

2018 
EUROPEAN YEAR
OF CULTURAL
HERITAGE
#EuropeForCulture

europa



Europeana Licensing Framework

Pablo Uceda | National workshop Bulgaria

30 May 2018

Träsnitt

Sjöhistoriska museet
Sweden, Public Domain



Co-financed by the European Union
Connecting Europe Facility

Europeana Licensing Framework

WHAT : a set of **policies** & **contracts** that **deal with** the **copyright** and **licensing aspects** of objects on Europeana Collections

WHY: for users, **clear** and easy to understand **information** on what they **can and cannot do** with **metadata** and **content** that they encounter via Europeana Collections.

HOW:

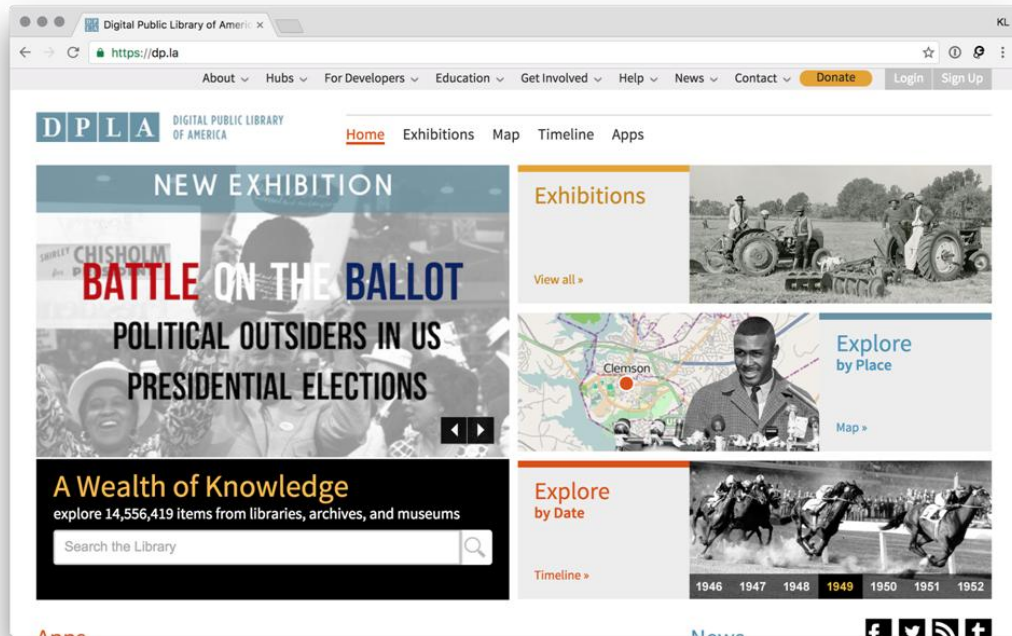
- CC0 licence for the metadata
- 14 standardised licences of the content

Standardised rights statements



Варна. Изглед от улица Цар Самуил, Кноб,
Индрих - художник, Library Pencho Slaveykov,
Public Domain

2015: non-standardised rights statements



DPLA (until 2016):

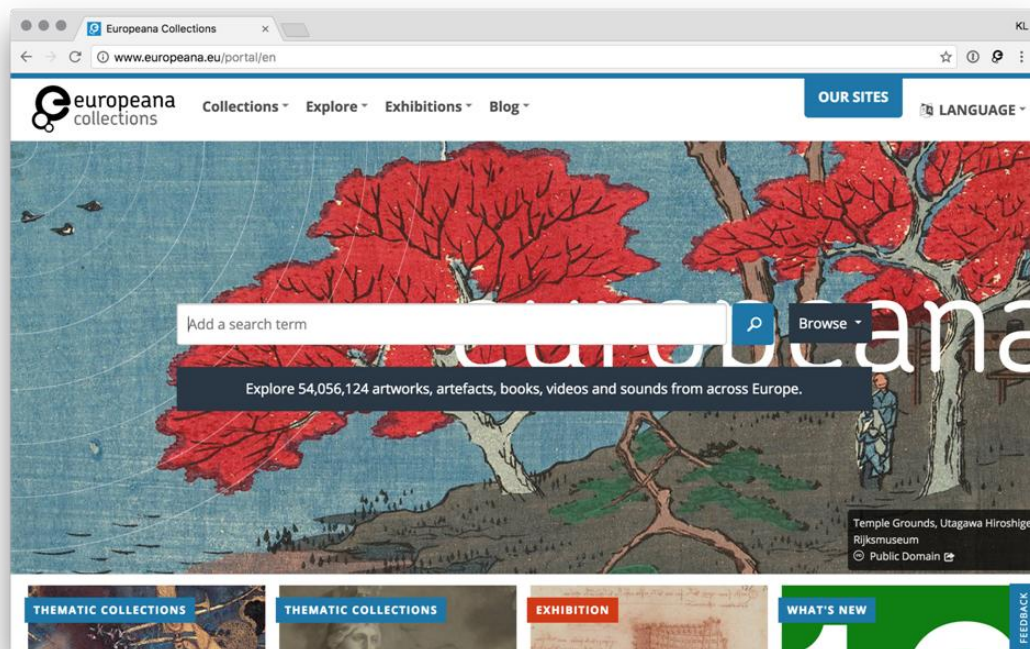
Metadata CC0,

Digital Objects:

87.000 rights

statements

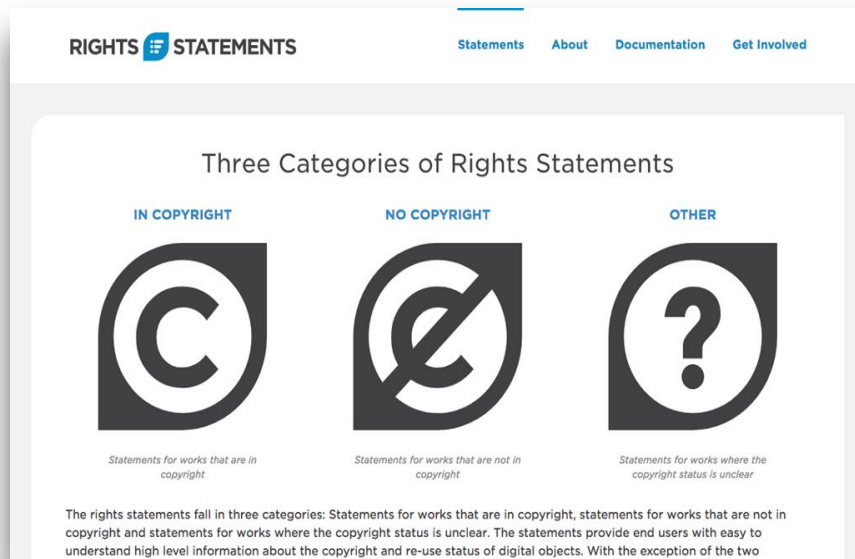
2016: standardised rights statements



Europeana
Metadata CC0,
Digital Objects: 14
rights statements

What is rightstatements.org?

- Developed by Europeana, DPLA, Kennisland and Creative Commons
- Provides **12 standardised rights statements** for **digitized cultural heritage**.



Rights statements on Europeana Collections



Untitled

Anonymous

1911 Circus Museum
Netherlands, CC BY-SA

Data Exchange Agreement



europæana
foundation

www.europeana.eu
Koninklijke Bibliotheek, Prins Willem-Alexanderhof 5
Postbus 90057
2500 LX Den Haag
Nederland

Europeana Data Exchange Agreement

Parties:
European Foundation (formerly EDL Foundation)

Address: Koninklijke Bibliotheek, Prins Willem-Alexanderhof 5,
2500LK The Hague, The Netherlands

Phone: +31 70 314 0952

URL: www.europeana.eu

Name of authorised Person: Jil Cousins

Title/Role in organisation: Executive Director

Work Phone: +31 70 314 0952

Work Email: jil.cousins@kb.nl

Hereafter named: 'Europeana'

And

Name of organisation:

Address:

Phone:

Email:

URL:

Name of authorised Person:

Title/Role in organisation:

Work Phone:

Work Email:

Hereafter named: 'Data Provider'

Europeana Data Exchange Agreement - Annex 1: CC0 1.0 Universal Public Domain Dedication

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Metadata Specifications: The most recent version of the Metadata specifications published by Europeana and available at <http://www.europeana.eu/euro-documentation> on the Effective Date.

Preview: A reduced size or length audio and/or visual representation of Content, in the form of one or more images, text files, audio files and/or moving image files.

Public Domain: Content, Metadata or other subject matter not protected by Intellectual Property Rights and/or subject to a waiver of Intellectual Property Rights.

Third Party: Any natural or legal person who is not party to this Agreement

URI: Uniform Resource Identifier, URIs (Uniform Resource Locators) are URIs.

Article 2 Provision of Metadata and Previews

- Notwithstanding the minimum requirements of paragraphs 2 and 3 of this article, it is in the discretion of the Data Provider to decide which Metadata and Previews it provides to Europeana, including the right to submit only Metadata and Previews with regard to a part of the Content held by it or its data providers and the right to submit only a part of the Metadata and Previews it has or its data providers have with regard to particular Content.
- The Data Provider shall submit Metadata and Previews in accordance with the Metadata Specifications.
- The Data Provider must make best efforts to provide Europeana with correct Metadata on the Intellectual Property Rights to the Content, including the identification of Content that is Public Domain as being Public Domain.
- Europeana shall ensure that future versions of the Metadata Specifications are compatible with the Metadata Specifications in place on the Effective Date. Before mandating changes to Metadata Specifications, Europeana must consult the Council of Content Providers and Aggregators.
- Europeana shall collaborate with the Data Provider within thirty (30) days upon the latter's request, for the correction, update and removal of Metadata provided by the Data Provider.

Article 3 Use of Metadata

- Under the condition that the requirements of paragraphs 2 and 3 of article 2 are met, Europeana shall include the Metadata provided by the Data Provider in the database held by Europeana and shall publish these Metadata as a part of this database.
- Europeana shall publish all Metadata, including the Metadata provided by the Data Provider prior to the Effective Date, under the terms of the CC0 1.0 Universal Public Domain Dedication and is hereby authorized by the Data Provider to do so. The Data Provider recognizes that it hereby waives - to the greatest extent permitted by, but not in contravention of, applicable law - all Intellectual Property Rights in the Metadata it has provided and will provide to Europeana. It - according to the applicable law - such waivers are not legally binding in particular territories the "Public License Fallback" in sec. 3 of the CC0 1.0 Universal Public Domain Dedication will apply, and the Metadata provided by the Data Provider is licensed non-exclusively, unconditionally, free-of-charge for all types of use and for all territories to the public. For details about the waiver/public license see the Text of the CC0 1.0 Universal Public Domain Dedication under the URL mentioned in Article 1 above.
- In as far as the Data Provider has provided or will provide Europeana with Metadata that it has aggregated from Third Parties or that otherwise originate from Third Parties, the Data Provider shall ensure that these Third Parties have authorized the Data Provider to authorize Europeana in accordance with paragraph 2 of this article.

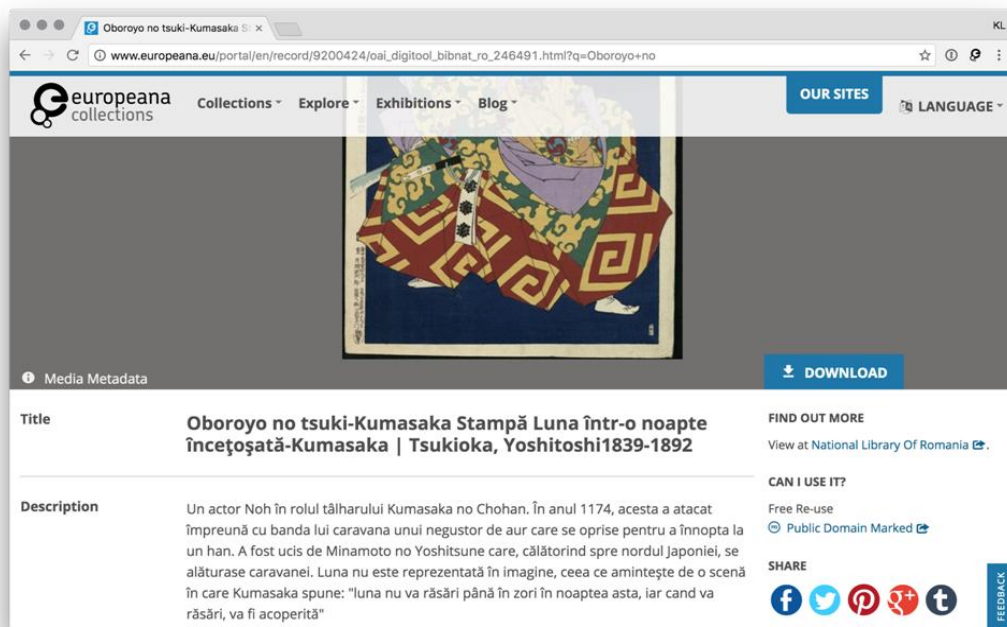
Europeana is a service of the Europeana Foundation. EA-number: 2730701

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For each data partner

- **CC0** for the metadata
- **1 standard licence** (from the set of 14 licences) for each digital object

edm:rights



The edm:rights value allows Europeana to display a **rights statement** alongside each digital object that is available via Europeana Collections.

```

<edm:ProvidedCHO rdf:about="http://catalog.rodina-bg.org/ft/prd/3047/e3047.JPG"/>
<ore:Aggregation rdf:about="http://catalog.rodina-bg.org/ft/prd/3047/e3047.JPG">
  <edm:aggregatedCHO rdf:resource="http://catalog.rodina-bg.org/ft/prd/3047/e3047.JPG"/>
  <edm:dataProvider>Библиотека РОДИНА - Стара Загора / Library Rodina - Stara Zagora</edm:dataProvider>
  <edm:isShownAt rdf:resource="http://catalog.rodina-  
bg.org/abeuropeana/ABDKFram.htm?SearchParam=77235&ABFond=2&WSend=Search"/>
  <edm:isShownBy rdf:resource="http://catalog.rodina-bg.org/ft/prd/3047/e3047.JPG"/>
  <edm:object rdf:resource="http://catalog.rodina-bg.org/ft/prd/3047/e3047.JPG"/>
  <edm:provider>Регионална библиотека ПЕНЧО СЛАВЕЙКОВ - Варна / Public Library - Varna</edm:provider>
  <edm:rights rdf:resource="http://creativecommons.org/publicdomain/zero/1.0/"/>
</ore:Aggregation>
<ore:Proxy rdf:about="http://catalog.rodina-bg.org/ft/prd/3047/e3047.JPG">
  <dc:date>1900-10-01</dc:date>
  <dc:description>Преглед на две публикации от македонския вестник "Усилие" и българския вестник "Изгрев" за  
ролята на духовенството и убеждението на хората, че духовенството е паразитно съсловие, което живее на гърба на  
работното население.  
След статията е публикувана мисъл от Биконсфилд за социалдемократическото движение.</dc:description>
  <dc:format>text/pdf</dc:format>
  <dc:language>bg</dc:language>
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  <dc:source>Труд</dc:source>
  <dc:subject>Духовници, световни</dc:subject>
  <dc:title>Из вестниците и списанията : Черното воинство</dc:title>
  <dc:type>статия</dc:type>
  <dcterms:isPartOf>Периодични издания. Стара Загора 1882 - 1944</dcterms:isPartOf>
  <edm:type>TEXT</edm:type>
</ore:Proxy>

```

14 available rights statements

From creativecommons.org:

- Public Domain Mark
- CC 0 Public Domain dedication
- CC BY
- CC BY-NC
- CC BY-ND
- CC BY-SA
- CC BY-NC-SA
- CC BY-NC-ND

From rightsstatements.org:

- In Copyright
- In Copyright - EU Orphan Work
- No Copyright - other known legal restrictions
- In Copyright - Educational use permitted
- No Copyright - non-commercial use only
- Copyright not evaluated

Note: Please visit pro.Europeana.eu/available-rights-statements for the current list.

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- **No Copyright - non-commercial use only**
- **Copyright not evaluated**

**=> Specialized
rights statements**

Note: Please visit pro.Europeana.eu/available-rights-statements for the current list.



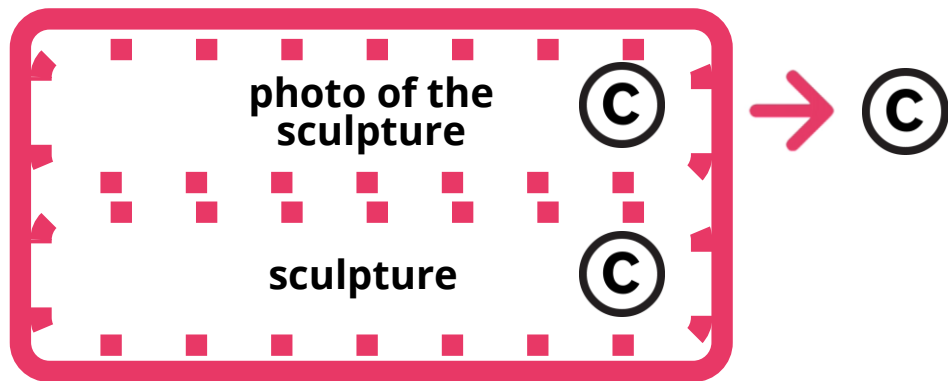
Ensuring that rights
statements are accurate

Woman with the Artist
Vytautas Kasiulis
1948, Lithuanian Art Museum
Lithuania, CC BY

What does a rights statement apply to?

Rights statements are determined by the © status of the digital object.

The © **status** of the **digital object** is **based** on the **copyright status** of the **underlying object**.



Example of the layers of copyright
- There is copyright present in the photo of the sculpture (the digital object) and also copyright in the sculpture (the underlying object)

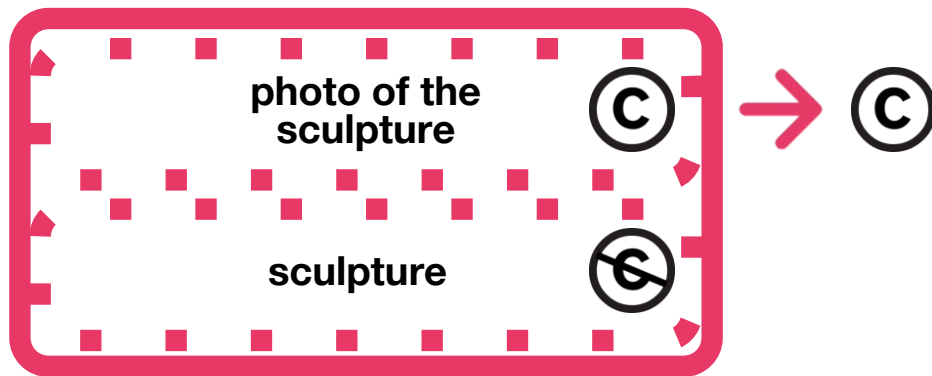
Here, the rights statement needs to reflect the copyright status of the photo and any permission for reuse granted by the rights holder

What does a rights statement apply to?

What if the underlying object (the sculpture) is in the public domain?

In most cases, the digital object should then be in the public domain.

In some cases a new copyright is created in the digital object.



The sculpture e.g. Michelangelo's David is in the public domain. However, in this case a new copyright has been created in the photo.

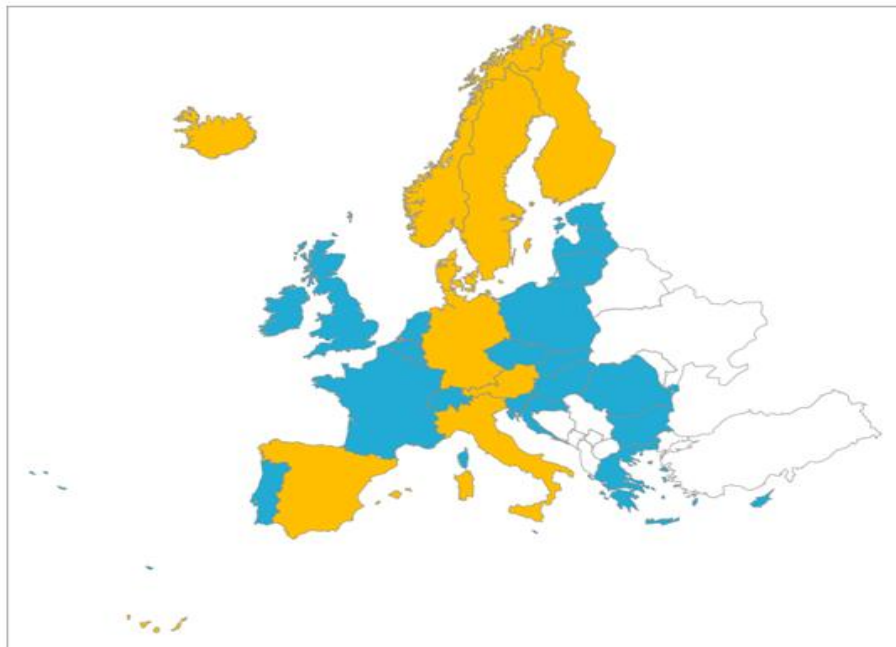
Here, the rights statement needs to reflect the copyright status of the photo and any permission for reuse granted by the rights holder

Scenario 2 – Semi-automated digitisation

Semi-automated digitisation realised by human operators (such as a person taking pictures or manually photocopying collections for inventory or classificatory purposes) which can be applied to texts, images and objects. Generally, this type of digitisation takes place without creative choices of the person who assists the process. Some technical skills may be present.

Click on a country for a detailed explanation about the copyright situation.

N.B. not for all countries detailed information is available. The research page gives a general overview for those countries.



Indications of inaccurate rights statements

Large collections (esp. 20th-century works) with **CC0**:

- Data providers can sometimes get confused and think the Data Exchange Agreement requires them to specify CC0 as the value of edm:rights

Large collections with **Creative Commons licenses**:

- It is not very common that data providers hold the rights to the works in their collection and therefore it is unlikely that they can apply CC licenses *en masse*.

Indications of inaccurate rights statements

Large collections of 20th-century works with the Public Domain Mark

- Most 20th century material is still covered by copyright and permission from the rights holder is required for any use of (a) work(s).

Collections of pre 20th-century works with statements other than PDM, CC0 or NoC-NC

- These works are very likely to be in the Public Domain.



Europeana 280

141 Artworks 125 Artists About Galleries Exhibitions



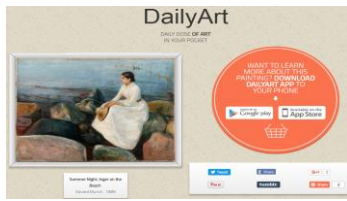
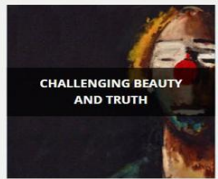
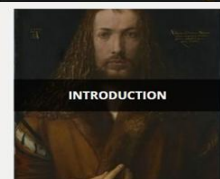
The Wounded Angel, 1902
Hugo Simberg (193 followers)



Summer night, 1897
Edvard Munch (11,375 followers)



The Sirens, 1865



Europeana.eu added 4 new photos.
Published by Aleksandra Strzelichowska [7] · November 1 at 10:23am · €

Time to change the cover image! It's a special #November edition, so choose the painting with the best mustaches from this #Europeana280 selection. Vote by liking your favourite painting!



6,591 people reached
Boost Post
Like Comment Share
Malinka Yaneva, Tobar An Dualchais and 67 others
Top Comments ·



The Europeana Licensing Framework
CC BY-SA



月百姿

船橋 正徳
の月



europæana

10th ANNIVERSARY

2018 
EUROPEAN YEAR
OF CULTURAL
HERITAGE
#EuropeForCulture

Daro no tsuki-Tairo no Kiyotsue
Stampă Luna și cârma unui vas-Tairo
no Kiyotsue
Tsukioka, Yoshitoshi
1887, National Library of Romania
Romania, Public Domain