

**UC Davis TOME Amendment**  
**Version 1.0 — Last Updated March 7, 2018**

\_\_\_\_\_ (the “Author”) and \_\_\_\_\_ (the “Press”) seek to amend their agreement of \_\_\_\_\_ (the “Agreement”) regarding \_\_\_\_\_ (the “Book”) to provide for publication of the Book on open access terms, agreeing to the following:

**Press Open Access Obligations.** Press agrees to publish the Book in an industry-standard, DRM-free, digital format (to include at least ePub and PDF with a text layer versions) under a Creative Commons license (the “Open Access Version”). Press shall publish the Open Access Version no later than the time of publication in any other format. Press agrees to make the full text of the Open Access Version available for indexing in online search engines at the time of first release, and to use best practices in metadata provision and search engine optimization to publicly indicate the Book’s open access availability.

**Conditional on Subvention.** To subvent the costs of open access publication, the University of California, Davis Library will pay Press \_\_\_\_\_ (the “Subvention”). Payment of the Subvention, which is at the sole discretion of the UC Davis Library, is a condition precedent for the effectiveness of this Amendment, and will be made only after the Book is finally accepted by the Press for publication.

**Effect on the Agreement.** In the event of a conflict between the terms of the Agreement and of this Amendment, the terms of this Amendment will control.

**Modification.** The amended Agreement may not be modified to alter the terms or substance of this Amendment without the issuance of a full refund of the Subvention.

**Interpretation.** The Press Open Access Obligations are, individually and collectively, material to this Amendment.

**Press Representations and Warranties.** Press represents and warrants that (a) the undersigned representative has the authority to make this amendment; and (b) the Book has received or will receive editorial support, peer review, and marketing support meeting or exceeding Press’ standards, and that publication of the Open Access Version will not result in any deviance from the Press’ standards in these areas.

Agreed and accepted:

**Author**

**Press**

\_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_