

# Licencing at the ADS: the good the bad and the ugly.



DAI, Berlin:  
2<sup>nd</sup> September 2013

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Thank you for the invitation to Berlin where, even  
Angela Merkel comes with metadata!



Picture: AFP/GETTY

# Why license research data?

1. Research funders now require that data produced in the course of the research they fund should be made available for other researchers to discover, examine and build upon
2. Some journals are taking a similar stance, requiring that authors deposit their supporting data either with the journal itself or with a recognised data repository

# Why license research data?

3. The discipline of working up data for eventual release helps in ensuring that a full and clear record is preserved of how the conclusions were reached, protecting the researcher from potential challenges.
4. A culture of openness deters fraud, encourages learning, and breaks down barriers to interdisciplinary and 'citizen science' research.

# Why license research data?

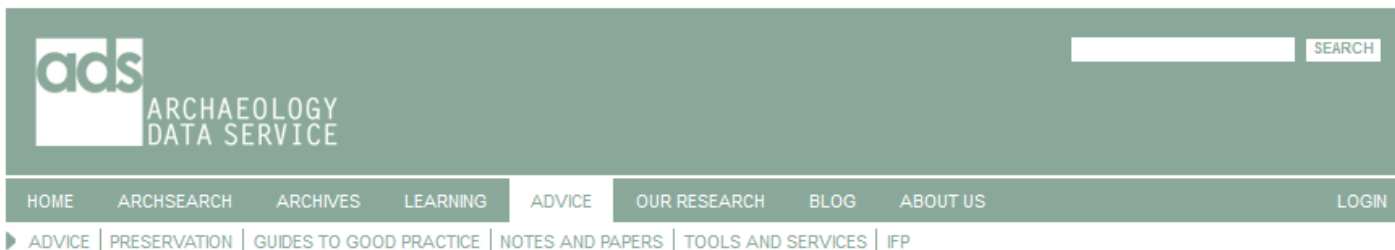
5. Research data held by a *UK* university may be the subject of a request made under the provisions of the Freedom of Information Act 2000 (FoIA), and other legislation.

The two most effective ways of communicating permissions to potential re-users of data are *licences* and *waivers*.

- A *licence* is a legal instrument for a rights holder to permit a second party to do things that would otherwise infringe on the rights held.
- A *waiver*, by contrast, is a legal instrument for giving up one's rights to a resource, so that infringement becomes a non-issue.

- Some data centres have licences that depositors must grant as a condition of deposit. Contributors to the ADS are required to sign a standard licence agreement that clarifies the respective rights and responsibilities of both parties and permits the ADS to perform its curatorial functions.
- It was written by IT lawyers from Bristol University in mid 1990s

# Prepared licences



## The Terms of Use and Access to ADS Resources

Unless a form of [Creative Commons](#) licence is clearly attached to a particular collection on that collection's introduction page the following terms of use and access apply.

The terms of use and access to ADS resources are defined in two

- [Copyright and Liability Statement](#)
- [Common Access Agreement](#)

## Copyright and Liability Statements

### Preamble

Archaeological data are the product of many years of scholarship by numerous archaeological laboratory scientists. It is not possible to credit all these scholars individually, or so re-use, the ADS acknowledges their contribution. At all times, the ADS seeks to provide access to data where that can reasonably be achieved. The catalogue also includes links to acknowledge and comply with the copyright conditions that may be imposed by other

Questions about copyright should be addressed to the Archaeology Data Service, or to the [ADS Common Access Agreement](#)



## Archaeology Data Service Deposit Licence

Title of Data Collection

.....

.....

### 1. Parties and Contact Details

Printed Name: ..... (hereafter 'the Depositor')

Signed: .....

Date (dd/mm/yyyy): .....

Position: .....

Institution: .....

Address: .....



# Bespoke licences


- Writing a bespoke licence for your data is not a trivial undertaking, and almost certainly unnecessary in the light of the standard licences available.
- Furthermore, using a standard licence helps the users of your data, as it reduces the number of licences they have to work with and aids interoperability.

- There are a selection of the standard licences available which we will look at.
- Apart from the Restrictive Licence, each of these licences can be terminated only by expiry of the licensor's IPR or, for a particular licensee, through breach of terms.

- Creative Commons <http://creativecommons.org/>
- A non-profit corporation set up in 2001 for the purpose of producing simple yet robust licences for creative works.
- As well as the legal text, the licences all have quick clear summaries and a canonical URL for use in HTML, RDF and other code.
- Aimed at works such as music, images and video.

# Six Creative Commons licences

The six permutations are therefore

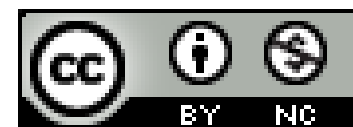
1. Attribution (CC BY) 

2. Attribution Share Alike (CC BY-SA) 

3. Attribution No Derivatives (CC BY-ND) 

## Six Creative Commons licences (contd)

### 4. Attribution Non-Commercial (CC BY-NC)



### 5. Attribution Non-Commercial Share Alike (CC BY-NC-SA)



### 6. Attribution Non-Commercial No Derivatives (CC BY-NC-ND)



Good for

- very simple, factual databases
- data to be used automatically

Watch out for

- ***attribution stacking***
- the NC condition: only use with ***dual licensing***
- the SA condition as it reduces interoperability
- the ND condition as it severely restricts use

## Neo-Assyrian Palace Ware

Alice Hunt, 2013

[Introduction](#)

[Downloads](#)

[Usage Statistics](#)

Data copyright © Dr Alice Hunt unless otherwise stated



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### Resource identifiers

ADS Collection: 1316  
doi:10.5284/1018292  
[How to cite using this DOI](#)

### Introduction

The Neo-Assyrian Palace Ware project is based on a dissertation written in partial fulfilment of the requirements for Doctor of Philosophy in Archaeological Materials Analysis at UCL Institute of Archaeology. The research involved the synthetic archaeological and archaeometric analysis of Assyrian Palace Ware, a 8-7th century B.C.E. ceramic drab-ware, to evaluate its social function and semiotic significance across the Neo-Assyrian imperial landscape. Social function was evaluated by analysis of those formal and fabric characteristics which describe the relationship between the vessel and its cultural audience, while semiotic value was measured by the perpetuation and modification of these characteristics.



Definitional criteria (formal and fabric) were determined for Palace Ware through the morphometric and petrographic analysis of vessels from the Neo-Assyrian imperial core, Aššur, Nineveh and Nimrud. These criteria were used to evaluate vessels from the annexed provinces, Dur-Katlimmu and Guzana, and unincorporated territories such as Tell Jemmeh.

The main aim of the current project is to make the chemical and petrographic data from this dissertation available for comparative purposes and future studies.

This dataset is made available under a Creative Commons CC BY 3.0 license and is described in the following paper: Hunt, A. Sterba, J. H. 2013 Chemical Composition by Neutron Activation Analysis (INAA) of Neo-Assyrian Palace Ware from Iraq, Syria and Israel, *Journal of Open Archaeology Data*, 2:e10, doi:10.5334/joad.aa



- The Open Data Commons Project <http://opendatacommons.org/> was set up in 2007 to develop a successor to the Talis Community Licence (TCL).
- A public domain dedication for databases.
- The project transferred to the Open Knowledge Foundation in 2009
- Two further licences having some of the character of the Creative Commons licences, but designed specifically for databases.



## Good for

- most databases and datasets
- data to be used automatically
- data to be used for generating non-data products

## Watch out for

- ***attribution stacking***

## Good for

- most databases and datasets
- data to be used automatically
- data to be used for generating non-data products

## Watch out for

- attribution stacking
- the *copyleft* condition as it reduces interoperability
- the DRM clause as it may put off some reusers



# Open Government Licence

- The Open Government Licence (OGL) was released as part of the UK Government Licensing Framework in September 2010.
- It is intended for **UK public sector and government resources**, particularly datasets, source code and collected or original information.

# Open Government Licence

- The terms of the licence are similar to CC BY, in that attribution is required, derivative works and commercial uses are explicitly allowed, and there is no copyleft condition. The licence contains some additional conditions, however:
- derivative works must not be represented as official, or as endorsed by the licensor;
- the resource must not be used in a way that misrepresents the licensor or the resource;
- the resource must not be used to mislead others; and
- use of the resource must not breach the Data Protection Act 1998 or the Privacy and Electronic Communications (EC Directive) Regulations 2003.

## Good for

- UK public sector databases and datasets
- data to be used automatically

## Watch out for

- attribution stacking if used with differently licensed data
- categories of data that cannot be licensed in this way
- ties to the UK legal context

# German Governmental Data

**GOVDATA** BETA  
Das Datenportal für Deutschland

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Suche in Neues, Bibliothek und Portal

Stöbern Sie in diesen Kategorien durch Daten, Dokumente und Apps

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Öffentliche Verwaltung, Haushalt und Steuern (184)	Politik und Wahlen (43)	Soziales (89)	Transport und Verkehr (249)	Umwelt und Klima (188)	Verbraucherschutz (37)	Wirtschaft und Arbeit (548)

**Neueste Datensätze**

- Hochbautätigkeit und Wohnungsbestand...
- WMS Digitale Karte 1:5000
- Endgültiges Ergebnis der Hamburger B...
- Digitale Karte 1:5000 Hamburg

**Neueste Dokumente**

- Aktuelle Ausschreibungen nach VOL, V...
- Bürgerinformationssystem als Teil de...
- Bürgerinformationssystem als Teil de...
- Beschlüsse des Bezirksamts Tempelhof...

**Neueste Apps**

- Einrichtungssuche Hamburg
- Monatszahlen: Verkehr, Umwelt und En...
- Leistungsbezug nach SGB II (Hamburg)
- Wassergütemessnetz und Biologisches ...

- Introduction of 'custom' licences
- Option of non-commercial

- The Australian Governments Open Access and Licensing Framework (AusGOAL) was launched in 2011.
- The first six licence options are the Australian Creative Commons licences, while the seventh -- ***the Restrictive Licence (RL)*** -- is in fact a template for constructing a bespoke licensing agreement.

# Restrictive Licence at a glance

Good for

- Australian public sector databases and datasets
- ***confidential or sensitive data***
- ***valuable information***

Watch out for

- attribution stacking
- default restriction to non-commercial uses
- options to restrict copying and redistribution
- ties to the Australian legal context



- The Design Science Licence (DSL) was written by Michael Stutz between 1999 and 2001.
- It is focused on content with a source/rendering separation (e.g. software, LaTeX documents) although it indicates how it might be used with images and audio files.

- The ***most permissive*** way of releasing data is under a dedication to the public domain.
- This is where all copyright interests and database rights are waived, allowing the data to be used as freely as possible. Dedicating a work to the public domain is not as simple as it sounds, which is why Creative Commons and Open Data Commons have produced special tools for the purpose.

## Good for

- most databases and datasets
- data to be used by anyone or any tool
- data to be used for any purpose

## Watch out for

- lack of control over how database is reused
- lack of protection against unfair competition

- in cases where none of the above licences are entirely satisfactory, it may be possible to use a multiple licensing approach. This would allow recipients of the data to choose from a specified set the licence under which they use the data.

# Mechanisms for licensing data

- Once you have decided on a suitable licence, all that remains is to attach that licence to the data. There are a few different ways of doing this, but they all involve a *statement* that the data is released under a particular licence or public domain dedication, and a mechanism for retrieving the *full text* of the licence itself. As an example, the suggested text for attaching the Open Data Commons PDDL to a database is as follows.
- [This database is/These data are/<name of dataset> is] made available under the Public Domain Dedication and License v1.0 whose full text can be found at: <http://opendatacommons.org/licenses/pddl/1.0/>

## More information

Much of this presentation is based on the excellent report: Ball, A. (2012). 'How to License Research Data'. DCC How-to Guides. Edinburgh: Digital Curation Centre.

Available online:

<http://www.dcc.ac.uk/resources/how-guides> -

**COMING TO A  
COMPUTER NEAR  
YOU**

**THE ADS IS...**

**LICENCED**

**TO**

**ARCHIVE!**

