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ILL Today: Counterpoint to Copyright

Abstract:

Document Delivery and Resource Sharing today occupy a place between rigid copyright law restrictions and some alternative solutions that make possible our everyday activity and expand it beyond its traditional boundaries. Paradoxically, the latest provisions in European and US copyright legislation that apply to the distributions of digital contents and which protect the publishers and not the users, have practically completely obviated the circulation and communication of information (and material). Since the adoption of *The Universal Copyright Convention (1996)*, *Digital Millennium Copyright Act (1998)*, *Directive on the Harmonization of Certain Aspects of Copyright and Related Rights (2001/29/EC)*, and the incorporation of these treaties in the national legislation of many European states (especially Germany and its UrhG Article 53), Interlibrary Loan has come up against many obstacles. The SUBITO case is certainly the most drastic example of this.

There are, however, some counterpoints to these obstacles, some alternative solutions and possibilities, which we see it in the delivery of digital materials from Open Access, Digital or Creative Commons, Copyleft etc. (In the course of 2008, 4% of requests for articles made by the Svetozar Markovic University Library were answered from OA and free of charge). Document Delivery must try to enlarge the scope of its activity through constant searching for new solutions.

1. Introduction

Until the 1990s, the legal basis for the use and distribution of material in interlibrary document delivery and resource sharing stemmed from the concept of the freedom of thought and expression, unquestionable right to access to information, and its importance to science. The scientific development imperative -- and not only symbolically -- is contained in Vannevar Bush's reply to President Roosevelt in 1945:

Scientific progress is one essential key to our security as a nation, to our better health, to more jobs, to a higher standard of living, and to our cultural progress (Science, The Endless Frontier, 1945).

This imperative resulted not only in an enormous investment in science, but also in the proliferation of scientific research, scientific production, the number of researchers, and so on, and, above all, in the efforts for securing full access to scientific information.

Until the mid-1990s and the emergence of the Internet, all kinds of suspension of exclusive copyright, including the right to remuneration and sections of national laws known as "exceptions and limitations," regularly envisaged document delivery and resource sharing among libraries in an effort to establish a reasonable balance between an author's right and the use to society from the author's work

With the rapid development of the Internet, especially since 1995, and in an effort to protect intellectual property in the newly created circumstances of interactive communication, legislation has been adopted which, by way of regulations and directives, has set certain guidelines which, in the form of amendments, are incorporated in national legislations and place interlibrary loan in the invidious position that it occupies today in terms of legal regulation and, consequently, in practice as well. Information is defined as a commodity, the market is privatized in such a way that authors and, most often, publishers as copyright holders have absolute control of original works and information, while the rights of the public are reduced to a more or less token level, especially where rights to the use of digital contents are concerned. Copyright holders in the digital environment control every aspect of access, reproduction, and distribution of information, thereby increasing their own profits and considerably disrupting the balance between copyright and public interest. Entrenched in the belief that "digital is different," that is, holding the view that the nature of published information is such as to be accessible everywhere at all times, easy to reproduce, store, search, reuse, and disseminate from any place to anybody in a way that detracts nothing from its quality or originality, publishers believe that digital content becomes a substitute to purchase and, as such, requires completely new management in order not to impede "the free flow of information." (Götze, 1998, *Digital Is Different*, para 1). On the other hand, the users, libraries, researchers, and the general public oppose this, maintaining that information control stands in the way of the freedom of thought and speech, technological development, and every other kind of progress of mankind.

The opening lines of Joseph Sax's *Playing Darts With a Rembrandt: Public and Private Rights in Cultural Treasures*, highlight the paradoxes that appear in the area of intellectual property legislation:

An eccentric American collector who, for a Saturday evening's amusement, invited his friends to play darts using his Rembrandt portrait as a target, would neither violate any public law nor be subject to any private restraint. (Sax, 1999, pg. 1)

Sax maintains that all objects are not the same. Independently of who owns them, some of them -- fossils of great scientific importance, historical documents, works of art -- are important to a much wider community. Because of their importance, so far from belonging to "the person that owns them," they do not even belong to the person that created them:

Even those who have thought up an idea or discovered a fact frequently get no right of property in that accomplishment -- despite their efforts -- because the law so greatly values open access to the basic building blocks of human achievement. (Sax, 1999, pg. 3)

2. Interactive Communications and Copyright Legislation

In December 1996, the World Intellectual Property Organization [WIPO] adopted a universal copyright convention -- the WIPO Copyright Treaty -- and the WIPO Performance and Phonograms Treaty. The convention was signed by 59 states, including our country. This convention takes as its point of departure the provisions of Berne Convention, the national principle, and lays stress on the abuse of technological methods in the use of original works. Here, too, legal copyright protection applies to the form of expression and not to ideas, actions, methods of work, or mathematical concepts. A novelty in this convention is that it gives exclusive broadcast right to the author in cases where an individual has technical possibility to access a work art from the place and at a time of individual choice:

... authors of literary and artistic works shall enjoy the exclusive right of authorizing any communication to the public of their works, by wire or wireless means, including the making available to the public of their works in such a way that members of the public may access these works from a place and at a time individually chosen by them. (Article 8, WIPO Copyright Treaty)

In other words, this Treaty legally regulates the use of literary or artistic works in interactive communication such as the Internet, Video on Demand, Pay Television, and the like. Article 10 of this Treaty regulates copyright limitations and exceptions that national legislation can place in certain cases that are not in contravention of the usual use of literary or artistic works and which do not unreasonably prejudice the legitimate interests of the author. (Article 10, WIPO Copyright Treaty 1996)

The most controversial implementation of these articles of the 1996 *WIPO Copyright Treaty* and the *WIPO Performances and Phonograms Treaty* is certainly the *Digital Millennium Copyright Act* (DMCA), passed in the United States in 1998. Although this act, too, contains exceptions in the case of "nonprofit library, archive, and educational institutions," which are given facilitated access to a literary or artistic work (Article 1201 (d), pg. 5, *Digital Millennium Copyright Act*, 1998), both the practice and the numerous polemics that the Act has provoked tell a different story (for example, out of 10 requests for resource sharing that the Svetozar Markovic University Library addressed to university libraries in the United States, it received two responses (non-digitalized material, sent by mail, whose copyright protection, incidentally, had unequivocally expired), while the other requested loans were forbidden for reasons of copyright infringement).

Section 108 of the *Copyright Law of the United States* is part of a 1976 law, to which an amendment was proposed with the passage of the *Digital Millennium Copyright Act*. These provisions apply to copyright exceptions and limitations in the case of libraries and archives, which are allowed to reproduce and deliver material under certain conditions.

However, circumstances permit for making only three digital copies for the needs of filing and none that would be accessible to the public. Since a library is not in a position to control further distribution of electronically forwarded digital material, interlibrary document delivery and resource sharing is limited exclusively to the delivery of analog copies.

The aim of the European Union's regulations in the matter of intellectual property protection is to abolish the territorial principle and establish a supranational legal protection system which, on the one hand, would allow a free flow of goods and services and, on the other, secure adequate and uniform protection.

The things that are of direct importance to us are a number of directives, notably the *Copyright Harmonization Duration of Protection* (1993/98/EC), extended to 70 years, and, especially, the *Directive on the Harmonization of Certain Aspects of Copyright and Related Rights* (2001/29/EC). Passed in 2001, this directive applies to issues of

copyright and related rights in the digital environment and has left a significant imprint on most major national legislations.

The *Directive on the Harmonization of Certain Aspects of Copyright and Related Rights in Information Society* literally reiterates the provision on the exclusivity of the author's rights to permit or ban the public disclosure of a work, including interactive communication, introduced by the 1996 *WIPO Copyright Treaty* (Article 3.1 of the *Directive on the Harmonization of Certain Aspects of Copyright and Related Rights* and Article 8 of the *WIPO Copyright Treaty*).

The imbalance that has appeared in the confrontation of the legal protection of holders of copyright and related rights and the interests of and usefulness to the public and society of their literary and artistic works and, more generally, the string of consequences, the last of which is the general accessibility of information, culminated in some famous court cases. Among the numerous and often bizarre lawsuits, those against libraries and interlibrary loans as a service seriously jeopardize the role that libraries play in access to information.

In 1994, the German publishers association, Börseverein, brought a copyright infringement lawsuit against the Hanover technical library, Technische Informationsbibliothek Hannover. The library had been delivering copies of magazine articles to its subscribers on request. The Supreme Court ruled that forwarding of copies to users on the basis of individual requests was permissible, that forwarding of copies to end users was permissible, that forwarding of copies by modern technological methods (mail, fax, email) was permissible, but that the publisher must be paid royalties for copyright. As a result, the Verwertungsgesellschaft Wort Agency was paid several million euros by 2002 (Rosemann, 2005, pg. 2).

That same year, 2004, the German publishers association, together with several international associations, the Stichting STM, sued the SUBITO document delivery service on the grounds that interlibrary loans were not sufficient legal cover for document delivery and that SUBITO was in serious violation of the law on copyright and related rights. The Munich Court ruled in 2005 in favor of the publishers on the grounds that, under Article 53 of German Copyright Act, *Das deutsche Urheberrechtsgesetz - UrhG*, forwarding copies (by email, ftp, fax, or mail) was illegal.

The problem with the application of the European Union's 2001 Directives to the existing national legislations in the intellectual property area has resulted in numerous ambivalent situation, polemics between legal experts, differences in interpretation, and, especially, differences in the application of these amendments to the day-to-day life of libraries. Numerous interlibrary loan systems were put in a

position to review the legitimacy of their own fundamental activity, to modify it and adjust it to the new legal provisions. The most drastic case that impinged on our day-to-day practice certainly was the SUBITO case.

On the basis of a global comparative review of the laws of several big countries, which are leading the field in interlibrary loans, Müller concludes that today, there are several global trends in interlibrary loan relations and laws on copyright and related rights (Müller, 2007, pg. 7):

-- most countries are trying to find legitimacy for reproducing, transmitting, and distributing interlibrary loan material within the frameworks of national laws on copyright and related rights;

-- in addition, scope is given to licensing contracts, especially in cases of electronic delivery of documents or digital contents.

National legislations address the question of using digital media in libraries in a number of explicit and implicit ways. Austria explicitly permits digital reproduction in certain situations; Canada bans it; China permits it for storage purposes; Denmark permits it on a collective license and upon the payment of a fee to the author; the United States explicitly permits it for the needs of storing material, but says nothing about distribution to the user. Since Article 108 of US law does not explicitly ban the forwarding of digital copies, some libraries forward them, while others opt for mailing hard copy, and yet others apply special protection measures: they delete articles forwarded to the user, issue copyright warnings, forward digital copies only to previously identified users, and so on. Some laws implicitly forbid the use of digital material in a way where "copying" does not extend to digital formats, and so on. Thus, for example, Russia, Ukraine, Moldova, Georgia, and Armenia permit "reprographic reproduction," whereas the United Arab Emirates permit reproduction for purposes of storage and research, where "reproduction" is defined as copies in any form; New Zealand explicitly allows this, with a caveat about possible copyright infringement, and so on.

Aspiring to highlight the tradition and importance of exceptions and limitations in terms of libraries, which should influence amendment or development of legislation in this field, Crews drew up a study of exceptions and limitations in the area of copyright and related rights for libraries. It gives an overview of the nature and differences in legal provisions in various national legislations in the area of copyright and related rights and compares national legislations in 184 countries -- members of the World Intellectual Property

Organization, as well as making a systematic analysis of exceptions and limitations of copyright and related rights in terms of the right to reproduction, distribution, and accessibility of material by libraries. Exceptions have to do primarily with the reproduction of material in research and studies, as well as the storage and replacement of library funds and interlibrary loans. Depending on the level of development of library services and information technologies, there is a need for modifying these exceptions in national legislations. Provisions that regulate the work of libraries become common places in most national legislations on copyright and related rights and appear in all their complexity and diversity. The prevalence of these exceptions and limitations shows their importance in the legislations and in the work of libraries in general. (Crews, 2008, pg. 7)

Table 1: Serbian Copyright Chart (Crews, 2008, SCCR/17/2Appendix, pg. 350)

General provision		
Is it necessary to name the author?	Yes. Exploitation is permitted if the name of the author of the quoted work is given.	Article 40 (1)
Is it necessary to name the source from which a work is taken?	Yes. Exploitation is permitted if the source from which a work is taken is named (publisher of the work, year and place of publication, magazine, newspaper, television or radio station where the work or excerpt from the work was originally published or from which it was directly taken, and the like).	

Use in libraries		
Is the author's permission required?	No. Use is allowed without the author's permission.	Article 44
Is the payment of royalties necessary?	No. Exploitation is permitted without the payment of royalties.	
Who can make copies?	Public libraries, educational institutions, museums, archives.	
	Conditions None	
What may be copied?	Works	
	Conditions None	
Purpose of copying?	Storage or noncommercial purposes	
	Conditions None	
Duplication media?	All. See duplication definition below.	
Other provisions?	The volume of limitation of exclusive rights must not be in contradiction with the normal use of a work or offend the legitimate interests of the author.	Article 40(2)

Research or studies		
Is the author's permission required?	No. Use is allowed without the author's permission.	Article 53
Is it necessary to pay royalties?	Yes. Use is permitted upon the payment of royalties.	
Who can do the copying?	Government bodies, educational institutions, and public libraries.	
	Conditions None	
What can be copied?	Works.	
	Conditions: Music	

		notes are excluded.	
Purpose of copying?	Education and research.		
	Conditions:	None.	
Copying media?	Photocopying or any kind of photographic or similar technique that produces similar results.		
Other provisions?	The extent of limitation of exclusive rights must not be in contravention of the normal use of a work or unreasonably offend the legitimate interests of the author.		Члан 40(2)

Circumventing technological protection measures			
Provisions on circumvention of technological protection measures?	Yes.		Article 180 (1)
Forbidden actions?	The action of circumvention of technological protection measures?	The action of circumvention of technological protection measures is forbidden.	
	Working with devices that allow or facilitate the circumvention of technological protection measures?	The production, import, circulation, sale, renting, advertising for the purposes of sale or rent or commercial storage of	

		devices that enable or facilitate the circumvention of technological protection measures is forbidden.	
	Rendering services?	The rendering or advertising of services that make it possible to circumvent technological protection measures is forbidden.	
Access control or owner's rights control?	Owner's rights control. Provisions relate to technology that prevents or limits actions that are not approved by the holder of copyright or related rights.		Article 180 (2)
Waivers of this provision in the case of libraries?	None. Every physical person can copy a published literary or artistic work for personal noncommercial purposes without the author's consent or the payment of copyright, which does not obviate the application of Article 180.		Article 45

Miscellaneous		
Lending services in public libraries	The author is not entitled to royalties for the lending of library material in public libraries.	Article 39 (2)
Definition of conditions	The author has the exclusive right to forbid or permit another to take notes or copy his work in any physical or	Article 20 (1)

	nonphysical, permanent or temporary, direct or indirect way.	
Source	Copyright and Related Rights of the Republic of Serbia (2005), available on: http://portal.unesco.org/culture/en/ev.php-URL_ID=15325&URL_DO=DO_TOPIC&URL_SECTION=201.html	
Accessed:	12/17/07	

Interlibrary loans are a critical point in enabling and facilitating public access to protected works. As a library service of long tradition, it has been protected until recently mostly by legal provisions in sections of national legislations known as "exceptions and limitations" and, in some cases, by quite separate provisions (New Zealand, United Kingdom, United States). This is why today, this is a stumbling block and practically the biggest obstacle to the ambitions of big publishers, who maintain that this industry, by the nature of its work, especially in the segment where it applies to the delivery of documents, represents a cardinal example of copyright infringement.

3. Aspects of Use of Open Access Material and "Creative" Material or Copyleft Licenses From Standpoint of Interlibrary Loan

It is a common fact that researchers publish their results, not for financial return, but to enable other researchers to build upon them and to contribute to the progress of knowledge in their fields. Widely accessible materials have the greater probability to be used and cited, and citedness is important in evaluation of individual scientific performance nowadays. That's also the reason why most scholars are happy to share their work as widely as possible with colleagues, students, and others who may be interested. Open access movement emerged as a part of a broader technology-driven trend that has enormous impact on the ways research is conducted and its results disseminated. Digital technologies are greatly accelerating the progress of knowledge by seamless linking of data, knowledge, and scholars.

Major definitions of Open Access are given in three important documents: Budapest Open Access Initiative¹, Bethesda Statement on

¹ <http://www.soros.org/openaccess/read.shtml>

Open Access Publishing² and Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities³.

There are two ways of implementation of Open Access: OA repositories or OA journals.

OA repositories collect and provide free online access to digital documents to everybody with access to Internet. They can be discipline-based, such as PubMed Central or arXiv, or institution-based, such as university repositories that are emerging all over the world. The vast majority of journals (over 90%),³ including those produced by most major publishers, currently allow authors to make a pre-print or post-print version of their articles available through an open access repository, either institutional or subject.

OA journals are journals that employ the same peer-review processes as traditional journals, but have funding models that do not charge readers or their institutions for access. There are now over 3900 open access journals, representing about 15% of the approximate 25,000 peer-reviewed academic journals that are published now. In addition, many subscription-based publishers offer authors the option of paying a fee to make their articles freely available (Springer is a good example of that).

There are other variations in terms of how open access is implemented. John Willinsky of the Public Knowledge Project describes nine types of OA. „Delayed OA“, for example, makes published articles freely available after a certain amount of time under subscription (typically from 3 to 24 months), and „Partial OA“ makes some journal content freely available and other content available through subscription only.⁴

In their book, *Pirates of the Digital Millennium: How the Intellectual Property Wars Damage Our Personal Freedoms, Our Jobs, and the World Economy*, Gantz and Rochester speak of "digital utopian communities" and "hippy communes" as possibilities that appear to us today to be unbalanced and in conflict between the free flow of information and the law on intellectual property (Gantz, Rochester, 2007, pg. 289). Contemporary interlibrary loan is more and more in a position to use them: the movement for open access, free copy zones (copyright free websites, for example, Maine University Media Laboratory website Still Water Lab. (2003)

² <http://www.earlham.edu/%7Epeters/fos/bethesda.htm#definition>

³ <http://oa.mpg.de/openaccess-berlin/berlindeclaration.html>

⁴ From John Willinsky's article, "The Nine Flavours of Open Access Scholarly Publishing": <http://www.jpgmonline.com/text.asp?2003/49/3/263/1146>

<http://www.newmedia.umaine.edu/stillwater/#>, Swarthmore Digital Commons <http://swarthmore.freeculture.org>, Creative Commons <http://creativecommons.org>). These are different forms of the movement for open access, where authors present their works to the users free of charge, contractual copyright (**rights** or license contracts between authors and publishers are more practical than the implementation of conventional laws. Terms of use are stated and usually are not rigid in the measure in which new copyright laws are rigid), copyleft, and so on. Users are given unrestricted access to and use, free of charge, of the material of others protected by copyright in the form of various reinterpretations, which sometimes entail changes, but on condition that such a modified work cannot be protected by copyright. Gantz and Rochester speak also about **Value Added Media** (taking of high quality material or an added benefit that protected material would have over piratical material) and a **monthly rate for Internet service providers**.

Contractual copyright and licenses between publishers and libraries, value added media, and the possibility of paying monthly rates to Internet service providers all fall in the category of other legitimate areas, open access, free copy zones, and copyleft and appear today as alternative interlibrary loan areas.

We find equally liberal views in a number of Marxist critiques, where copyright law is regarded as a tool of capitalism, while the main points of a hacker philosophy, creativity, and a rising importance of technology are regarded as corresponding to key Marxist concepts of alienation, division of labor, de-specialization, and the transformation of things into commodities, free software, as against commercialized and, in a word, regards the overall hacker movement as resistance to the domination of capital over technological development. (Söderberg, 2002)

Libraries all over the world are among the most devoted advocates of open access, since the core of the library business is sharing resources and providing information to everybody who needs it.

On the occasion of the 75th anniversary of IFLA in 2002, the *Glasgow Declaration on Libraries, Information Services, and Intellectual Freedom* was passed which, at a time of restrictions in the field of dissemination of and access to information, reasserted this fundamental right of man and society. Intellectual freedom as a fundamental responsibility of libraries and the information professions the world over found expression in a number of ethical principles that had to do with securing access to information, ideas, and works, safeguarding knowledge, thought, and culture, democratic values, and universal civil rights.

In line with the principles of this Declaration and the commitment to the broadest possible access to information for all nations, IFLA adopted in 2003 the *Statement on Open Access to Scholarly Literature and Research Documentation*. The definition of published work in open access was taken from the *Position Statement of the Wellcome Trust in Support of Open and Unrestricted Access to Published Research* (2003), where published material is defined as property of individual work and not necessarily as property of a journal or publisher. Open access is offered as a possibility for establishing a compact system of communication in science and cultural patrimony.

One of certainly the most valuable open access sources for journal search to which interlibrary loan turns first and increasingly often is the Directory of Open Access Journals (DOAJ -- www.doaj.org), which since 2003 has been developed and maintained by the Lund University Library with a collection of about 4,000 scientific journals and more than 2,000 publishers.

The argument that the increase in open access articles has reduced the delivery of documents is countered by another, according to which directing a user to an open access article, which is usually accompanied by a document, constitutes a delivery of information (and/or a document). Asked what the delivery of documents represents today, McGrath names integral documents in open access, which account for up to 10% of overall loans (McGrath, *Our Digital World and Its Impact on Document Supply*, 2007, pg. 2).

There are other information resources besides journal articles, which are requested by library users. Registry of open access repositories⁵ is the most important guide in the search of possible open access documents useful for resolving information requests of library users. It gives information about and links to around 1400 digital repositories all over the world. For electronic theses and dissertations the most important resource is Networked digital library of theses and dissertations⁶. For books it is Google Books search, WorldCat, global electronic catalogue with data of 1.4 million books in member libraries, and The European Library with electronic catalogues of European national libraries searched simultaneously⁷. All those resources are heavily used by our ILL services in Serbian research libraries.

One of the new ways and means of dissemination of scientific information and of scientific communication in general was a cooperation agreement signed on 1 April 2009 between the Directory of Open Access Journals and the Electronic Repository of the National

⁵ <http://roar.eprints.org/index.php>

⁶ <http://www.ndltd.org/>

⁷ <http://www.theeuropeanlibrary.org/>

Library of the Netherlands with a view to providing permanent access to certain digital contents in these journals and their long-term storage.

Institutional repositories, websites, and personal websites provide a cornucopia of material which, in addition to reviewed literature, includes also grey literature of the type of Power Point presentations, systematized data, reports, conference proceedings, theses, and student papers. Open access dictates a change in the volume and type of loan material (which is regularly linked to the users' expectations) and information sources. In terms of search tools, in addition to the simplest way of just searching the web, frequent ways of obtaining material are Google Scholar, OAIster, CARL Metadata Harvester, Highwire Press, and the Directory of Open Access Journals (with 1,305 journals available for searching and 221,473 articles).

It is becoming usual practice for open access material to be incorporated in searches of library collections (Morrison, 2006), a good example of which is *reSearcher*, software of the Simon Frazer University Library which enables and facilitates the search of open access material. It comprises the GODOT link search engine, the CUFTS journal database, which includes journals from the largest collections in open access, the possibility of mutual searches of open sources (dbWiz), and the Citation Manager. It is equally usual, regrettably, that here, too, paradoxically, "affiliation to a particular university community" (*ReSeacher* -- Open Source Software for Libraries), membership, and the like, is required.

4. Interlibrary loan and document supply in Serbia

Since 2004, interlibrary loans in Serbia are directed to open access and repositories and supply users with material stored in them. In addition to licensed material and documents obtained from other libraries or found on the web (generally six or 12 months after publication), the percentage of documents available in open access is perceptibly increasing.

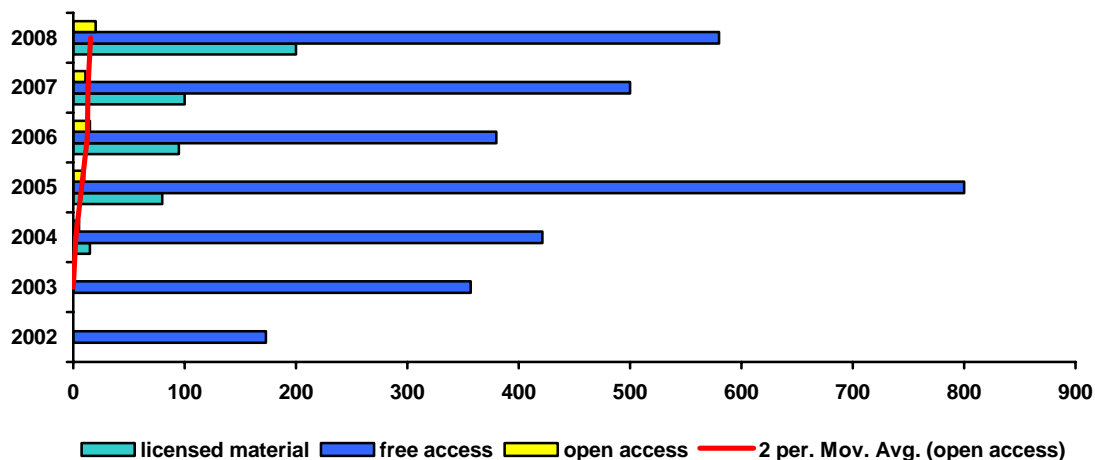


Image 1: Structure of Foreign Article Loans in Serbia 2004-2008

Creative Commons License is promoted in Serbia by the association Creative Commons Serbia⁸, and the number of publications from Serbia whose authors protected them by CC license is growing.

The most important event for the promotion of open access to Serbian journals is launching of SCINDEKS, Serbian citation index and digital repository of journals whose publishing is co-financed by the Ministry of Science of the Republic of Serbia. In April 2007 Ministry issued a bylaw that obliges all journals editors to send the electronic version of all published issues to the Repository of the National Library of Serbia⁹, for permanent archiving and for evaluation and promotion of Serbian science. It is a project of the Centre for Evaluation in Education and Science in cooperation with National Library of Serbia and a part of the Serbian integrated system of bibliographic scientific information. Metadata visible in SCIndeks are taken over from the Repository. A part of it is Digital Object Identifier (DOI) Repository, containing articles from the 42 leading Serbian scientific journals, published under Open Access. SCIndeks includes metadata and citations from nearly a hundred thousand articles and about a million references and full text of about 30 000 articles, published in 357 different Serbian journals in science from 2000 on and in social sciences from 1991 on. SCIndeks is publicly available from November 2008 on the address <http://scindeks.nb.rs>. Access to the SCIndeks for the research purposes is free. In downloading documents, users are expected to follow the practice of fair use of open Web resources. SCIndeks is used for fulfilling the users' requests for articles from Serbian journals, both from Serbia and abroad.

⁸ <http://creativecommons.org.rs>

⁹ <http://nainfo.nbs.rs/repozitorijum>.

Articles cited in SCIndeks published in international journals are linked to full texts through the **CrossRef system**, if Serbian consortium for coordinated acquisition KoBSON has paid access. If the full text of a SCIndeks reference is unavailable to the user, he/she can make use of the abstract of referenced article in **Medline, ChemPort, and MathSciNet**, to which SCIndeks references are also linked.

Titles of books/monographs cited in SCIndeks which are deposited in the Serbian libraries are linked to their records in **Virtual Library of Serbia**. More information about Virtual Library of Serbia are available at <http://vbs.rs>.

ILLD service at the University Library "Svetozar Markovic", the main university library in Serbia with the oldest department for ILLD, changed according to the changes happening in the world. We defined new procedures, whose goal is unchanged – to provide our users with the necessary documents at the lowest possible price. The steps defined by the procedure are:

- checking the bibliographic data in library catalogues
- search for the document in all libraries in Serbia through Virtual Library of Serbia and all available electronic services provided by KoBSON (Consortium for coordinated acquisition for the Serbian libraries)
- search in institutional and subject repositories
- search through electronic catalogues of European libraries
- search for the document in WorldCat, Google Books, Google Scholar, NDLTD, etc.
- sending the request to the document holding library with the best conditions for the user.

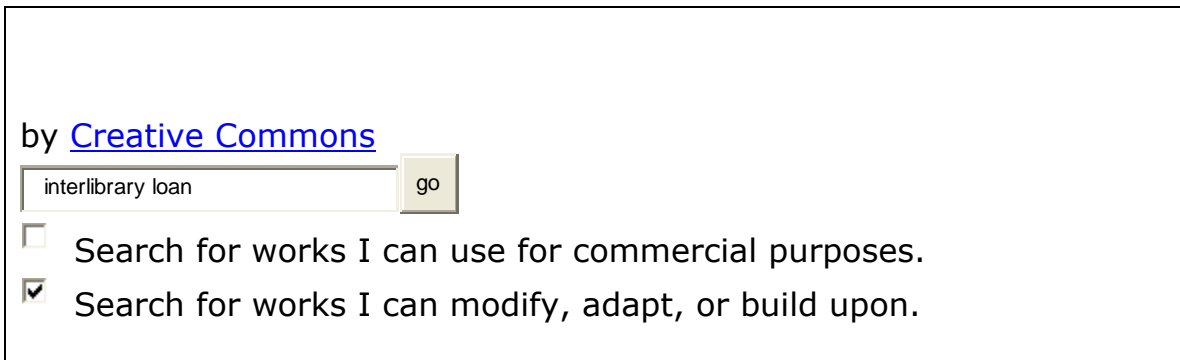
If the document is not available, than we search for the author and give to the user the address if we find it, and advice them to write to the author personally. The majority of authors, according to our users experience, are willing to help and send the data our users were interested in.

5. Conclusion

Today, most large Document Delivery and Resource Sharing systems (British Library, CISTI, INIST-CNRS, KISTI, TIB Hannover) already have experience of open access, especially in the matter of requests for search and delivery of grey literature, which is hard to find as it practically regularly circumvents the trodden paths of the

commercial and of publication and dissemination (Boukacem-Zeghmouri, Schöpfel, 2006). Unpublished works, dissertations, reports, proceedings, conferences, presentations, and the like, because of their great importance to scientific research, occupy a special place in large interlibrary loan systems, while open access represents practically the most valuable sources in this respect. The delivery of these documents requires locating and identifying the documents and making delivery. Works are delivered as full texts, as well as links to repositories whereby users can themselves access the texts.

In linking users to the material, the practice of interlibrary loan uses **Cc Search**, which provides a wealth of articles, books, photographs, music, and other material free of charge.



by [Creative Commons](#)

Search for works I can use for commercial purposes.

Search for works I can modify, adapt, or build upon.

Image 2: Creative Commons Search

We can conclude with the statement that interlibrary lending and document supply service is changed technologically, it became much more challenging than it the times of print world, there are a lot more possibilities to help the user and find the document for him, but the goal is the same – to provide every human on Earth with the information he seeks for, using the shared library resources all over the world.

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