Licensing ACS Intellectual Property to Support Corporate Research

Preamble: The American Chemical Society (ACS) is a congressionally chartered scientific, member-driven Society with offices in Washington DC and Columbus, Ohio. ACS’s mission is to advance the broader chemistry enterprise and its practitioners for the benefit of Earth and its people.

Divisions within ACS work collectively to carry out this mission. In this regard, the ACS Publications Division globally sources, expertly curates, and provides its quality imprimatur to highly cited, read, and trusted research. ACS makes this copyrighted material (ACS content) available under appropriate limited license and fee to sustain this integral work to the scientific endeavor.

Purpose: This document clarifies the types of licenses available from ACS for acquiring and using ACS content, and the permissions and prohibitions associated with each. Companies generally have policies regarding protection of and respect for intellectual property, as well as established commitments to corporate ethics. The information provided below is intended to assist corporate leaders and research managers as they manage to internal policies and practices.

For clarity, only articles acquired under a Corporate License, pay-per-view License, or through a licensed Document Delivery provider are permitted by ACS for use in corporate, for-profit research. ACS articles published as Open Access are omitted from consideration in this document.

ACS Institutional Licenses:

ACS Corporate, Government License: This license explicitly permits the use of ACS content in research conducted for the benefit of Corporate, Not-for-Profit, and Government institutions. Under this license,

   Authorized Users are permitted to:
   1. Use ACS content to support scientific research undertaken in the normal course of their employment or as required for regulatory purposes, such as for drug or other product approval.
   2. Provide copies of individual ACS content to healthcare professionals upon request under the practice commonly referred to as “Reactive Use”.

   Authorized Users are prohibited from:
   1. Selling, renting, or otherwise making available beyond other Authorized Users within the licensed institution any portions of ACS content.
   2. Aggregating ACS content within an institutional repository and/or broadly redistributing, except within a small workgroup or research project.
   3. Creating derivative works from the ACS content, including use in Text & Data Mining (TDM), Machine Learning (ML) or Artificial Intelligence (AI) applications, except under separate license from ACS.

ACS Academic License: This license is explicitly for the academic sector to support research and teaching conducted as part of academic degree programs, faculty research, and not-for-profit research conducted within the academy. Researchers of commercial entities who may, for example, have a separate faculty teaching position or other association with an academic institution may not:
1. Use their academic access to support the work of the company or other commercial purposes.
2. Share, pass on, or sell passwords nor any ACS content or portion thereof.

Under the ACS Academic License, researchers may only use ACS content to benefit a commercial entity if,
1. The research is being conducted at the academic institution AND the research is funded in whole or part by the commercial entity.
2. In collaboration with researchers of a commercial entity, which in such case, the academic researcher may share ACS content within the small workgroup or research project consistent with the STM voluntary principles for sharing.

Individual Licenses:

**ACS Member License:** As a benefit of membership to the American Chemical Society, ACS permits a member limited access to ACS content. This access is limited both by quantity and permitted use.

ACS Members are permitted to use ACS content to:
1. Keep up with personal research interests or pursue personal scholarly interests.
2. Support career advancement or in seeking jobs, for example, researching the activities of a prospective employer.

ACS Members are prohibited from:
1. Using ACS content on behalf of or for the benefit of a commercial, academic, or other institution in lieu of a properly licensed institutional subscription.
2. Perform searches on behalf of or provide ACS content to any 3rd party.

**Individual Article and Third Party Licenses:**

Pay-per-view: ACS offers individual articles for purchase on the ACS Platform through e-Commerce Document Delivery Services: ACS licenses certain 3rd party Document Delivery providers to include ACS content in their delivery services. ACS can provide a list of licensed providers on request.

**CCC Repertory License:** Through the Copyright Clearance Center, ACS licenses permissions for internal redistribution of content. Legal acquisition of ACS content in this manner is only through a license appropriate to the entity and purpose.

**Illicit Access:** ACS is aware that there are some other pathways to access content published by ACS. These include appropriate and legal sources as well as illicit and illegal sources. Through work with a number of global corporations, ACS has uncovered instances in which corporate researchers have used illicit means to acquire ACS content, where institutional access was unavailable. The use of illicit sources not only compromises ACS copyright, but more importantly, typically exposes the company’s institutional systems to nefarious activities perpetrated by unknown actors. It is advisable that where there is need for access to scientific content and an absence of institutionally licensed access, that corporate leaders and managers assess the full range of risks that might be associated with unlicensed access.