org, 800-999-8558, ext. 2954), and I look forward to working with you.



Useful links:

[2011-2014 Harvard University Press eBook Collection Pricing and Title list for New ARL Customers](http://bit.ly/1orEAFp)

[2011-2014 Survey to Express Intent to Order at Indicated Price](http://svy.mk/1q7Iyqo)

[Harvard University Press eBook Archive Collection Pricing and Title List for ARL Libraries](http://bit.ly/1mVHNBF)

[Archive Collection Survey to Express Intent to Order at Indicated Price](http://svy.mk/1kyFpiy)

[LYRASIS/ARL central license with De Gruyter](http://bit.ly/X61RmW)

[HUP eBooks at De Gruyter Online](http://www.degruyter.com/browse?authorCount=5&pageSize=100&publisher=HUP&searchTitles=true&sort=datedescending&type_0=books)