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  - [COMMUNITY PROGRAMS](#)
  - [COMET](#)
  - [COSMIC](#)
  - [DLS](#)
  - [GLOBE](#)
  - [JOSS](#)
  - [MetEd](#)
  - [NSDL](#)
  - [Unidata](#)
  - [VSP](#)
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  - [President's Office](#)
  - [Communications - News Center](#)
  - [Finance & Administration](#)
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  - [Office of Government Affairs](#)
- [NCAR](#)
  - [National Center for Atmospheric Research](#)
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  - [Earth Observing Laboratory](#)
  - [Earth & Sun Systems Laboratory](#)
  - [Research Applications Laboratory](#)
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  - [Integrated Science Program](#)
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  - [Budget & Planning Office](#)
  - [Research Relations Office](#)
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  - [People Search](#)
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- [NCAR Library](#)
- [contact](#)
- [OpenSky](#)
- [Policy](#)
- [Development](#)
- [Open Access](#)
- [Contribute](#)
- [FAQ](#)
- [Open Access Day](#)

[NCAR Library](#) > [OpenSky](#) > Policy

## OpenSky - Policy

The UCAR Open Access Policy is a formalization and update of existing policies that have been in effect at UCAR for many years.

By adding language from the Employee Intellectual Property Agreement to the Intellectual Property and Technology Transfer Policy, the first update secures authors' rights to the work they create during their tenure at UCAR while also securing for the institution the right to use that work in the future. Making the works available through OpenSky is an example of this use.

The Intellectual Property and Technology Transfer Policy - Copyrightable Works 3-2 now reads (italics indicate newly-added text):

"In keeping with academic tradition, and except to the extent required by the terms of any funding agreement, UCAR does not claim ownership of

pedagogical or "Scholarly Works," regardless of their form of expression. *However, consistent with UCAR's Employee Intellectual Property Agreement, UCAR and as required, the Federal government or other UCAR sponsors will retain a nonexclusive, royalty-free right to use, in any manner, for their purposes, the Scholarly Works.*"

The second update to existing policy reiterates the above in the UCAR Publication and Information Dissemination Policy 3-5. It now reads as follows, with italics again indicating the newly-added text:

"UCAR supports an open exchange of data and information derived from our research. It is UCAR's policy to share scientific and technical data with the community as quickly as possible and at minimum cost to the user, while at the same time preserving the proprietary interests of UCAR and other entities and individuals, consistent with Federal regulations, sponsor requirements, UCAR's Intellectual Property and Technology Transfer policy, and any restrictions placed on data sets obtained from non-UCAR sources.

"Each UCAR employee holds title to the Scholarly Works (as defined in UCAR procedures related to Policy 3-2) that he/she creates but grants to UCAR a nonexclusive, irrevocable, paid-up, worldwide license to exercise any and all rights under copyright law relating to those Scholarly Works, in any and all media now or hereafter known, and to authorize others to do the same; provided that the Works are not sold for a profit."

These two policies are supported by new procedures outlining the timeline and means by which works will be contributed to OpenSky:

"To assist UCAR in accessing and distributing Scholarly Works, each employee will provide an electronic copy of the final version of his/her Scholarly Work in an appropriate format at no charge to the NCAR library. For more information, see <http://opensky.library.ucar.edu/faq> .

"The NCAR Library will take reasonable measures to make the Scholarly Works available to the public, including through an open-access repository.

"The NCAR Library may waive application of this Policy with respect to a particular Scholarly Work, upon written request by the author(s)."

If you have questions about these changes, please contact [Mary Marlino](#), Director of the NCAR Library.

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