

EU2015.LV
Multilingual Digital
Single Market
Riga Summit2015
Connecting Europe
Facility (CEF)



A Rights Roadmap for the Multilingual Digital Single Market

Life after the PSI Directive



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Structure

**State of the
Art**

**Pending
Issues**

Conclusions

**Rights
Structures**

**Proposed
Roadmap**

State of the Art

A large, bold, red number '1' is centered within a solid black rectangular box. The number is rendered in a simple, sans-serif font.

State of the Art I

- Directive 2003/98/EC of the European Parliament and of the Council of 17 November 2003 on the re-use of public sector information
- DIRECTIVE 2013/37/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 26 June 2013 amending Directive 2003/98/EC on the re-use of public sector information
- Transposition progress (indicative):
 - Greece (Law 4305/2014)
 - Spain (Draft Law)
 - Romania (Consultation)
 - UK (Consultation)



State of the Art II

- PSI Guide (LAPSI2)
- Licence Interoperability (LAPSI2)
- QTLaunchpad (Wikibook + RDFization of licences)
- CLARIN (legal tools)
- METASHARE (legal tools)



State of the Art III

- There is an extensive body of work related to Public Domain calculators, i.e. sets of decision trees that assist in determining the copyright status of a work
- These have been primarily developed by and for libraries, universities and civil society organisations, but have also been adopted by some large EU projects (e.g. Europeana)
- They tend to focus on:
 - Single jurisdictions (e.g. Public Domain Sherpa)
 - Multiple jurisdictions (e.g. Open Knowledge's Public Domain Calculators project)
 - Blocs of jurisdictions (outofcopyright.eu)

Public Domain Sherpa

(<http://www.publicdomainsherpa.com/index.html>)

- Focuses on the US
- Static
- Simplified

The screenshot shows a web browser window with the URL www.publicdomainsherpa.com/copyright-duration1.html. The page features a decision tree for determining copyright duration. The tree starts with the question "Is the work published?". If "No", it leads to "Is the work a corporate work (a work for hire), or is the author anonymous or pseudonymous?". If "Yes", it leads to "Was the work first published in the US?". If "No" to this second question, it directs the user to the "published outside the US" page. If "Yes", it directs the user to the "published inside the US" page. The "published inside the US" path leads to the final copyright term: "Copyright term is 120 years from the date the work was created." The "published outside the US" path leads to the final copyright term: "Copyright term is the author's life plus 70 years after his or her death. If the work is a joint work, term is for the last surviving author's life plus 70 years." A sidebar on the right contains links for "Photos", "Sheet Music", "Sound Recordings", and "Site Search". The footer of the page reads "© 2006 - 2007 pdsherpa.com". The Windows taskbar at the bottom shows the date as 06/04/2015 and the time as 18:21.

Digital Slider Copyright Advisory Network Resources (<http://librarycopyright.net/resources/>)

- Focuses on the US
- Static but interactive
- Simplified
- “Embeddable”
- No specific documentation for the algorithm
- Multiple Tools (PD Slider/ Fair Use Calculator/ Copyright Genie)


Copyright Advisory Network
American Library Association
Office for Information Technology Policy

Forum Resources Login

Search

Resources

The following tools are provided to help librarians and others learn about copyright.



The Copyright Genie

OK, so the Copyright Genie can't grant copyright wishes, but it can take the magic out of copyright by:

- 1) Helping you find out if a work is covered by U.S. copyright
- 2) Calculating its terms of protection, and
- 3) Collecting and publishing the results (as a PDF) to save for your records or further vet with a copyright specialist.

To embed this tool in a LibGuide or other webpage, paste the following html code in the source document:

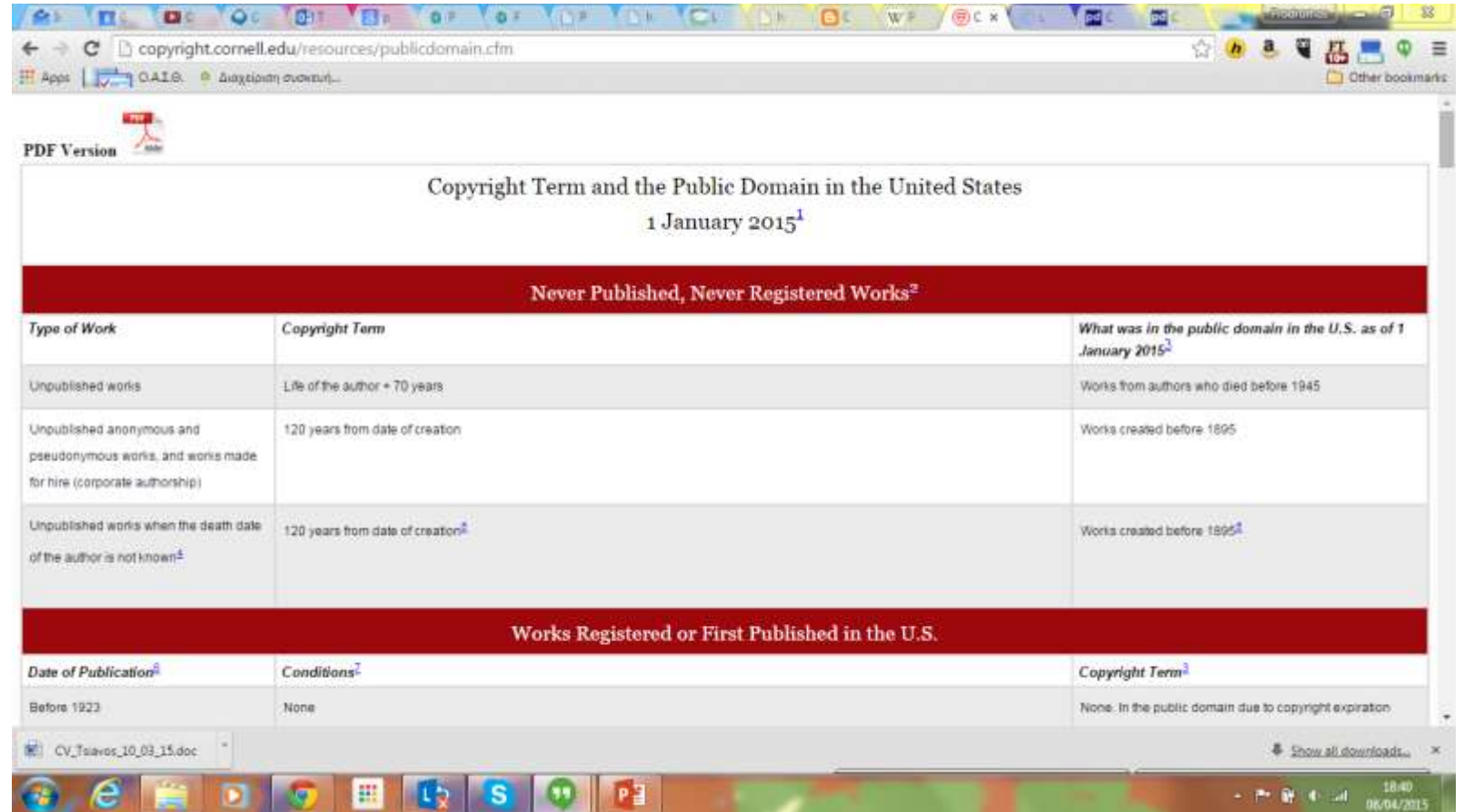
Embed Code

```
<iframe src='http://librarycopyright.net/resources/genie/'
```


Cornell Public Domain Table

(<http://copyright.cornell.edu/resources/publicdomain.cfm>)

- Focuses on the US
- Static
- Detailed
- Documented



The screenshot shows a web browser displaying the Cornell Public Domain Table. The page title is "Copyright Term and the Public Domain in the United States" dated "1 January 2015". The table is divided into two main sections: "Never Published, Never Registered Works" and "Works Registered or First Published in the U.S.". The first section contains three rows of unpublished works with their respective copyright terms and public domain dates. The second section contains one row for works published before 1923, which are in the public domain.

Copyright Term and the Public Domain in the United States 1 January 2015 ¹		
Never Published, Never Registered Works ²		
Type of Work	Copyright Term	What was in the public domain in the U.S. as of 1 January 2015 ³
Unpublished works	Life of the author + 70 years	Works from authors who died before 1945
Unpublished anonymous and pseudonymous works, and works made for hire (corporate authorship)	120 years from date of creation	Works created before 1895
Unpublished works when the death date of the author is not known ⁴	120 years from date of creation ⁴	Works created before 1895 ⁴
Works Registered or First Published in the U.S.		
Date of Publication ⁵	Conditions ²	Copyright Term ³
Before 1923	None	None. In the public domain due to copyright expiration

Cornell Public Domain Table

(<http://copyright.cornell.edu/resources/publicdomain.cfm>)

- Focuses on the US
- Static
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- Documented

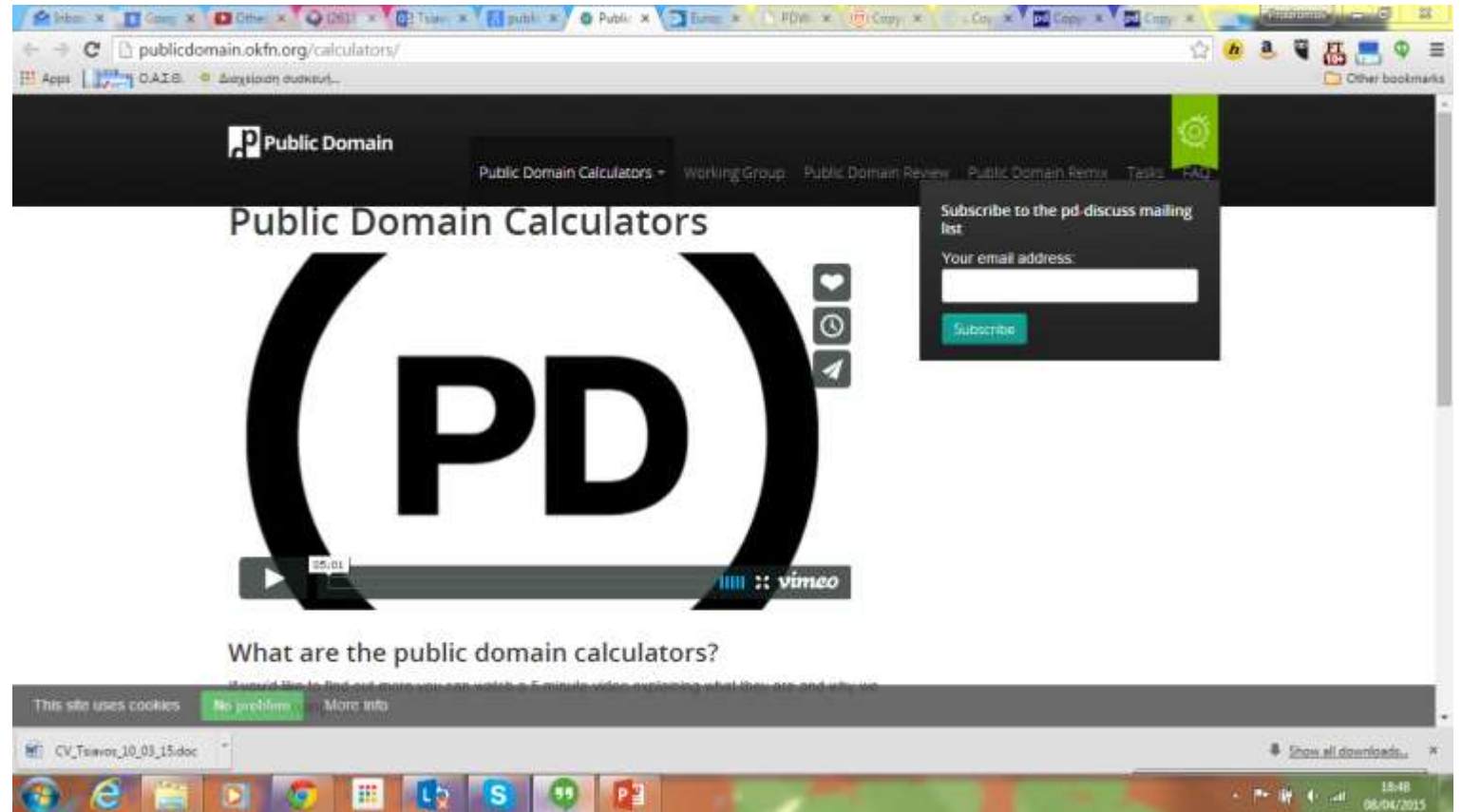
The screenshot shows a web browser displaying the Cornell Public Domain Table. The page title is "Copyright Term and the Public Domain in the United States" dated "1 January 2015¹". The table is divided into two main sections: "Never Published, Never Registered Works²" and "Works Registered or First Published in the U.S.". The first section contains three rows of data, and the second section contains one row of data.

Copyright Term and the Public Domain in the United States 1 January 2015 ¹		
Never Published, Never Registered Works ²		
Type of Work	Copyright Term	What was in the public domain in the U.S. as of 1 January 2015 ³
Unpublished works	Life of the author + 70 years	Works from authors who died before 1945
Unpublished anonymous and pseudonymous works, and works made for hire (corporate authorship)	120 years from date of creation	Works created before 1895
Unpublished works when the death date of the author is not known ⁴	120 years from date of creation ⁴	Works created before 1895 ⁴
Works Registered or First Published in the U.S.		
Date of Publication ⁵	Conditions ²	Copyright Term ³
Before 1923	None	None. In the public domain due to copyright expiration

Open Knowledge Public Domain Calculators

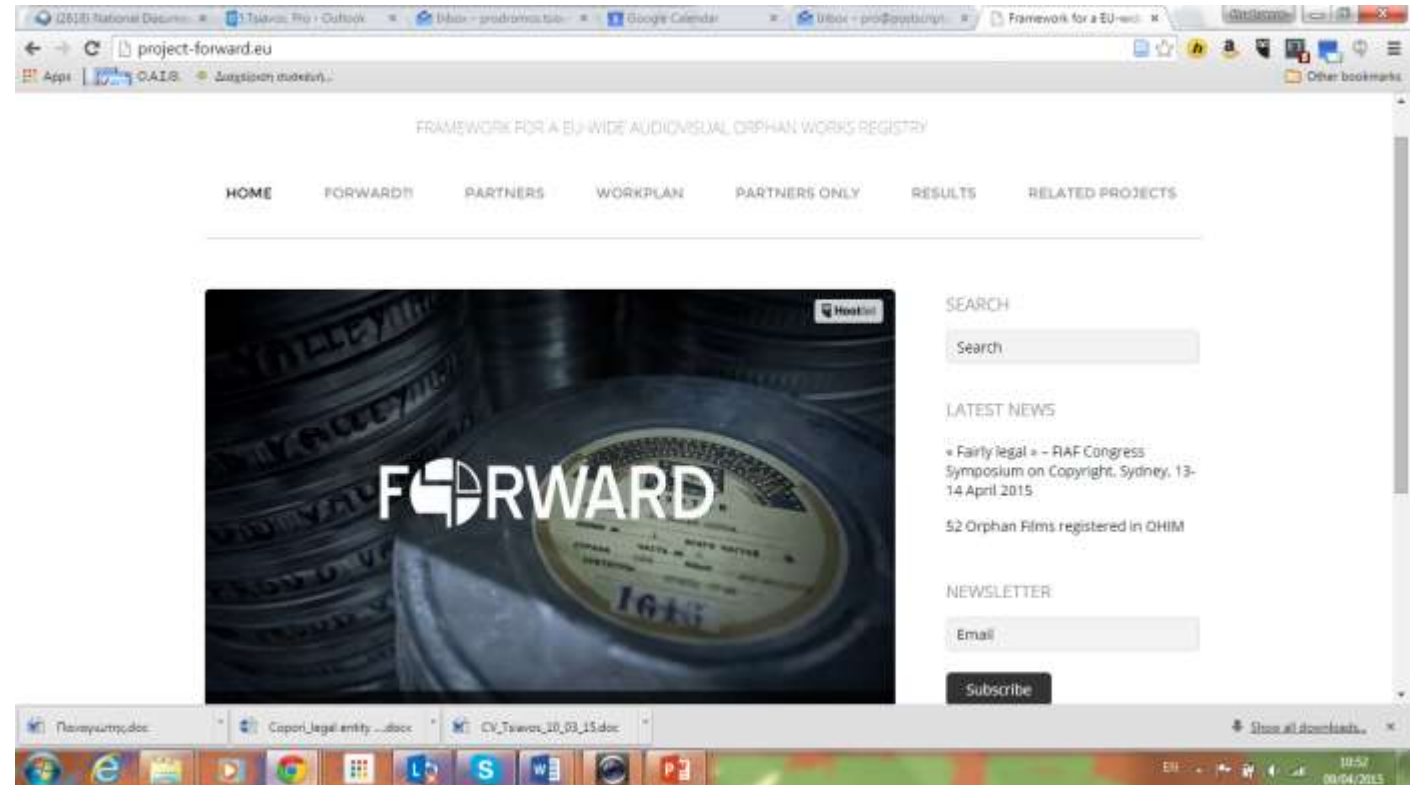
(<http://publicdomain.okfn.org/calculators/flowcharts/>)

- Focuses on multiple jurisdictions
- Aggregates Content
- Detailed
- Documented
- It is a catalogue; not a tool



Framework for Orphan AV Works Registries (<http://project-forward.eu/>)

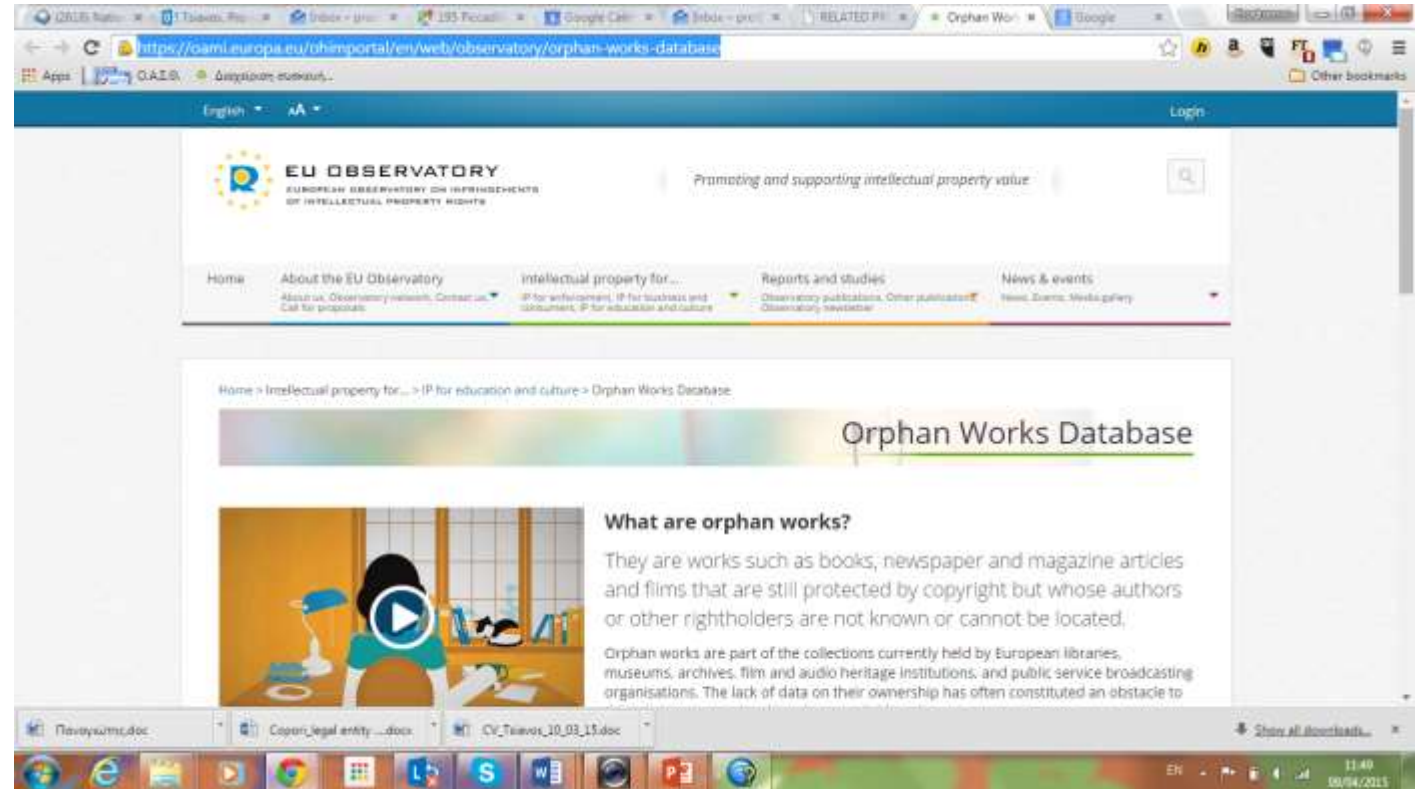
- Focuses on multiple jurisdictions and a region
- It is a framework not the application
- Documented
- Focuses only on Orphan AV Works



OHIM Orphan Works Database (EU)

(<https://oami.europa.eu/ohimportal/en/web/observatory/orphan-works-database>)

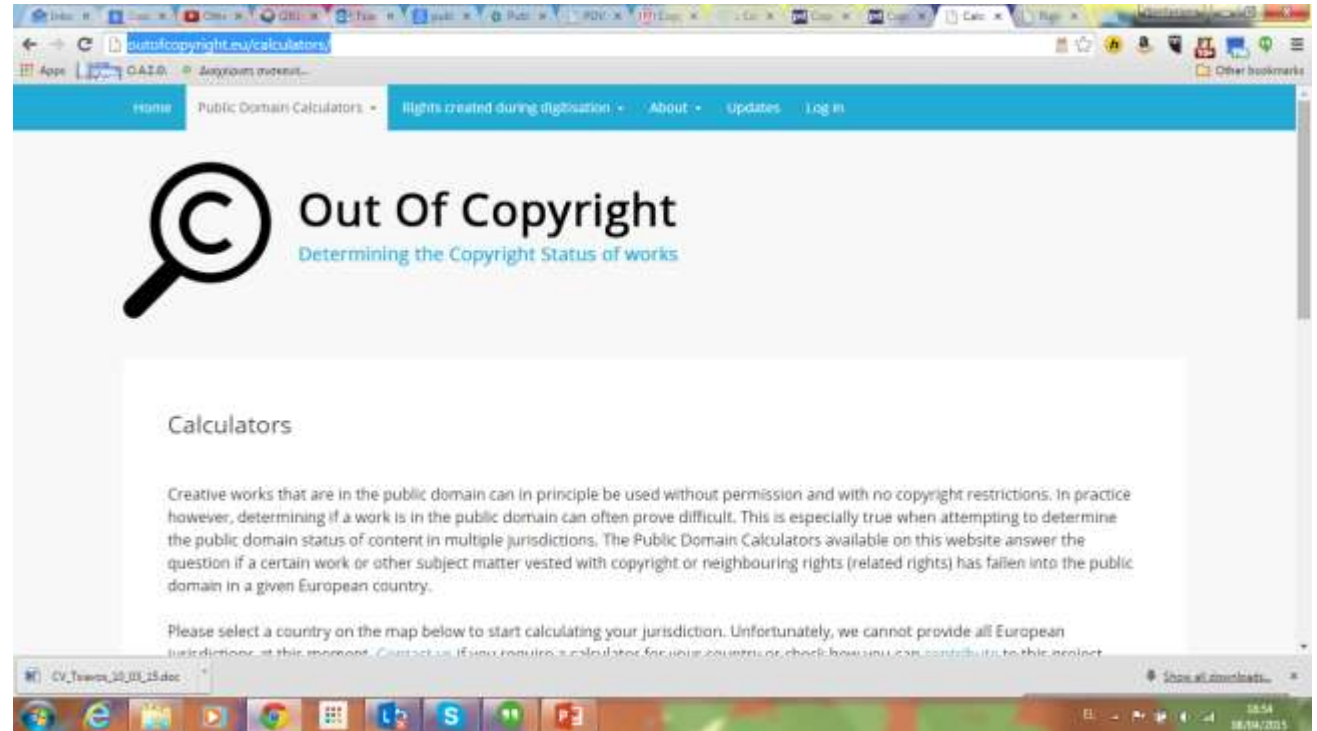
- Focuses on multiple jurisdictions and a region
- It is a database of EU orphan works
- Documented
- Focuses only on Orphan Works



Europeana PD Calculators (iViR)

(<http://outofcopyright.eu/calculators/>)

- Focuses on multiple jurisdictions and the EU
- Provides flow-charts, application and APIs
- Detailed
- Documented



Visible Rights Project (UCL – Alpha)

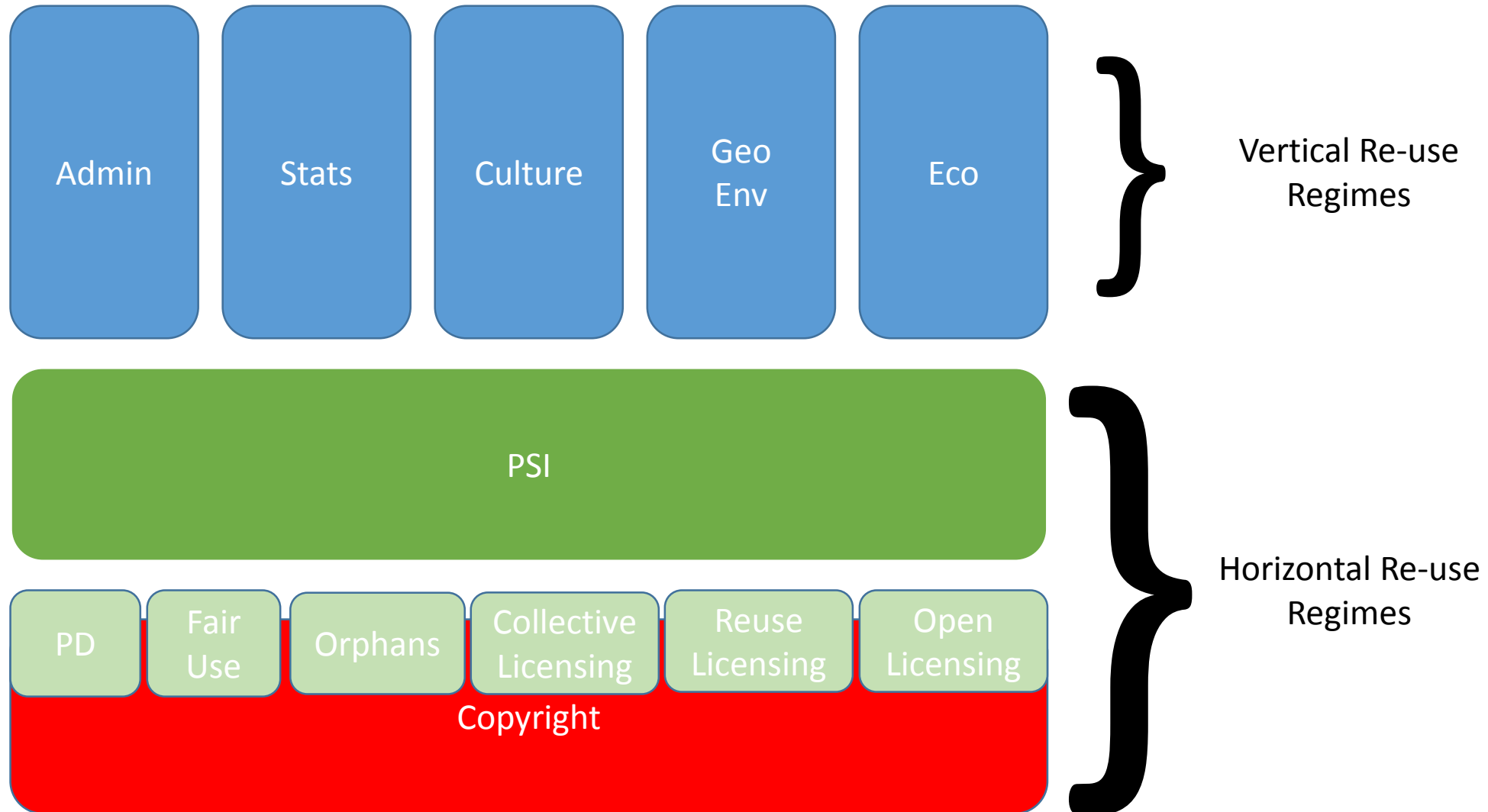
- Multiple Tools:
 - PD calculators
 - Orphan Works Calculator
 - PSI calculator
 - Fair Use Calculator
 - Licensing Calculator
- Multiple Jurisdictions/
Regions
- Real Data
- Crowdsourcing
Documentation Integrated in
the tool
- Industry oriented
- Interoperable and linked to
the Copyright Hub

The screenshot displays the VisibleRights web application interface. The browser address bar shows 'vr-develop.herokuapp.com'. The navigation menu includes 'HOME', 'WIZARD', 'WIKI', and 'ADMIN'. The user is logged in as 'Hi, AdminUser!' with a 'signout' link. The main content area features a vertical flow diagram with three boxes connected by a central line with circular nodes. The top box asks 'What is the Title of the Work?' with the answer 'Alice's Adventures in Wonderland'. The middle box asks 'What is the Primary Author's Name?' with the answer 'Charles Lutwidge Dodgson'. The bottom box asks 'When did the Primary Author die?' with the answer '1898-01-14'. Below this, a box states 'Alice's Adventures in Wonderland is...' followed by 'Unknown'. The Windows taskbar at the bottom shows various application icons and the system clock indicating 19:02 on 08/04/2015.

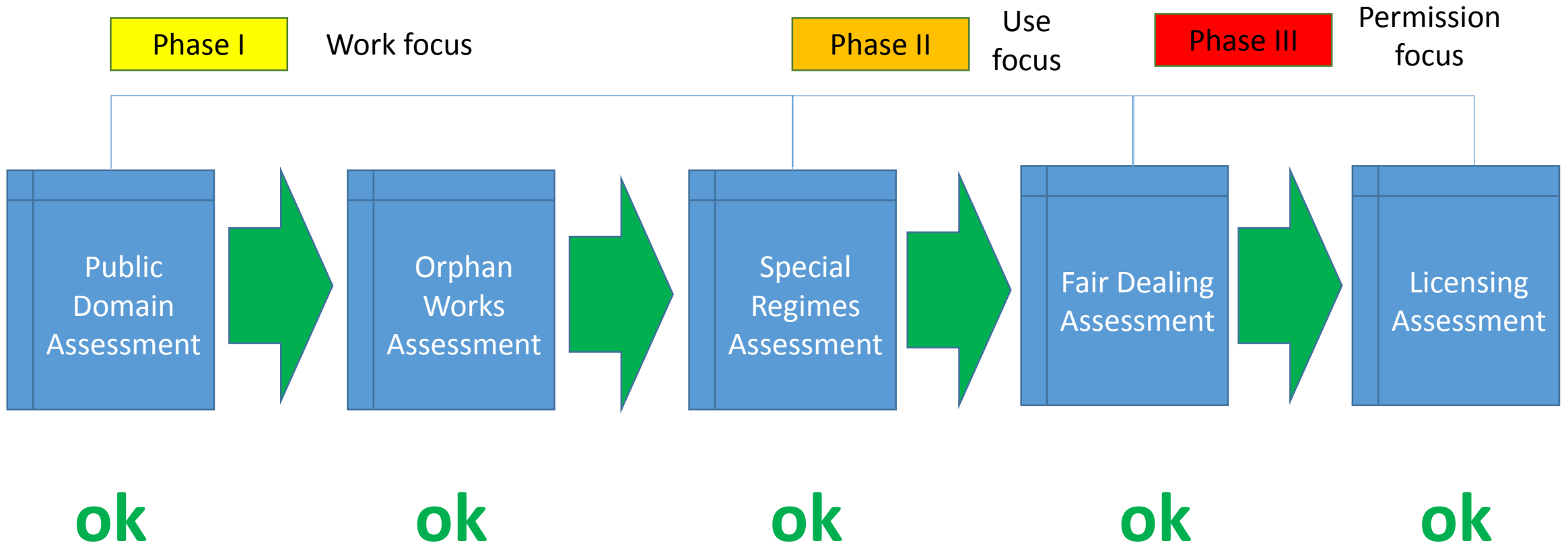
Rights Structure

2

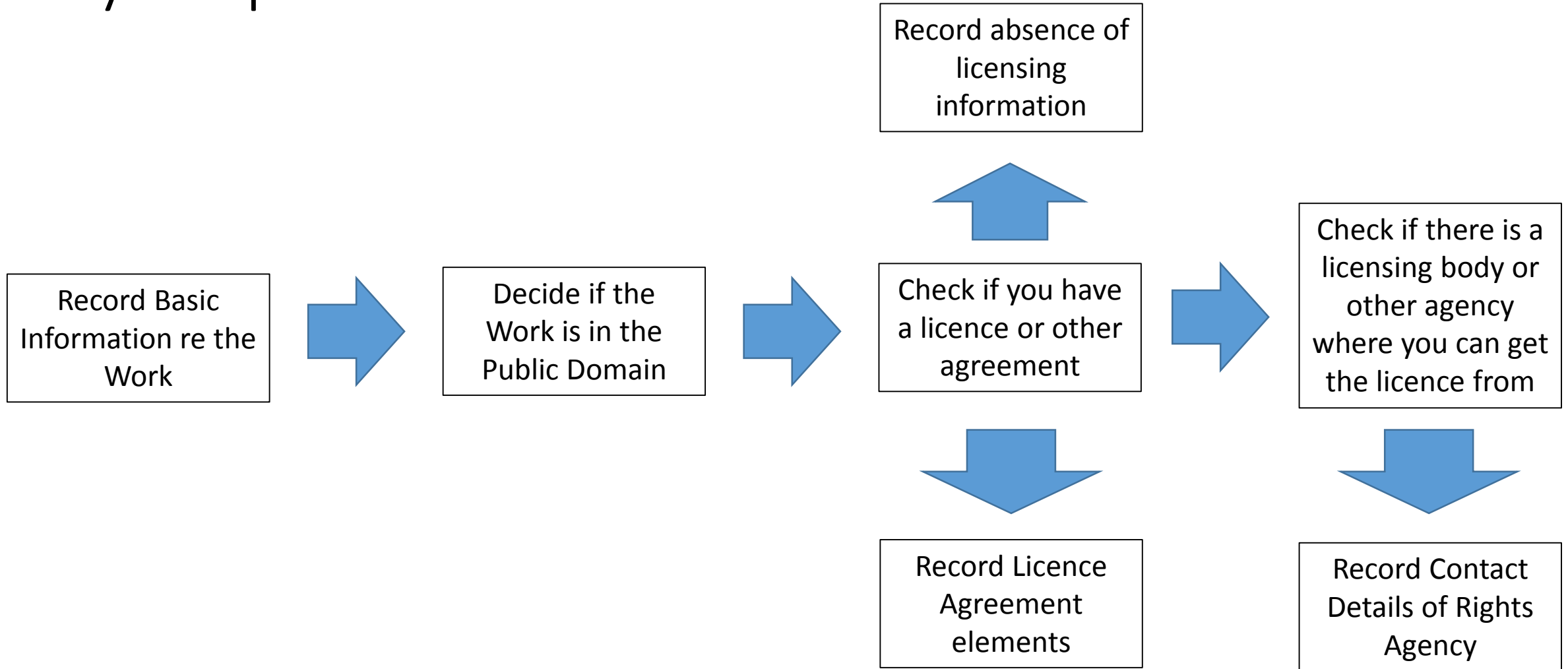
Building Blocks



Assessment Elements



Key Steps

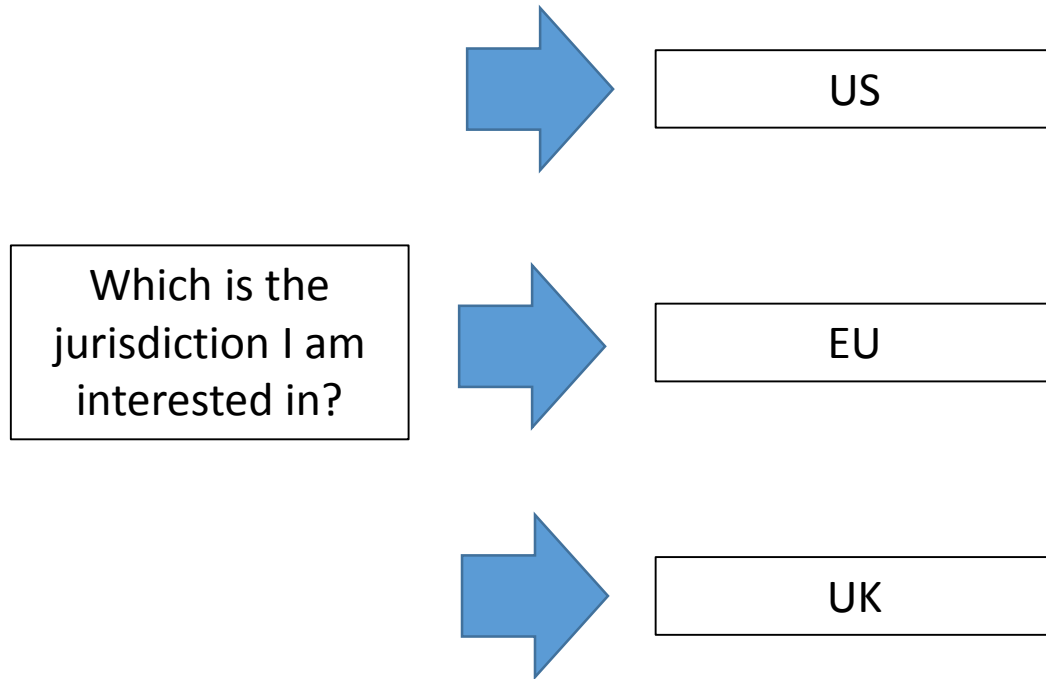


Some Basic Rules

- Unless you need to do additional research, stop at the level of the dataset/ object that you need to clear
- You are not a detective
- Assess the risk of third party infringement
- The 80-20 rule (pareto) :
 - The first 80% of the clearance requires 20% of its cost.
 - The last 20% of the clearance requires 80% of its cost.
 - How risky is this 20%?

Perspective

What is my legal-system perspective?



- At this stage do not focus on private international law questions, but rather allow the user determine the legal system she is interested in.

Pending Issues

3

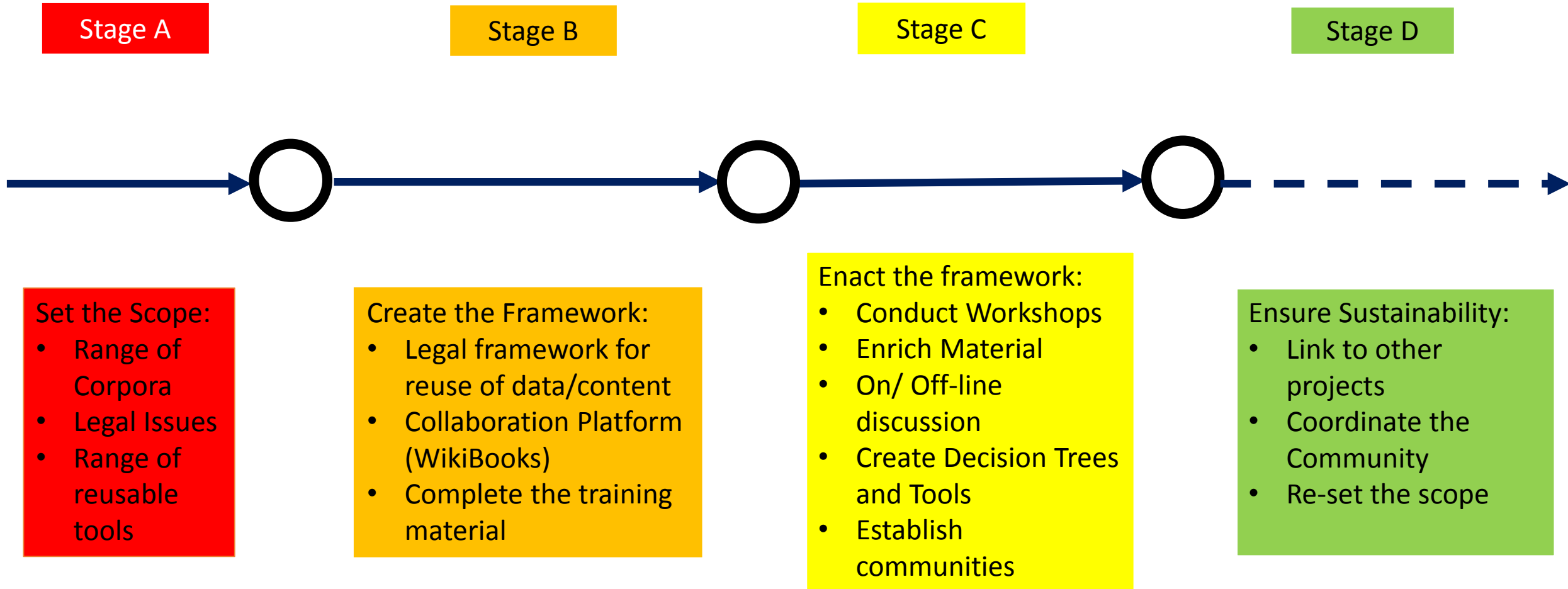
Pending Issues

- Copyright Harmonization Issues:
 - Limitations and Exceptions (particularly the TDM exception – see the UK example)
 - Public Domain Rules
 - Workable Orphan Works Rules
- PSI Transposition
 - Real licence interoperability and monitoring
 - Public Sector Bodies (PSBs) collaboration and knowledge exchange
- Vertical Legal Regimes Harmonization
 - Compare the UK Royal Statistical Society Manifesto with the Greek Statistics Law
- Administrative Capacity Building
 - Customer service
 - Supporting the DSM
 - Crowdsourcing models

Proposed Roadmap

4

Suggested Roadmap for the MDSM

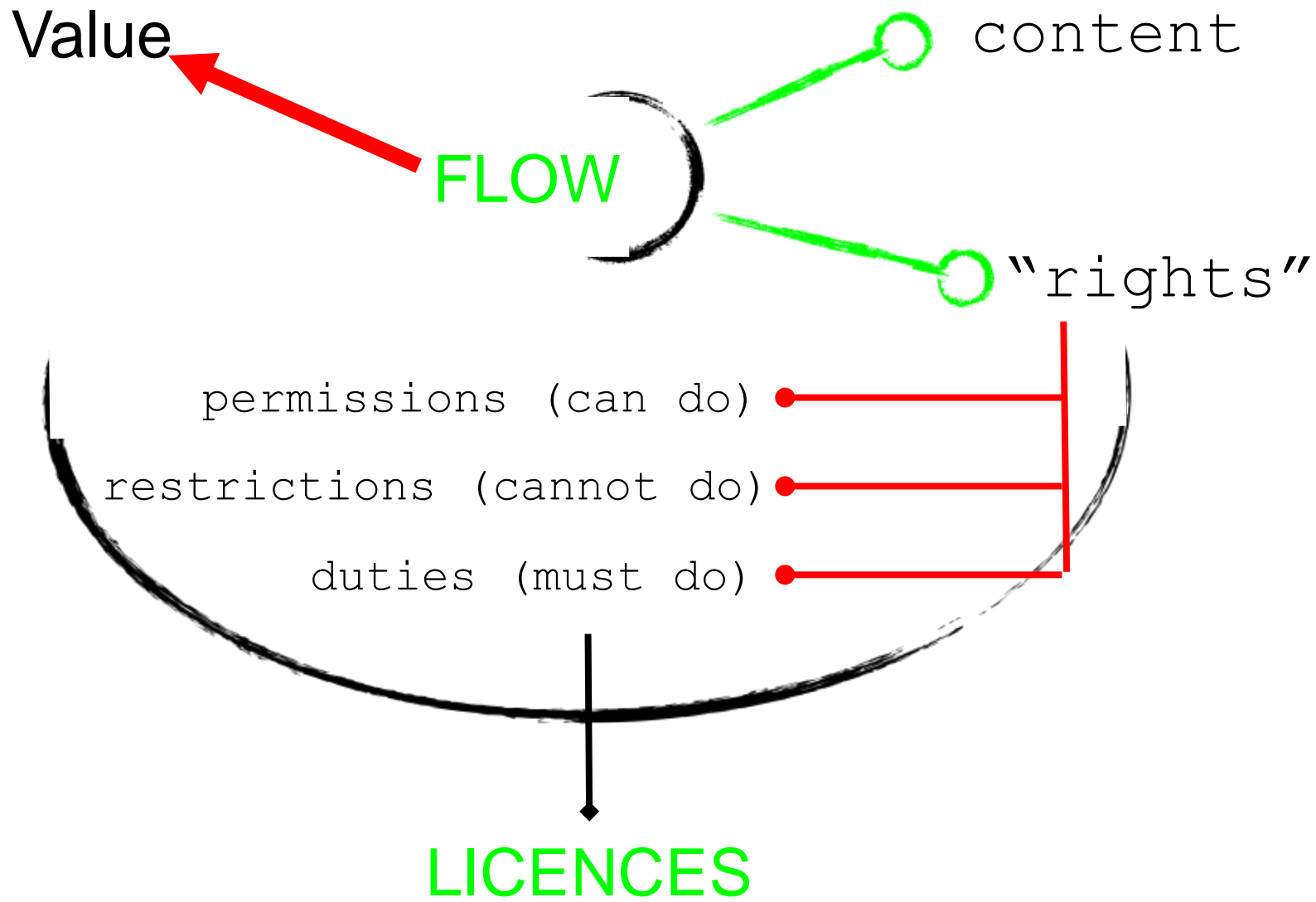


Conclusions

5







when the
licences

don't work

Or fair use

Doesn't work

the flow stops



We have the tools

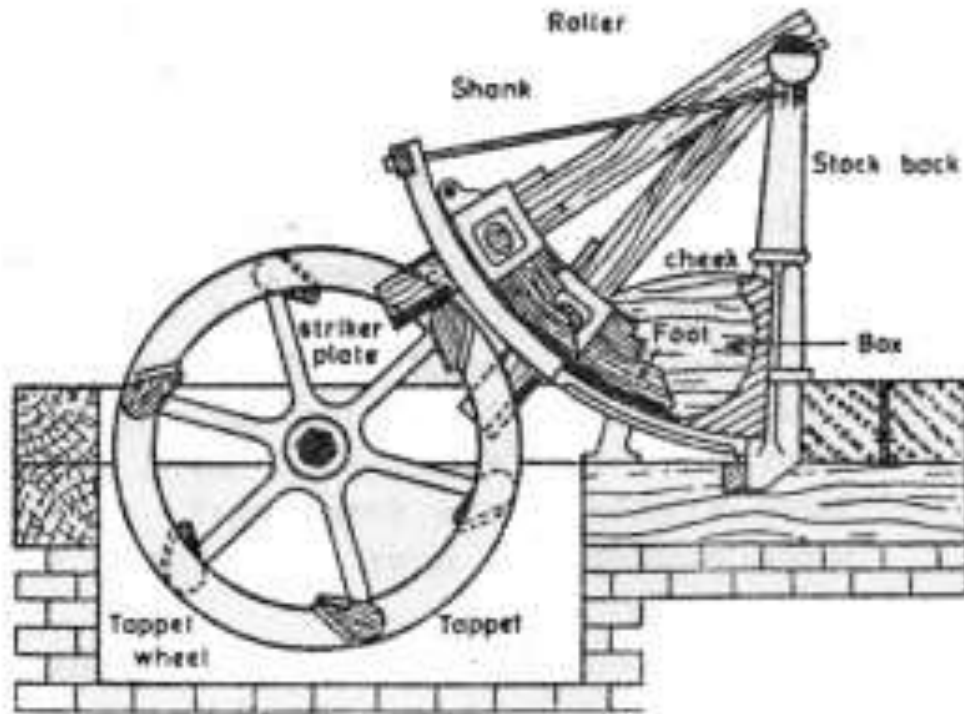
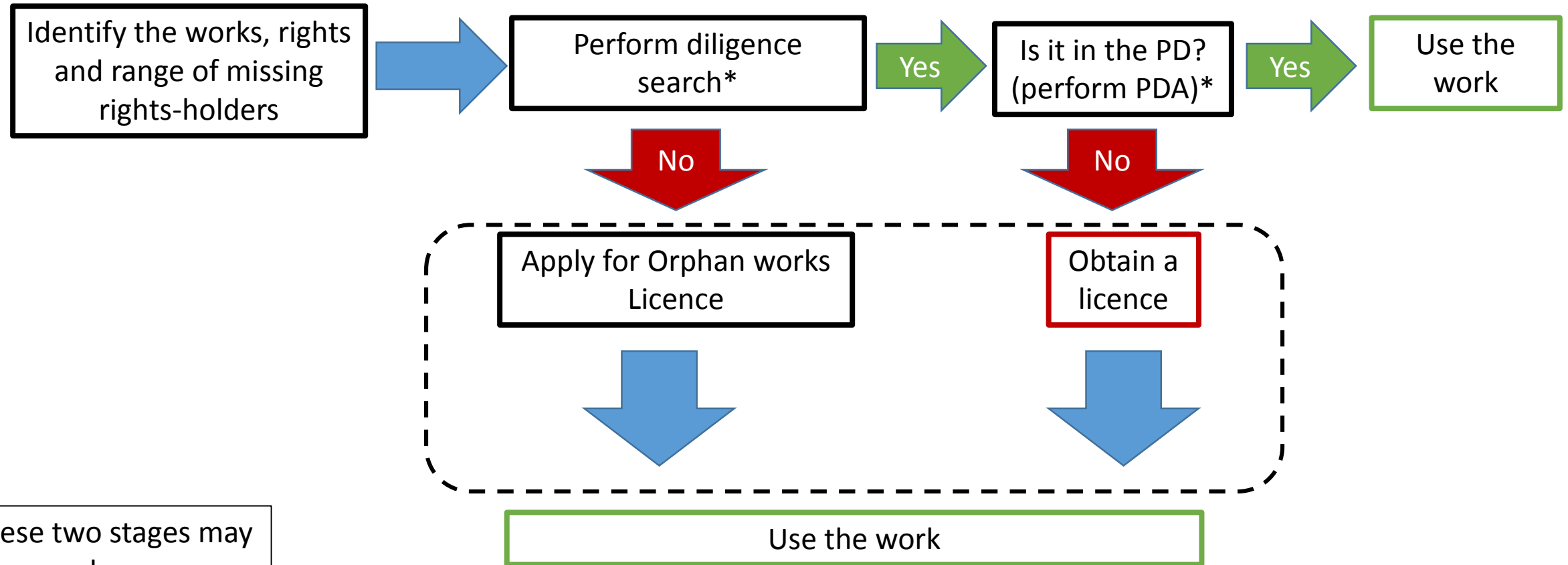


Diagram of modern "driving" stocks showing principal parts
(after E. Kilburn Scott).

- Legal Framework
- Standard Licences
- Training Material and experience
- Technical Tools
- Semantic Representation
- Networks of Experts
- Community Involvement

Orphan Works Assessment (OWA) V (basic decision tree)



*These two stages may change order



Book Discussion

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Open Metadata Handbook/Open Metadata

< Open Metadata Handbook

Contents [hide]

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- 2 Why open up metadata?
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 - 3.2 Open licences
- 4 Technical Issues
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 - 4.2 Interoperability
 - 4.3 Reusability
- 5 Case studies
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- cent changes
- nations
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- Reading room
- Community portal
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- Policies and guidelines
- Contact us

what does open mean ? [edit]

"A piece of content or data is open if anyone is free to use, reuse, and redistribute it — subject only, at most, to the requirement to attribute and share-alike."

Metadata is open if it satisfies the following conditions:

1. access: it shall be publicly accessible, preferably via the Internet and free of charge (or at a reasonable reproduction cost).
2. redistribution: it shall be possible for anyone to freely redistribute it, either as such or as part of a broader dataset derived from many different sources.
3. reuse: it shall be possible to modify or incorporate it into derivative datasets, which can be distributed under the same terms as the original.
4. no technological restrictions: it shall be provided in such a form that there are no technological obstacles to the performance of the above activities



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Search Site

English

Licenses

Any grant of access to LRs should ideally include not only the right to read the relevant content but also to allow transformative uses, dissemination and distribution of such resources and their derivatives, according to the needs and policies of LR owners and users. To limit the complexity of licensing, a range of recommended license setups are provided by META-SHARE in the form of templates for the members to choose from.

The META-SHARE model licensing scheme, with a firm orientation towards the creation of an openness culture and the relevant ecosystem for LRs, is organised on the following axes:

- Creative Commons licences (starting with Creative Commons Zero (CC-0) and all possible combinations along the CC differentiation of rights of use) are the first level of legal machinery applied.
- A second layer includes META-SHARE Commons Licences, a fully developed CC-based licensing tool that allows META-SHARE members and Extraneous Depositors to make their resources available to other network members only.
- The third legal layer is a set of licenses that allow use and exploitation of the Resources while permitting the LR Owner to have full control over the Resource distribution. These "No Redistribution" licences will effectively help get "closed" resources safely out to the community.
- A set of legal document templates (non licences) is offered that is designed to help all stakeholders (resource owners, distributors and end-users) work in a friendly and transparent environment. These include a Depositor's Agreement (DA), a Memorandum of Understanding (MoU) for the Network members and a Service Level Agreement (SLA). The DA is currently available, while the MoU and the accompanying SLA are under revision.

The following issues should be taken into account while using the licences

- These ready-to-use licensing schemes are as quick and easy to apply as possible, in particular for new resources. Do not hesitate to refer to the META-SHARE IPR Helpdesk facility (helpdesk-legal@meta-share.eu) for any assistance you may have in understanding, choosing and using any of these licence and other legal tools.
- The rights of use of the resource, any possible restrictions, as well as rights and restrictions on the original raw data are under the control and responsibility of the resource owners. The repository in which the resource resides acts mainly as a facilitator for the search-and-get procedure while providing guidelines and metadata curation activities.
- Metadata elements regarding rights of use, availability and distribution are among the mandatory elements of the minimal metadata schema and are harvested by the central META-SHARE servers so that users (essentially language resource consumers) can promptly understand what they are allowed to do with a specific resource. Please always refer to these metadata before using any of the resources on META-SHARE.
- According to the META-SHARE MoU, resources should ideally be open or shared at least for research purposes. The copyright conditions of the initial raw



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Centre news vol. 20 - April 2015

New CLARIN members Recently, both Portugal and Greece have joined CLARIN. A warm welcome to our new consortia and centres! New B-centres

[Read more >](#)

[Search for Language Resources](#)

[Deposit your resources](#)

[Featured Resource](#)

Search in the [Virtual Language Observatory](#) for language resources in the CLARIN repositories:



[Woordenboek der Nederlandsche Taal](#) 
Search for Dutch words in historical dictionaries:




Find the relevant license(s) for your Language Resources

The current version covers ELRA, Creative Commons and META-SHARE licenses.

Choose your criteria here:

- ▶ Implicit versus Explicit ?
- ▶ Use Type ?

24 results available

Click on  to add license(s) to your selection.

We only need to use them

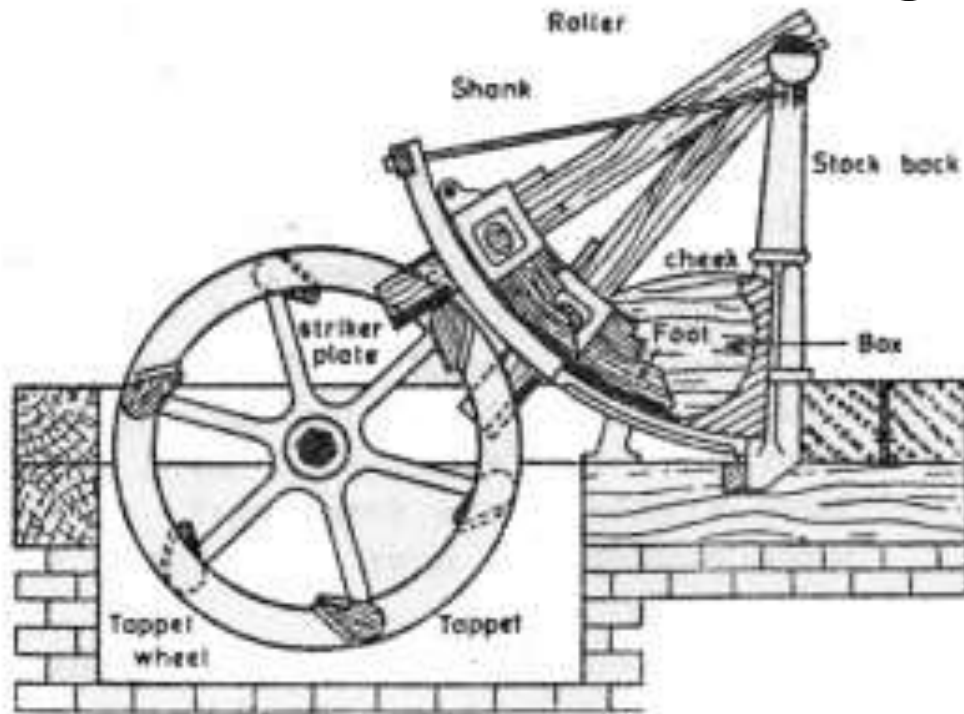


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