

Towards a framework of standard licences for geo-information?!

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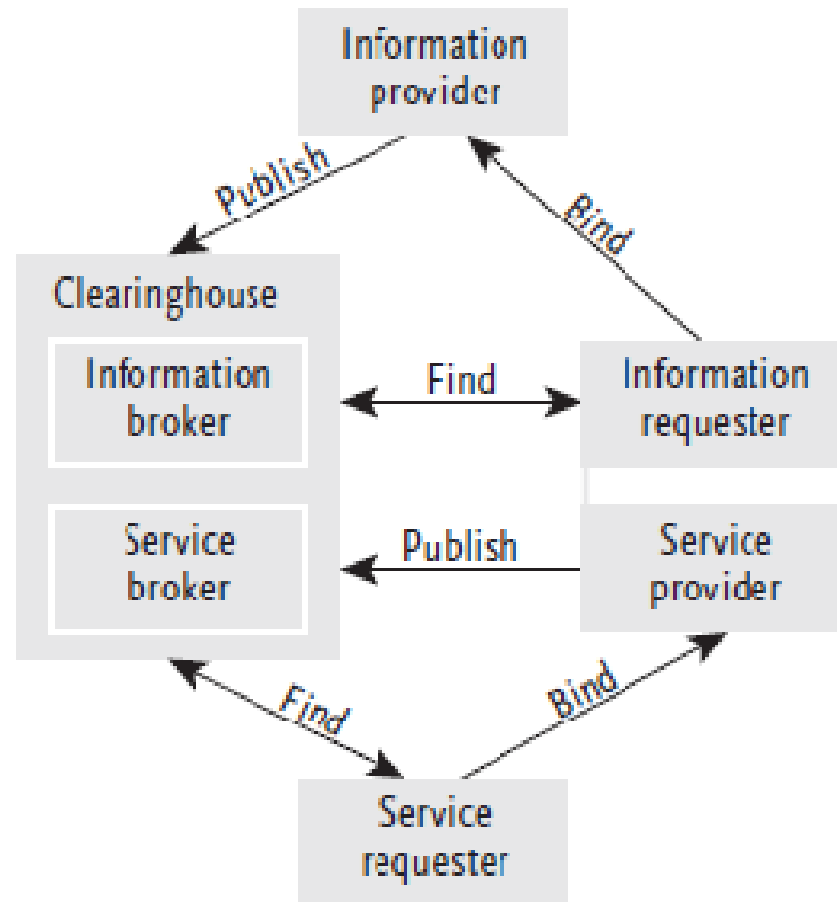
&

Katleen Janssen

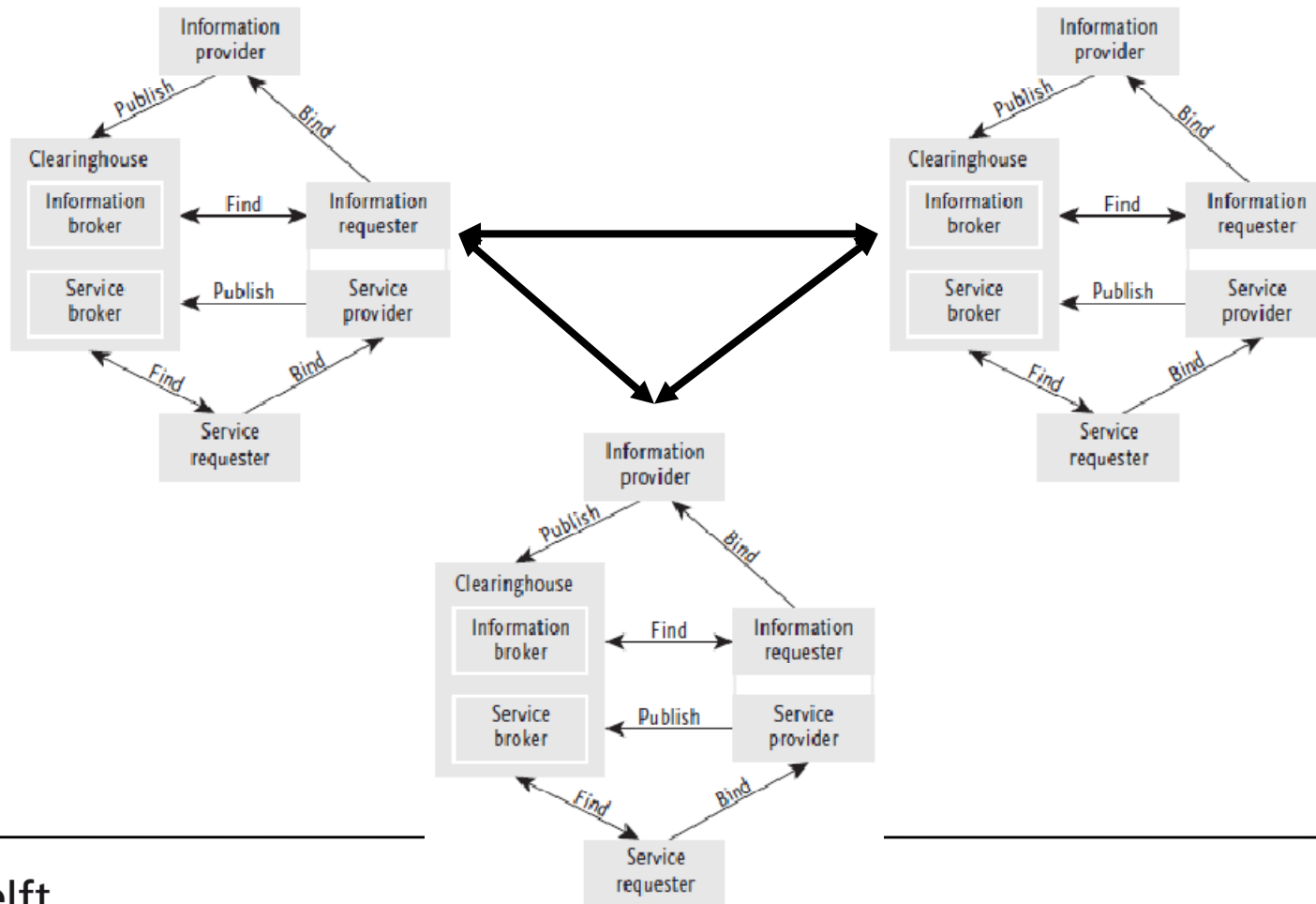
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Publish-find-bind concept



Publish-find-bind concept



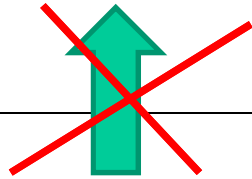


Publish-find-bind

- Prerequisite: interoperable data and services
 - Standards

Standard development

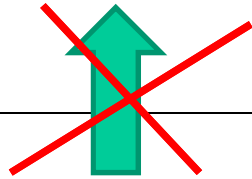
Smooth cross-border
exchange



Each organisation has
its own standard

Standard development

Smooth cross-border
exchange

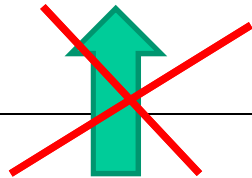
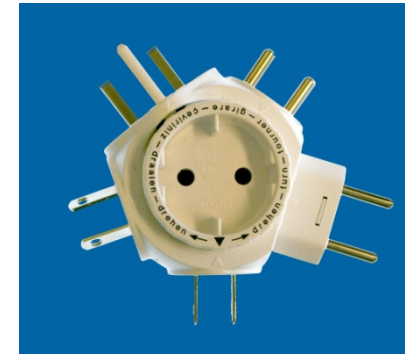
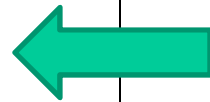


Each organisation has
its own standard



Standard development

Smooth cross-border exchange



Each organisation has its own standard





Standard licences

Tanguy de Lestré (Agoria):

“It is not the price that matters,.....

..... it is transparency in what is available
and what conditions apply”

Transparancy => standardisation



















Standard licences

Intransparent, inconsistent and/or restricted conditions



can we create standard/model licences that increase transparency on a European/global level?

Creative commons licenses

Attribution			
Attribution-NoDerivs			
Attribution-NonCommercial-NoDerivs			
Attribution-NonCommercial			
Attribution-NonCommercial-ShareAlike			
Attribution-ShareAlike			
CC0: public domain			
Public domain mark (PDM)			
Public domain declaration			

Government Information Licensing Framework: Queensland, Australia

- 6 Creative Commons licences:

Attribution



Attribution-NoDerivs



Attribution-NonCommercial-NoDerivs



Attribution-NonCommercial



Attribution-NonCommercial-ShareAlike



Attribution-ShareAlike



- 1 restrictive licence (the GILF licence)

GeoShared licensing framework

1. Public domain mark
2. Attribution
3. No redistribution
4. Derivative works only if Work is not selectable from derivative work
5. Time limitation
6. Fee is required
7. Purpose limitation
8. Additional conditions



INSPIRE (basic and specific licence)

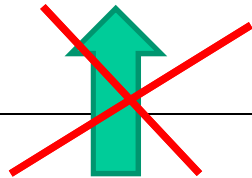
- Allowed use (access by contractors, written consent, only activities impacting the environment, public access if)
- Attribution
- Pricing and Payment
- Warranties
- Security: integrity & authorisation
- Liability
- Additional conditions
- Access and Delivery: timely and efficient/ major emergencies
- Personal Data
- Assignment, sublicensing and contracting
- Force Majeure
- Conflict resolution
- Termination

Others: <http://www.gsdi.org/node/297>

- GeoConnections, Canada
- Piedmonte, Region in Italy
- OGL, UK
- SeaDataNet project
- OneGeology project
- GENESI project
- ECOMET
- GEOSS
- ESDIN
- Musterlizenzvereinbarung, Germany
- APIE (France)
- Ministry of Justice (France)
- Open data licence Montevideo (Uruguay)
- ..

Standard development: licences

Smooth cross-border
exchange of (PS)GI



No transparency; Each
organisation has its own
unique licences



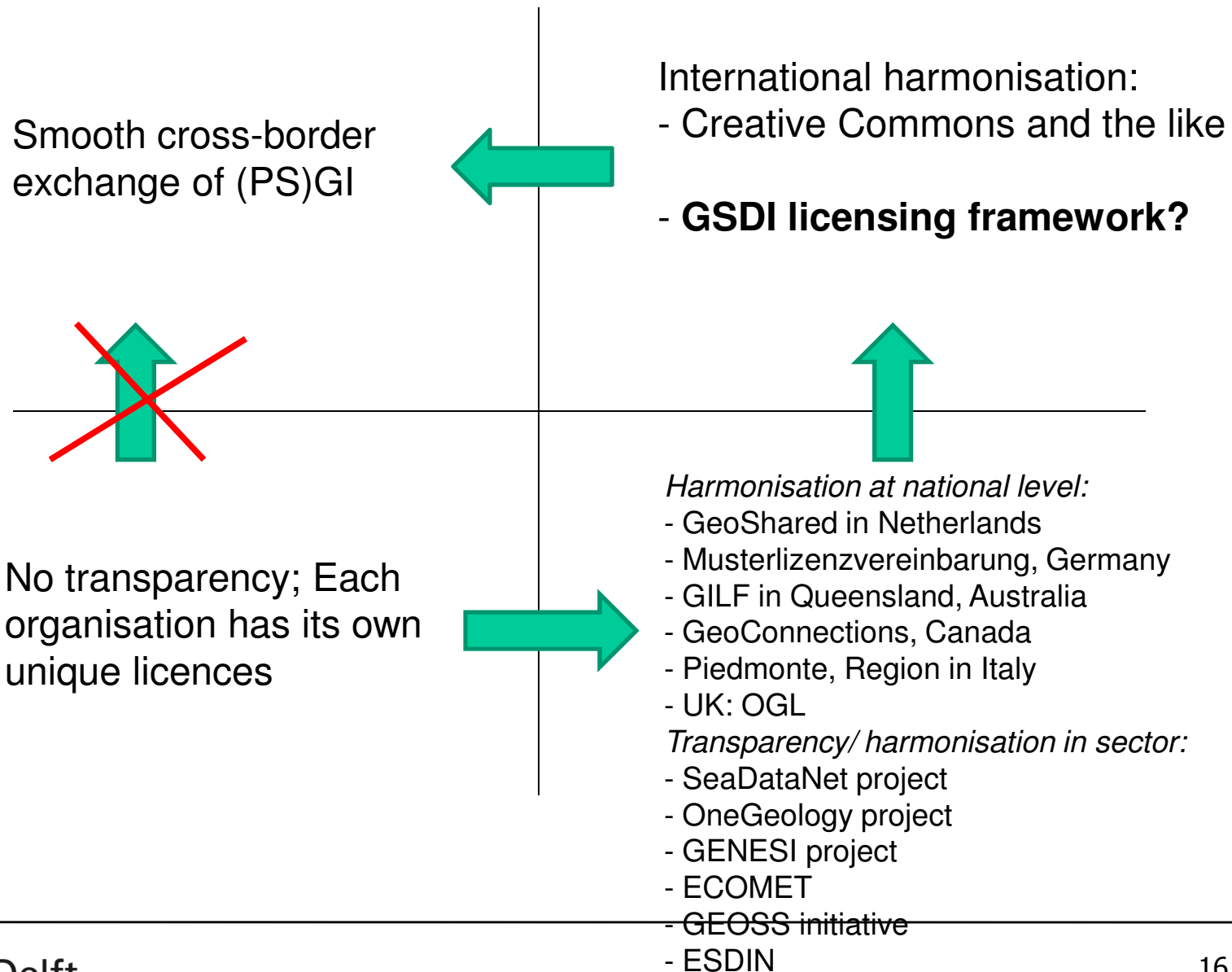
Harmonisation at national level:

- GeoShared in Netherlands
- Musterlizenzvereinbarung, Germany
- GILF in Queensland, Australia
- GeoConnections, Canada
- Piemonte, Region in Italy
- UK: OGL

Transparency/ harmonisation in sector:

- SeaDataNet project
- OneGeology project
- GENESI project
- ECOMET
- GEOSS initiative
- ESDIN

Standard development: licences





Global GSDI licensing framework?

GSDI12 conference Singapore

- Anne Fritzgerald: "Legal Issues and Experiences from an Australia Perspective"
- Aleksandra Kuczerawy, Katleen Janssen, Jos Dumortier: "OneGeology Europe - Towards Harmonization of the Access and Licensing Policies of the European Geological Surveys"
- Laila Aslesen: "Licensing Models: An Unavoidable Nuisance or a Necessary Component? Implementing INSPIRE through the ESDIN Project"
- Harlan Onsrud: "Legal Interoperability in Support of Spatially Enabling Society"
- Bastiaan van Loenen and Frederika Welle Donker: "Towards a framework of standard licenses for geo-information?!"

GSDI legal and socio-economic committee

- Chair dr. Gabor Remetey-Fülöpp
- Vice-chairs:
 - Dr. Katleen Janssen
 - Dr. Pakorn Apaphant
 - Dr. Bastiaan van Loenen
- Objective: to work towards a global licensing framework for geographic data, starting from existing frameworks and licence models
- Aiming at harmonising the licenses currently existing
- Not: aiming at changing access policies, funding models and the like


Global GI licensing framework

Process and planning	
Mid January 2011	Collection of materials
Mid March 2011	Analysis of licences and categorising main components
September 2011	Draft licences open for consultation
December 2011	End of consultation round
May 2012 (GSDI13)	Second draft of licences ready



Categorisation

- Definitions
- Grant
- Obligations
- Restrictions
- Duration
- Warranties
- Disclaimers
- Termination
- Dispute resolution
- Applicable law
- Contact information??



Grant to use

- Non-exclusive
- Royalty-free
- Worldwide/ area specific



Obligations

- Attribution + year (o)
- No misuse/ misrepresentation (o)
- Notification of misuse/ infringements (o)
- Notification of errors in data (o)
- No identifier/ trademark of supplier (o)
- Payment (o)

Restrictions (o)

- No third party distribution
- Contractor's clause
- Means of access: Downloading, viewing, e-transmission, etc.
- No sublicensing
- Non-disclosure/ Unauthorised use
- No direct marketing
- Viral clause: share-alike
- No derivative works/ No changes/ adaptations to original Work
- Copy derived/ non-copy derived
- Only non-commercial use/ no commercial use
- Only internal use
- Only private use
- Only activity Y
- Only purpose Z (e.g., only to develop derivative works)

Thus? Categorisation licence types

- Per user group?
 - What is government use, private sector use, non-profit use, end-user?
- Per type of use?
 - Commercial/ Non-commercial/ Internal/ Personal /other?
 - Only viewing, downloading, invoking etc.
 - Only derivative works
 - Etc.
- Other?



Categorisation: types of use (sort of)

1. Public domain; e.g., Creative Commons public domain mark
2. No use restrictions, but
3. Only if:
internal use/ only personal use/ No distribution to third parties/
4. Only if:
non-commercial use

particular use
 - for purpose X
 - for activity X



No use restrictions, but

- Attribution (optional) + year of publication (optional)
- Misuse and misrepresentation
- Notification
- Payment (optional)

Only internal use/ only personal use/ No distribution to third parties/

- Attribution (optional) + year of publication (optional)
- Misuse and misrepresentation
- Notification
- Payment (optional)

+

- No distribution to third parties
 - Only internal use
 - Contractor's use (optional)
 - Only personal use
- Only area X

Only if: non commercial/ for purpose X/ for activity X

- Attribution (optional) + year of publication (optional)
 - Misuse and misrepresentation
 - Notification
 - Payment (optional)
- +
- Only if:
 - Distribution to third parties (e.g., share alike) (optional)
 - Distribution of derivative works only (optional)/ no distribution of the Work itself
 - No derivative works
 - Copy derived/ non copy derived
 - Sublicensing (o)



Issues

- Use(r) types uniqueness?
- Non-commercial only (positive) or no commercial use (negative)
- No delivery requirements: 24/7, performance requirements, etc
- Confidentiality
- Privacy
- Security
- Payment detailed



Conclusion

- We are moving from ad hoc licences lacking transparency set by individual organizations towards nationally or sectorally coordinated harmonised licences, often building on the Creative Commons framework.
- The next step: to move across nations and sectors towards an international framework of standard licences for geographic information.
- Is it possible to align the frameworks created by national and/or sectoral efforts in one global (GSDI) licensing framework?



HELP!

- Please criticize our work:
 - Worthwhile effort?
 - Is geo really that special?
 - Further directions?
- Seeking commercial sector licences to be considered in framework

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